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OUR FORESTS And how to Conserve Them:

A Paper on

The New Zealand State Forests' Act, 1885

Read Before

The Waitemata County Council

By Richard Monk, Esq., J.P.

FEBRUARY 5TH, 1886.

Auckland, N.Z. Printed at the Star Office, SHORTLAND AND FORT STREETS. MDCCCLXXXVI.

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Note.

AT the Ordinary Meeting of the Waitemata County Council, on 8th January last, a circular letter from the Hon. John Ballance, Commissioner of State Forests, was read, requesting the Chairman of the Council to allow himself to be nominated a Conservator of Forests for the County. A copy of "The New Zealand State Forests' Act, 1885," was enclosed for the information of the Council. As the circular and Act dealt with a matter of special importance to this County, and as several members of the Council were largely interested in the particular industry affected by the Act, it was decided to postpone discussion on the subject till the next meeting, in order that members might make themselves more familiar with the new law. During the debate which ensued, at the meeting on the 5th February, Councillor Monk, J.P., moved the following resolutions on the subject:—

- That, in the opinion of this Council, the forest regulations as yet introduced by the Government are inadequate, and not practically adapted to the requirements of this Province.
- That this Council, in responding to the expression of the Government circular now before it, is of opinion that the New Zealand State Forests' Act of last session sets up a mere semblance of administration, utterly incapable of accomplishing any satisfactory results in retarding forest waste through fires that are becoming increasingly prevalent year after year.
- That while the Council has this belief with regard to existing forest laws, it desires to convey to the Government a hearty sympathy with the principle, that our forests should receive more effort to protect them than is now given.
- That, having this important object in view, this Council respectfully urges upon the Government the extreme necessity of providing during the coming session an exhaustive but practical system of forestry laws, having provisions so varied as to suit the special needs of the different Provinces where forests exist. In doing this, it has the impression that such a code would have been supplied long since, had the Government only been fully aware of the very great value of forest operations to the industrial economy of this Colony, and the enormous, yet comparatively unheeded loss that is being annually inflicted upon this Province through fires that are commonly of wilful origin.

In support of the resolutions, Mr. Monk read the following important statement, which, with his consent, the Council resolved to publish in pamphlet form for circulation amongst members of the Legislature and the local bodies in the Auckland Provincial District. Mr. Monk has had the experience of a lifetime amongst the forests of the Auckland district, and is thoroughly conversant with the conditions of growth of the different species of trees. He has also, as every Auckland citizen knows, had large interests committed to his care for many years past in connection with our timber industry. He is, in fact, a specialist, and a very enthusiastic one, on this subject. In the present paper Mr. Monk does not enter into the question of replanting, but it is understood that he possesses definite ideas and a largo amount of information on this part of the subject, which it is hoped he will shortly be able to give to the public.

O. Mays,

CHAIRMAN WAITEMATA COUNTY COUNCIL.

Conservation of our Forests.

MR. CHAIRMAN AND GENTLEMEN,

While I have presumed in the motion to make allusion to other provinces and the colony, yet the remarks I am about to make should be understood as being intended to apply to the requirements of this province only, as regulations suiting us may be unnecessary in other parts of the colony. I wish also to direct the attention of the Council solely to the consideration of waste by fire, taking no account of the rapid utilization of our kauri. Although this is giving grave concern to those who would like to practice thoughtfulness in the interests of the future, as matters now stand such sentiments are Utopian, experience teaching forest owners that there is wisdom in hastening its conversion into cash, as delay may find it transformed into smoke by the brand of the fire-raiser. The people of this province are possessed of large tracts of land, that the forest now growing upon them is the best and most valuable crop they can produce, and upon very much of these lands perhaps its forest is the only crop of value it ever will produce. Notwithstanding this, we are, to my mind, deeply guilty of acting as if it is a matter of no consequence that this valuable property is being rapidly reduced to ashes. During the past few weeks many millions of kauri and other woods have been destroyed in this way; from far up northward to down southward, near the extreme limits of growing kauri, has the destroyer been spreading his weird mantle of flame. Several large patches of kauri, besides vast quantities of ordinary growths that should have been treasured stores to be brought forth in times of future need, have been wantonly wasted. I have in mind one very valuable piece of kauri bush (belonging to the Crown) that was ruined during this summer. Such a misfortune makes no stir among the people of this province; our newspapers are silent, and yet the reforestry efforts of the next forty years will not reproduce in any part of this colony arboreal growth approaching it either in beauty or value. The destruction of this one piece I estimate as a loss of nearly £20,000, the bulk of which would have been paid away in wages to the various professions of workmen connected with forest and lumber operations. I also estimate that within the last thirty-five years bush fires have destroyed not less than 340 millions of marketable kauri trees, and three times this quantity of other yet useful kinds of woods. In addition to this, the kauri trees below the present standard of marketable, but yet of a diameter from 1 to 2ft. that have been destroyed by fire is from two to three times more in number than have been utilized by the forester's axe. Within thirty years such growths of kauri will (if preserved) become invaluable partly by natural (though trifling) growth, and partly because commerce will in time develop requirements for which such trees will be sufficiently suitable. The destruction of the 340 millions of kauri first mentioned means a loss to this province of about as follows:—Wages to be paid for labour upon it, before it would reach the ships' rail, in the average proportions of rough and dressed lumber, £950,000. To shipping interests it would average a freight value of £230,000, and to proprietors, merchants, and agents, would total £110,000 more, making a total of £1,290,000; and I believe that those who are informed on these subjects will say that the amount is much understated. It is also to be borne in mind that I exclude the operations of remanipulation incident to manufacturing, and the large industrial interest accompanying retailing.

It is a subject deserving of attention (but that cannot be admitted within the limits of the time to be spared from the regular business of this afternoon) to trace up the economic value of such a sum to this province. To properly realise it one must grasp in its great breadth the distributive characteristic of disbursements made under our timber operations. It is a business that scatters wages with no stinting hand, and it benefits a community in which it is situated far more than the proprietary who run it. A wool crop of £4,000,000 will not give employment to half the population that a timber business (grossing £1,000,000) will thrill with the busy energy of continuous employment. Running a timber concern, like working coal measures, infiltrates wages through the masses, while the proprietary have to be wary if interest is secured on the capital employed. I suspect the people of this province of not realising what its timber industry is doing for them. I do not wish even to suggest that if the kauri trade was to be suddenly withdrawn from Auckland its streets would become grassed to the ankles and the Harbour Board offices would be turned into a storehouse for fishing nets. I believe that the province has resources apart from its timber trade that, if not downright smothered with an incubus of squandered borrowings, will enable it to sustain a large and prosperous population. But nevertheless, as an element of present prosperity and to promote successful settlement, we cannot do better than cherish to the utmost what is now the means of supplying an occupation to a large number of our people. Exclusive of the

manufactories, our timber trade is already employing about 2,800 persons. The chairman of a timber company publicly stated that his company paid £99,275 in wages for the year previous to the meeting which he addressed. During the month of December last the bush mill proprietaries paid in wages over £30,000, and during Christmas week between £18,000 and £19,000 was so paid. Suppose that this circulation was withdrawn, what a paralysing shrinkage would soon follow in the operations of our tradesmen and merchants! City properties would rapidly sink in value, rents would decline, so that landlords would wish to be such no longer, while cottagers would sell at any sacrifice the homes built out of the hard-earned savings of years, in order that they might be free to choose some other spot where depression would be less keenly felt. In short, ten to twelve thousand of our population would have their attention forced to other locations than those in which they are now obtaining a livelihood.

It is not our kauri timber only that we need to protect from fire. If the present system of wantonly firing the country is tolerated for another seven or eight years, not only will there be very little kauri left, but there will be a calamitous shrinkage of all other forests. Under the best system of conservation about twenty-five years will bring in the closing phases of our kauri bushes; but when that period reaches the people then living, the large areas of what are known now as common bushes will (if protected from fire) supply them with a profitable and more extended source of employment than that of the kauri to us, and it will be of far more value because of the larger supply of such timber. I have this belief because that many of the woods growing in our bushes, and at present unnoticed, are superior to some of the valued timbers of Europe. For productive dimensions of trunk, they much exceed them, as many of the mill booms of both the Baltic and America are now being supplied with logs scarcely equalling the diameters attained by even such trees as our tawa and tarairi. If, then, the present value of our kauri is so great, and if our ordinary timbers may become a factor of so much moment in the future industrial economy of the country, a mission is imposed upon every one in this colony of endeavouring to protect from wanton waste a property that once lost will never be replaced. Seven years ago I tried to impress upon the Government the urgency of providing adequate protection to a resource which, by common assent, is admitted to be of colonial importance. Had earnest effort of conservation from fire been put forth then, the forest wealth of this province would now be £150,000 more than it is.

Let us now glance at some of the provisions that suggest themselves as necessary in an effective scheme for preventing bush fires. I at once admit that it will prove an intricate task to devise forest laws that shall bear upon their face such an impressment of severity that wrong-doers will not dare to trifle with their precepts, and yet that at the same time they shall not unreasonably interfere with arrangements incident to settlement. So peculiar and complex are the circumstances accompanying this sin of forest-burning, that it will require great care in framing enactments that shall effectually arrest the firing, and yet not trench too much upon the requirement of families who are making homes within districts more or less timbered. I believe that this section of our colonists will prove themselves rather helpful than otherwise in enforcing regulations which will give easement to their own risks from bush fires. Thoughtful settlers have expressed themselves to me as very much concerned over the reckless burning of forests in their districts. They feel that the suppression of this scourge will be a means of imparting increased permanency of value to their homesteads, as the timber industry provides the best market for much of their produce, and is also helpful in supplying them with occasional work. Very few thus interested but will cheerfully acquiesce in the principle that there are months during the summer season when it ought to be held unlawful for them to fire even their own clearings excepting under official sanction, and the interests of the State may demand that it shall control fires for "burning off" at a season when it may jeopardize standing forest, even though that forest is the property of the person so doing.

Legislation should provide power to define and proclaim which shall be the districts for the conservation of which forest laws shall apply. And as it is claimed that the preserving of forests from fire is a matter of public welfare, legislation should have as much in view the protection of forests in the hands of private parties as those owned by the Crown. Conservation should be exercised, but with varied arrangements (to meet practical difficulties), over lands that might be classified as follows:—

- Special—such as kauri, or other kinds of woods interspersed with valuable patches of kauri, making it specially inflammable.
- Dense forest growths, entirely without or having very little kauri, but having, as was before stated, a great prospective value.
- Fern and patchy tree growth, of no importance for timber purposes. But such tracts, when contiguous to or conjoined with forests, are, if fired in the summer months, the foresters' terror. Fires have been kindled on fern ranges miles away from the forests they have eventually burnt valuable bush. There are times when ferns may be safely "flashed," and it may be needful that this should be done, but in forest districts, only under proper supervision.

Rangers would be a part of the machinery appointed under Government sanction, but not necessarily in all cases nominated or paid by it. Private parties would in many places take the cost upon themselves. Such a

service during a few months of the year would inflict only a trifling expense compared with the loss of timber and the costly toil of struggling with the fires that now yearly beset them. I would object to rangers that are paid by private parties being merely Government servants. Such persons are often disposed to shirk hard work, and you will never make a good ranger out of a lazy man. The constabulary will be of little service. I know where one is stationed at some cost to a company and where fires have been rife; but with both the Police and the Land Acts in his hands the gentleman has made weight like a stalled calf, and it seems as if the oily tissue of excessive dewlap softens away the energy that should be the glory of a policeman. One reason for this, perhaps, is that there are no stripes or increased pay for scars gotten from cutty-grass wounds—no medal for courageous and persistent effort in suppressing bush fires; yet many a Victoria Cross has been won with less effort and no more risk to life than I have known some men to go through in doing battle in a forest to save it from the flames that raged around them.

Within the proclaimed districts regulations of the following nature would be required:—

- Where there is forest, scrub, or fern, no fires should be kindled (during the dry season) outside of a building until a suitable area had been carefully cleared of rubbish or inflammable material.
- Such fires after being used should be extinguished. Camp fires have been left in the morning when the air was calm, but the wind afterwards rising, sparks have been driven before it, becoming the origin of destructive fires.
- No person shall be allowed to dig for kauri gum without a license.
- Digging without license to subject to fine, or imprisonment if not paid.
- License to be granted free of cost.
- License should define the limits of the area (not too large), and the locality over which it authorises the holder to search for gum.
- It should not be transferable, and should be produced on demand by anyone having an interest in the district.
- Licensee, if wishing to change his ground, will require from Ranger either a new license or an endorsement describing or allotting change of location.
- Holders of licenses to be held liable to do their utmost to extinguish any fires breaking out within the area described in their license.
- A fire occurring under suspicious circumstances (within a proclaimed district), the Ranger should require an inquiry to be held before not less than two justices.

If persons holding licenses are in the opinion of the Bench guilty of omitting to exercise due care and precaution to prevent fire, or shall be wanting in reasonable effort to suppress the same within their boundaries, it should have the power either to cancel or suspend for a time the right to dig for gum, as it may deem the merits of the case to demand. The judgment to have effect throughout the Province of Auckland.

- Any person found guilty of wilfully firing forest should be committed for trial at the Supreme Court just as if he had burnt stacks of wheat or hay.
- Punishment for wilfully setting fire to bush within a proclaimed district should be severe (or the law will be ineffective), say from one day to five years.

I suggest this extreme latitude in the penalty, because that I have known cases where firing was so maliciously done that five years was too little; while in other instances fires have been started with the intention of burning off the fern only, and without the slightest suspicion that it would reach forest that was miles away. Sometimes intervals of weeks have elapsed from the time it was first kindled until it reached the forest it ultimately consumed. In such cases imprisonment for the shortest term would enable the country sufficiently to mark its displeasure at an act which, though done in sheer thoughtlessness, might be a ruinous incident for the district in which it occurred.

The resolutions were seconded by Cr. Sinclair, J.P., and carried unanimously.

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Protection and Free Trade.

By William Reeve Haselden,
Barrister-at-Law,

Author of First Prize Essay on "Colonial Industries," New Zealand Exhibition, 1885.

Dedicated by Permission to

The Honorable Sir Robert Stout, K.C.M.G.,

Premier of New Zealand.

Price Sixpence.

Wellington: LYON AND BLAIR, PRINTERS, LAMBTON QUAY. 1887

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Dedication.

To
THE HON. SIR ROBERT STOUT, K.C.M.G.,
Premier of New Zealand.

Sir

With your permission, I dedicate this little work to you. The kindly and large-hearted sympathy which you ever evince with the people of this Colony, and the courage you have shown in striking out new paths of advancement for the masses, embolden me to hope that the views I have endeavoured to express will meet with a candid consideration from you, and, if approved of, the most powerful and weighty advocacy that can be exerted on their behalf.

With great respect

*I subscribe myself,
Your most obedient servant,
The Author.*

Protection and Free Trade.

decorative feature

MY endeavour in these few pages will be to show that Protection to those industries which can be profitably pursued in this Colony, is essential to its progress and existence. Having no political constituency to be afraid of, I am not hampered by the fear of failure to convince a majority of the electors that my views are sound. I do not propose to weary the reader or myself with an endless array of statistics, which can be made to prove anything, but rather to state admitted facts, (or at least what I believe to be admitted facts,) and then to draw such deductions as will, I trust, seem sound to thinking men.

Free Trade in the Old Country has become an idolatry, and it is denounced as reversion, to advocate Protection there; although, even now, statesmen are frankly admitting that Cobden's prophecy of the consequences of England's example in adopting Free Trade has not been fulfilled, and that some results are occurring in countries with a protective tariff, which are at variance with Free Trade theories. The development of American manufactures is rudely displacing the hope that Free Trade would survive and surpass Protection; and the display of colonial manufactures at the recent Indian and Colonial Exhibition, was not altogether so agreeable to British manufacturers, as the praise bestowed would entitle the exhibitors to expect.

England adopted Free Trade because she believed that it was her best interest to do so; and I believe that owing to her peculiar situation it was really a wise policy. Had all other nations followed suit, the advantage to her would have been still greater. Other nations, and notably America, declared for Protection, because they saw the difference between England's position and their own.

New Zealand has only lately had the question brought at all incisively before it, and there are two considerations, both of them grave, which urge her against the policy, although her own interests are calling loudly for it. The first of these considerations is a sentimental one, but none the less weighty on that account. It is felt to be unfriendly and anti-English to thwart the wishes of the Mother Country in this respect. Begirt as she is by foes abroad, and weakened by dissensions within, the majority of colonists are determined to stick closer

than ever to the country to which they owe allegiance, and will be slow to offend her in any way. This is a powerful consideration with many, and long may it continue so. Whether there is sufficient in it to refuse to support Protection, remains to be seen. The next consideration is not sentimental, but apprehensive: it is the fear of such large vested interests being created that, when Protection has done its work, by creating an industry that can fairly compete with the whole world, the vested interests will be powerful enough to continue a high tariff, in order to artificially inflate their profits. Troubles will come in various forms upon every people, but I do not fear this one in particular. Popular voting may make great mistakes, but it is more ready to remedy mistakes, than aristocratic legislators have proved themselves to be.

The last objection brings into prominence the fact that, at the present time, the chief opponents of a protective tariff are the importing merchants and squatters, and also that class of persons whose incomes are fixed and certain, such as Government officers, bank managers, and the like. Mr. George Fisher, M.H.B., says that the newspapers of the Colony oppose a protective tariff, because they are hired to do so by importers. No doubt, if the newspapers generally did advocate Protection, those interested in opposing it would establish a Press to write it down, and it rests with the Protectionists to do likewise; the only difficulty being that the power of wealth is on the side of the importing interest. The very danger that is apprehended from our protected manufacturers is being experienced now from Free Trade importers: they can afford to spend money in defence of their present interests, and are not backward in doing so. But the danger apprehended from protected colonial manufacturers uniting to keep up a high tariff, in order to unduly inflate prices, is wholly imaginary and impossible, and vanishes before the thought that competition amongst themselves, will soon reduce profits to a fair margin above the cost of production. The woollen fabrics, boots and shoes, manufactured within the Colony, are priced according to the lowest cost of production in the most economically worked mill or factory, and competition is already getting keen between them. Protection in these articles would not raise the price at all; it would only increase the local demand, and create more and more factories, employing our surplus labour. No doubt our importers would feel the change a little, but they must be far more stupid persons than their success hitherto in life warrants us in believing them to be, if they are not able to adapt themselves to the change, and find it more profitable than the present system. They are very conservative in their principles, only they call it liberalism: their fathers fought the battle of Free Trade and Protection at Home, and they do not want to argue it all over again here. "Protection is dead," say they, "dead as King Arthur, and as great a fraud." It suits their present interests to say this, but if they would look ahead it would suit them better to recognise at once that we are at the Antipodes, and that in policy as well as geographical position, the opposite is sometimes correct.

The Colony cannot live without manufactures. It cannot maintain an ordinary prosperity by farming; it has practically at present no other resources; it cannot establish manufactures without powerful aid. Bonuses are insufficient to establish manufactures, because they do not provide any inducement to people to buy colonial manufactures in preference to foreign. No bonus can be offered which would enable the colonial manufacturer to undersell the foreign; but a tariff can do this, it can estimate the fair value of an article, and then tax the indifferent purchaser, who insists upon having imported goods. I have just said that beyond farming the Colony has practically at present no resources; and it may well be asked whether this is true, after the display made at the New Zealand Industrial Exhibition of 1885, and the pæan of praise that then was sung. Unfortunately it is only too true: we demonstrated beyond doubt that we had the ability to manufacture almost every requisite of our life, if we had the chance, but we have not the chance, so long as those, whose selfish interests lie in an opposite direction, prevent our industries from competing on equal terms with the low wages of older countries.

We have timber, and gold, and coal; but with the exception of the latter, these will not have a permanent or widespread effect. Our coal will supply our factories, but without factories our coal is of comparatively little worth. Wool and grain are grown in a certain portion of the Colony, and the wool and grain growers are Free Traders, because they want the cheapest labour, clothes, furniture, necessaries, and luxuries that they can obtain in exchange for their wool and grain. These interests are represented by wealth and intelligence, and this it is, which makes the introduction of a protective policy so difficult and slow. Come it must, when the shoe pinches so tightly that it can no longer be worn, and the foot is lamed and crippled. Can it not come now, before the weakening of starvation and dishonest credit, has unnerved the body and brain for healthy work?

Free Trade is an easy doctrine to argue if you will assume the major premiss—if you take for granted, that nations and individuals will act fairly, and that their conditions are similar; in other words, if you treat human affairs as if they were arithmetical factors, and can be proved accordingly. It never has been so from the creation; one touch of nature mars the whole problem, and the *Q.E.D.* falls ignominiously to the ground. According to the unanswerable logic of Bright, Cobden and Villiers, America, Germany, and all other nations must necessarily follow England's example, and espouse Free Trade; compelled to do so by the glory of the success that was to follow its introduction. Had America done so, would she now be England's rival in manufactures? I do not think that it will be seriously contended that she could have survived the early years of

competition with her rival.

The more simple the form in which the question is put before the people, the more clearly it will be understood. I place these postulates before my readers:—

- It is to the interest of a few wool and grain growers, and some importers, to have Free Trade.
- These classes are insufficient to maintain the Colony and its burdens, and provide for natural increase in population.
- That without large population the agricultural community must languish and fail.
- That by the establishment of manufactures, a large population can be supported, which will, in turn, support the agriculturist and other classes.
- That the difficulties in the way of establishing manufactures are chiefly the difference in wages here, and in older countries, and the opposition met with from Home manufactures and importers.
- That it is undesirable to reduce the price of labour here to that of England, or other old world countries.
- That the requirements of a country teeming with population, and unable to raise its own food-supply within itself, are different from those of a new country with a sparse population, able not only to produce its own food-supply, but to export to others.
- That the burden of debt which New Zealand has incurred, chiefly in rendering valuable the properties of wool and grain growers, demands an increase in population, and the production of the highest possible equivalent for money in order to pay the interest on such debt.
- That the colonists, and especially colonists of the above classes, are not patriotic enough to buy colonially manufactured goods from a desire to benefit the country, but would probably do so, if they had to pay a tax to the State for importing foreign goods.
- That the success of a protective policy depends upon the wisdom with which it is applied.

The wool and grain growers, the importers, and the recipients of a fixed income, oppose Protection because they believe that the effect of it would be to raise the price of commodities they are compelled to buy, without raising the price of those they sell. The wool and grain growers export their wool and grain, and the cheaper they grow it, the larger their profits. The price they receive is fixed by the market of the world, but the wages they pay is fixed by the rate in the Colony. The lower wages sink, and the easier land is obtained, so much the better for them. It matters not to them if people starve at home, for lack of money to buy bread: they have their railways, their land, and ships, and away goes their wool and corn to supply the world at large. Some of them are honest enough to admit this, but not many; the majority prefer to prate of the final victory of Free Trade over Protection, to invoke the shadows of Bright, Cobden and Villiers, to point to the conversion of Sir Robert Peel, to shrug their shoulders in contempt at those who would re-open the controversy; and all the time employ their power, pecuniary, political, and personal, in defeating Protectionist ideas. Admit here, for the sake of argument, that from their own point of view they are right, and the question at once arises: Are the people going to allow the interests of a privileged class to override all others, and turn this Colony into a sheep run, or machine-tilled corn field? "The earth is the Lord's," say they, "and the fulness thereof;" meaning themselves as the lords. The earth is the People's, say I, and if they do not all eat of the fulness thereof, it is their own folly which prevents them. Theirs is the political power; let them wield it to their own advantage.

But these people are wrong, even from their own point of view. They are not so independent as they seem; they, too, know the iron hand of debt and heavy interest. They will not be able to exist with an impoverished people around them, and a bankrupt Government; they must bear the expense of maintaining those parts of the Colony in which wool and grain cannot be grown; and they will find that a home demand is better in the long run than a foreign one. Will they not see the advantage in being able to sell within the Colony, to a thriving and industrious population, rather than having to wholly depend upon the fluctuations of the world's market; and that even if for a time they have to pay a little more for commodities under a Protective tariff than they would under Free Trade, the seeming loss would be more than recouped to them?

As to the other part of the class we are considering—the importers, and that large army the Civil servants, bank managers, *et hoc genus omne*—is their case different? We will see. The importers would find the change so gradual, and that as imports lessened, if they did lessen—and I doubt if they would—other profits in the shape of brokerage and trade with manufacturers would take their place; capital would flow into the country for machinery and plant; indenting would long continue, and not during the present generation would English trade be less. Instead of manufactured articles, we should long have to import the wherewithal to make those articles; and not till a full century of our existence has passed, shall we be able to supply ourselves with machinery and plant in the endless variety required. Patentees would still be protected, and patented machines would have to be imported as at present. For the salaried portion of the community, to whom Protection is a bugbear worse than a 10 per cent, reduction, I would point out that there is a worse evil than high-priced goods—namely, dismissal, "in consequence of reductions in the service." They cannot be maintained unless the country continues to be prosperous and populous; and as the demand for labour such as their's increases, so will their

incomes be commensurate to the cost of living. Be wise in time, I would say to these: you are not called upon to actively advocate one side or the other; consult your true interests, and place no obstacle in the way of the development of this people and Colony, and do not turn away from this counsel, as too presumptuous from an unknown man in politics. I would not trouble to write these pages but for the unfortunate fact that those who govern us, who are looked up to as men of light and leading, cannot too suddenly press a protective policy upon the country; they cannot either frighten or offend a powerful section of the community, but must go cautiously, waiting until the truth is brought home to the people generally, and they are ready to give their verdict. You to whom I now speak have weight and influence among the people, especially in matters of opinion; removed from the daily struggle for existence, accustomed to exercise judgment on doubtful matters, possessing practised pens, and often practised tongues: your influence, quietly exerted, will have a large effect in hastening or delaying the inevitable result.

It surely requires no argument to show that all the classes above referred to are insufficient to maintain the Colony and its burdens, and provide for natural increase in population. Had a different start been made, had no public debt been incurred, had no foundations been already laid, a certain number of these, backed by a comparatively few of the working class, might have continued to so maintain a holding of the Colony that its name would still be in geographies, and included in a list of English possessions. But we have been too enterprising for this: we have discounted the future; and to retire from active business now would mean bankruptcy and disgrace. Those who are living in a fool's paradise, taking for granted that because it is well with them at present it will ever continue so, and not seeking for the causes of their present prosperity, and for the guarantees of a permanence for things as they are, may scout the proposed remedies and laugh at apprehensions for misfortunes; but, be they never so positive in their security, matters will work to their natural consequence. Taking the Civil Service as an example, and admitting that it is neither overgrown or over-paid, what is to become of the children of the present Civil servants? Can they all be received into Government offices, and be servants of the public? They may, if the public is increasing in proportion to their own numbers, but not otherwise. Then are there other openings offering? I think not in due proportion to the increase of candidates. Had we countless acres of pasture, or arable land, no doubt great cities might arise; but we have no such qualification, our Colony cannot be one merely of city and plain. I believe firmly in the wisdom of the policy which has been almost undesignedly shaped, and which has produced the beginning of so many, and so varied industrial arts amongst us. I do not know if this is the critical time at which a right or wrong decision will make or mar us; but, were it not for our genius in extricating ourselves from the consequence of mistaken counsels, I should say it was. In any event, the departure which is now sought to be made must have an immense importance upon our career for many years to come.

A purely agricultural population, without accessible and lively markets, exist in a fashion which hardly any civilised being can desire. The field, garden, and dairy will no longer supply the wants of civilized man. Without cash to purchase clothes, implements, machinery, comforts, and imported necessaries, life on a farm is intolerable. Farming is now no longer the primitive means of living it used to be: it is a business, demanding knowledge and capital; and the farmer, without a market, is as helpless as a merchant in a desert island. The prosperity of our farmers depends upon the goodness of the markets afforded them; and how are we to provide a market here, except by having large numbers of mouths to fill, belonging to people who are producing wealth in other forms? Years ago, I remember a certain goldfields warden who was much chaffed concerning a speech he made. This gentleman said: "The merchant lives upon the storekeeper, the storekeeper lives upon the miner, and the miner wrests the auriferous ore from the bowels of Mother Earth." He said "Muvver Earf," but that does not matter: what he said was perfectly true; and what is the result of such one-sided "reciprocity"? When the miner has exhausted Mother Earth's supply of ore, he and the storekeeper, and the merchant, all depart for fresh woods and pastures new. If we can, in exchange for the farmer's stores, supply him from the hands of those who eat those stores with clothes, implements, and other indispensable requisites, a reciprocity is created which is not "all on one side." But if the farmer has to send his produce away across the sea, turn it into money in a foreign mart, and from thence bring back the things he must buy—friction, loss of power, loss of money, loss to the country is the result. Take an illustration from banking business. How much actual cash does it take to settle the exchanges of all the banks doing business in a city? Hardly hundreds; yet the debit against each bank alone amounts to tens and hundreds of thousands. A clerk goes round, and the cheques drawn on one bank are set against those it holds drawn on other banks. I speak of cities where clearing-houses have not yet been established, but the same thing occurs in both instances. Now, supposing, instead of this easy way of settling differences, each bank had to remit to a distant city, bullion or drafts, representing the value of the cheques drawn upon it, and in the course of time received from the same or another city, bullion or drafts representing the value of the cheques received by it upon other banks—what loss would occur! what increase of capital would be required! how the danger of ruin would be increased by delay in receipt! how difficult it would be for a new institution to commence business! Yet this is very analogous to the system of exporting our farming

produce, and importing our farmers' implements, &c. I hope to show, further on, how utterly inapplicable the cogent arguments which forced Free Trade, or rather a free-food supply, upon the English people, are here.

Now, if we can succeed in well-establishing a number of manufactories suitable to the conditions of the Colony and people, there is no class which will more benefit by it than the farming and agricultural population, although the whole Colony will also feel the advantage. The essays which were written for the New Zealand Exhibition, 1885, show clearly enough the different manufactures which can be successfully pursued in the Colony; but they do not, unfortunately, succeed in proving that those manufactures are encouraged to the extent patriotism would desire. Even if farmers had to pay more for their clothes, implements, &c., by purchasing them in the Colony, they would more than recoup themselves by the enhanced price they would obtain for their produce, and by the saving of freight and charges to convey and sell their produce. But they would not have to pay more; competition amongst the manufacturers would bring prices to their proper level, and would speedily guarantee an equal, if not superior, excellence to the articles. *Protection is not of so much value in raising the prices of colonially manufactured articles, as in inducing people to forego their prejudices in favour of imported wares.* Every one is in favour of our manufacturing our own wares—at least no one openly opposes it, but they oppose the only means by which it can be accomplished. They profess a horror of a corrupt or permanently high tariff, continued for the advantage of one set of interests; yet they themselves set the worst possible example by opposing it from interested motives. They will be overcome by common sense; and should those who are now at present striving to establish industries by means of a protective tariff, hereafter endeavour to unfairly prolong a high tariff, the same common sense will know how to deal with them, in whatever way they may seek their own interests at the expense of the common weal. The welfare of the whole community is now sought, and is opposed by one or two classes whose present interests are adverse to the change.

It is chiefly in the difference of wages, that the difference in price between foreign and colonially made wares is made up. There is also the difference in the value of capital, and the extent of market. Could we have skilled artisans at from 15s. to 30s. a week, or even far less, as in England and some foreign countries, we should soon have manufactures as cheap as there; and the only remaining difficulty would be to convince our people that our goods were as excellent as foreign. Who wants wages reduced to such a price? The richer the man, the more likely he is to desire it: but the more benevolent, the more certainly will he strive to prevent it. Who wants our labour dependent upon the rich man's smile—the labourer and artisan's wife and family thankfully receiving the crust of charity—the workhouse, the natural asylum for the old age of honest, sober toil? High wages do lead to riotous and improvident living in many cases; but the evil thus wrought is nothing compared to the wide-spread misery of having recompense for labour scarce sufficient to keep body and soul together. The drunkard and his family will see poverty and distress, whether wages are high or low; but thousands of happy working men's homes exist in the land of good wages, and they are impossible where wages hardly suffice for food for the family. With Free Trade, we are affected by the fluctuations of the labour market all over the world; our struggling industries can be extinguished by the market being flooded with the bankrupt stock of other countries. We buy cheaper for a few months, and then find that a thousand willing hands, in our own colony, are starving because their employment is taken from them.

Lord Penzance, in an article in "Nineteenth Century," says: "The true mainspring of prosperity and wealth is employment. Wealth is born of exertion and skill, of both of which there is plenty in this country; but, to reap any advantage from them a third thing is needed—a means of bartering or selling their produce—in one word, a market."

In Canada, the protective system has been largely tried of late years, and with great success. Here is the account given of it by Sir John McDonald:—

"I am largely responsible for the national policy of Canada, a policy which has been, and perhaps is now, severely criticised on this side of the sea—a policy of revenue secured by tariff. There is nothing to show that this policy has, in any respect, failed in its intention. The balance of advantage has been largely in its favour; indeed, high as party feeling runs in Canada, even the Opposition have ceased to attack the protective policy, or as both parties have agreed to style it the "national policy" of our Government. Our policy is to protect such staple industries as are capable of a practically unlimited expansion, and to admit raw material free which cannot be produced at Home. When we commenced to tax cotton and woollen goods, we were assured that the consumer would be ruined, and driven out of the country by high prices. What has been the result? Our manufacturers of cotton and cloth are in a position of increasing prosperity, and to-day the consumer is able to buy his goods more cheaply than when Canada was upon a Free-trade basis. Formerly our industries were at the mercy of the manufacturers of the United States, who recognised that our mills, once closed, were never likely to re-open, and it was therefore prudent and profitable to sell goods in Canada for a short time even at a loss, for the sake of controlling Canadian markets later at their own prices. This was actually done! We found that the cotton operators of the United States were sending us goods at less than the cost of production, and were collecting the amount of that loss by levying an assessment on their Manufacturers' Association."

And this is what we shall have to contend against, until we have the means of preventing undue advantage being taken by those who have obtained a start in the race. I do not think that the mass of the people of New Zealand, having the remedy in their own hands, will allow themselves to be frightened into starving themselves by the "shibboleth" used by Home manufacturers, and their colonial agents, in favour of Free Trade. But the people must have the question pressed home to them, and, if necessary, it must be made a leading question at the next elections: they must understand that it is their interests they are fighting for, and not the interests of a few manufacturers; they must understand the question, and be able to comprehend the arguments on both sides, and, as a help in the controversy, and to give it some prominence, these pages are written.

It is undesirable to reduce wages here to the starvation rates of the old world. What advantage is it to a man that bread is cheap, if he has not sufficient to buy it? How do the Free-traders at Home propose to keep their place in the world of commerce and overcome foreign competition? Why, chiefly by "the workpeople exercising more than they do the virtues of temperance and providence." I do not deny that they should exercise those virtues more than they do, but what an encouragement is held out to them to do so! Train themselves to live on radishes and garlic, like Egyptian slaves! for what purpose? that the labour of their hands may be sold for less and less money. Free Trade means cheapness, and nothing but cheapness; but has cheapness ever made a nation wealthy, or is it capable of doing so? Want of work causes distress in this Colony sometimes, but not dear food or clothing. It makes very little difference in the price charged to the consumer here, whether the article is bought in a cheap or dear market, it is the intermediary profits that make up the price: when drapers are continually selling at "fifty per cent, less than usual price,"—and very generally an enormous reduction is really made—the manufacturers' price has not so much to do with the selling price of a single article as is generally imagined.

But do not let it be for a moment assumed that I would advocate a duty on bread. Not for one moment. In the first place it is not wanted here, because practically we grow our own corn, and export a vast quantity as well. It was the price of bread in England that led to the Corn Law agitation, and the repeal of those laws; and the difference between their state and ours I will now speak of. England cannot grow her own food supply: New Zealand can, and does so, as far as the staples of life are concerned. England's Free Trade policy has only been a success so far as it extended to her food supply; it is becoming a lamentable failure so far as articles which she can produce is concerned. The success of English manufacturers in the years succeeding the repeal of the Corn Laws was due to other causes than the repeal of those laws, although it is generally put down entirely to that repeal. Nemesis is now pursuing the English Free-trader, his markets are being swamped by the wares of Germany and America, both protected countries.

In 1882 there were 110 iron furnaces in Staffordshire, and now there are no more than 41, and as fast as the furnaces are extinguished in England others are lighted abroad to replace them. Free Trade is a beautiful theory for the Millennium, but that time has not come yet, and until it is quite safe to beat our swords into ploughshares, a Free Trade colony means a poor stagnant people, a declining exchequer, and a hopeless future for all but a few. The Public Works policy, which was vigorously initiated in 1876, gave employment to our people, raised wages, and provided a market for our producers: but what is to take its place, and pay interest on the borrowed money, unless we maintain a large population, and produce wealth by skilled labour? I know of nothing—it is admitted that there is nothing, yet the cry is persisted in, that manufactures will grow gradually of their own accord, without forcing, and be all the healthier in consequence. It cannot be done. The example of what was done in Canada, as quoted by Sir John Macdonald, is sufficient to show what happens. A similar policy is being pursued towards us, and a closed factory here is not easily opened again. Reverse the dogma of Free Trade—namely, "That all imports of articles the like of which we produce at home ought to be free of duty," and say "That the imports of articles the like of which we produce at home must be taxed, and that the imports of articles the like of which we cannot produce at home shall be free,"—and we shall then import sufficient to keep exchanges from losing their balance, and will also be supporting amongst us thousands of people engaged in making here, at good wages, the articles that starving wretches in other countries would otherwise be making. We may be sorry for those whose cheap blood-money-goods we decline to buy, (and were all the world Free-traders we would follow suit,) but sympathy for foreigners will not cause us to vitally injure ourselves; and if we look at figures showing the progress of the commercial world, we find that Free-trade England is under the average in the march of progress, and that she is now seriously examining the question afresh in order to protect her own interests.

Nations and peoples may do generous acts, individuals may be philanthropic and large hearted, expeditions may be furnished to the Soudan, but to expect the British and Continental merchant to calmly acquiesce in New Zealand establishing her own manufactures, and deprive them of a good market, is more than the records of the past would justify us in believing possible. It cannot be done without a make-weight. Unless we are content with mere pastoral and agricultural existence, we must put a penalty on those who have the start; when we catch up in the race, we will trade on equal terms.

The consolidated debt of New Zealand may be reckoned at £37,000,000, but there is a good estate to show for much of this, provided it is worked to the highest profit, but not otherwise. A merchant may have large and costly warehouses, a fleet of ships, and agencies abroad: but if he does not keep pace with the times, if he allows his business to languish and fail for want of enterprise, of what value are his costly premises and varied plants. The profits of his business will not afford him interest on the money sunk in such investments. This is how it is with us: it somehow was always intended that we should be more than a pastoral or agricultural people; our island home has something to do with this, and we have gone on preparing for it; until now the *crux* comes, in the shape of the question: Can we, or can we not, proceed further, without boldly declaring for Protection as against Free Trade? If we cannot, and will not accept the remedy of Protection, then loss from wasted preparation must be the result, and that loss will be no temporary one from which we can recover, but crushing, disheartening, deadening and permanent. There is not only the consolidated debt, but the many millions of private obligations due by the people of New Zealand; failure now will be felt further than the shores of the Colony, and the capitalist has an equal interest in the question with the artisan, who now looks at his sons, asking what will they do to make a living.

Theorists would, I think, naturally assume that people would buy of their own producers rather than from foreigners. They would argue this way: "The irresistible tendency of the human race is to seek its own advantage; it must be to a people's advantage to purchase of their neighbours, so long as they have anything to sell to their neighbours, in order that their neighbours may have the means of buying and paying for their goods—*ergo*, people will buy from their neighbours rather than from strangers"—neighbourhood being understood to be limited to a country. That is the way Free-traders argued; but the bottom fell out of the argument, and will always be out when tested. The Colonial military man sends Home for his uniform, because he likes the style and cut of a London tailor; and ladies would, if they could, send to Paris for their bonnets and dresses. These are actuated by a desire to excel their neighbours in fashion. The merchant finds it easier and cheaper at present to send away for his stock; he deals in large parcels, finance is accommodated more smoothly by such dealing, and a gentle screw is required to check the tendency. Now, leaving out of the question those articles which cannot be produced here—and the duty upon which should be only imposed from a revenue point of view—if a sufficing protective duty were imposed on articles which the Colony can produce, one of two things would result: either the goods would be made here, and in making them labourers would be supported, or the wealthy person who persisted in importing, would pay such a tax to the State as his extravagance would indicate he was able to afford. There are people who would import clothes and other things if the duty was a thousand per cent, *ad valorem*, and be rather glad of doing so, and outshining the vulgar herd—for by no means would I have a prohibitive duty; prohibitive it might be to economical persons, but not to those who will have a thing at any price. This tendency in some people would obviate the revenue difficulty, which would arise if Customs receipts materially fell off, although it has been proved in the United States, Canada, and Victoria, that the Customs revenue does not suffer from Protection, but rather profits by it. One of the chief advantages of a Protective tariff would be its guarantee to the Colonial manufacturer against unfair outside competition, and this would be more gain to him than a mere increase in price. It may be possible that the New Zealand manufacturer can profitably produce an article here at an equally low price as the foreign manufacturer can profitably land it on our shores, especially when ordinary Customs duty, freight, and charges are set against increased wages; but then comes in the question of fair and unfair competition. Can our man be guaranteed from attempts to "run him off the road"? His purse is not as long as his foreign competitor's; and once he is shut up, not only is he out of the race, but his failure deters others from entering. It is a charming thing, no doubt, for people here to belong to Co-operative Stores in England, and import everything, without a soul in the Colony getting a crust out of the transaction; but it will not be so charming if the economists find that they have saved money in the Colony so generally and completely, that they are the only people who can pay taxes and their own salaries.

Of course, I shall be told that I have not learned the alphabet of the science of political economy, and that the law of exchanges overrides my objection; and my reply in advance is that, having read a very great deal upon the subject, my own view is—from which, of course, every one is at liberty to differ—that the questions have been so obscured by learning, and overlaid by fine-sounding theories and elaborately-wrought-out calculations, that common sense has been lost sight of, and that the quality of common sense is the safest to be guided by in the argument. Common sense tells me that the man who can get skilled labour in Germany at 2s. a day can land goods here cheaper than I can make them; it tells me, also, that those who have money here will buy those goods in preference to mine, but that those who have not the money to buy mine or his must go without; it tells me that, if we cannot produce something to sell, in order to obtain cash wherewith to purchase goods, it does not matter to us whether goods are dear or cheap; it tells me that in this Colony we cannot produce sufficient quantities of wool and grain to purchase foreign goods for all of us; it tells me that, whether we tax English goods or not, they will not retaliate by taxing our wool and grain, because they cannot produce

those commodities themselves, and that they must import the same quantity whether taxed or free; it tells me that we can manufacture our own goods, but that we cannot do so against unfair competition; it tells me that, not being angels, our people will not buy in the Colony for the sake of helping the Colony; it tells me that, as self-interest is inducing certain sections of our people to support Free Trade, so the motive of self-interest must be employed on behalf of the people at large, and that there is no more immorality or unfriendliness in our handicapping foreign produce, than for the foreign producer to land goods at less than cost price in order to close our mills and factories and be able to retain the trade.

Now, as to the application of a Protective policy. I do not think any one would advocate piling up a tariff indiscriminately, for the purpose of promoting exotic industries. Nor do I think any will expect, in a paper such as this, that a perfected scheme should be laid down, showing what is to be protected and what free. Let it be shown to the satisfaction of Parliament that a certain industry can be pursued with success in the Colony, provided that it be for a time protected against unfair competition; and then let such measure of protection be given it, as—whilst withdrawing it from foreign competition—leaves it exposed to the free and open competition of the home grower and manufacturer. What we are now contending for is the admission of the principle of protected industries; the matter of allocation of duties, no doubt, will be disputable, but it can be settled if a basis is once agreed upon.

We have been to a certain extent "cutting our own throats," in instituting direct lines of huge steamers, capable of carrying more than all our imports, if fully filled up. We have now to reckon with the lead other countries have obtained, and especially the lead the British manufacturer has—with all his machinery in working order, with vessels awaiting his commands, and with almost unlimited capital wherewith to wage a contest for supremacy—unless he is quietly and firmly told that he will only be allowed to sell to those amongst us who are willing to pay a tax to our revenue for the privilege of withholding from willing labourers within the colony the value of the wares he buys abroad. I shall probably be told that exports and imports must balance somehow; and that unless we buy from England she will not buy from us. Were there only two countries in the world, the argument might apply; but there are many, and it might as well be said that unless one shopkeeper employed the actual physician who dealt with him, their business relations could not continue, because the physician could not pay the storekeeper. The great factor in keeping a reasonable balance between exports and imports in this colony has been gold; but this is a decreasing supply. We have imported stores, and paid for them in gold, but we cannot hope to do so permanently. We must export in some form to pay interest on our debt, and pay for imports; and wool, grain, and meat are the chief articles so far. We shall send coal, not to England, but to other countries, who will pay us, not with goods, but with money derived from the sale of their exports to still other countries, and so the circle will be kept up. Direct interchange of exports and imports to suit the convenience of one party, who has established himself in a particular line of business, is very well for that one party, but not for both. If New Zealand declares for Protection, there will be a howl at Home amongst an interested class, and perhaps ugly words will be used about breaking the silken chain that binds us to the Throne, but that will not matter much. If what Free-traders here assert be true, and we are able to establish industries here, and drive the foreign goods out, the feeling will be just as strong against us, and probably the unfair means I have mentioned will be taken to defeat our endeavours, causing perhaps still bitterer feelings; but the tie will really be as strong, and the loyalty as true, as if we implicitly obeyed the behests of the Cobden Club, and sank ourselves in the effort to keep English trade alive for a while.

I notice by our New Zealand papers that the question is every day coming more and more definitely before the electorates. Before these pages can be in print, probably great strides will be made, and many opinions formed. I hope what I have written will meet with fair and candid criticism. I am well aware how much more remains to be said on both sides, and how the ramifications of the question can be pursued until the inquirer becomes lost in speculative mazes, and having lost sight of the *radix*, stares in wonderment at the branches and foliage, vainly endeavouring to predict how each twig and leaf will grow.

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Mr Ballance's Speech to the Electors, of Wanganui. decorative feature

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Mr Ballance's

Speech to the Electors of Wanganui, Delivered

at the

Princess Theatre, Wednesday, June 22nd, 1887.

(WANGANUI HERALD.)

His Worship the Mayor occupied the chair, and in a few remarks introduced the speaker.

Mr Ballance, on coming forward, was received with rounds of applause. He said that he appeared before them on that occasion, after a very short interval since his last speech, in consequence of the defeat of the Government. The Government had been defeated because certain gentlemen of exalted opinions and patriotic motives who usually found their normal resting place on the verge or margin of parties, withdrew their support from the Ministry. It had been very easily done. The change was brought about by the change of views of four gentlemen; even less—three gentlemen accomplished the work. They found out that the Government were not entitled to their support as soon as the tariff proposals were brought down; but in reality they had withdrawn their support from the Government before they knew what the tariff would be, and they had expressed their intentions of not voting for the Government. There were always to be found men in this position on the boundaries of parties, and the defeat of Governments were generally caused by these extremely conscientious gentlemen. The question that arose with the Government was as to the course they should follow, consequent on the motion being carried. There were only two courses open. One was to resign office and allow their successors to come into power, and the other to appeal to the country. The Government could have thrown up the reins and said to the other party that they could go in and show what they were able to do, and in fact a great many of the friends of the Government advised them to take this course, on the ground that the Opposition, when they got into power would also find the necessity for increased taxation, and would begin to make enemies immediately they proposed it. The Government, however, dissented from this position, and having a distinct policy on which they could appeal to the country, as against the negative policy of the Opposition, they decided to go to the country to ascertain whether or not it endorsed their policy. He was aware that this course was attended with considerable inconvenience to Ministers, more especially as they had a definite policy, while they were unable to ascertain what their opponents' policy was. Everyone was aware of the policy of the Government, but no one knew the policy of the Opposition. Some had tried to find out their policy from the negative policy or no opinions of Major Atkinson, and had gone back to the "Continuous Ministry" which had held office from 1879 to 1884 and had in some cases gone back to some of Major Atkinson's speeches to find out if his policy was there. He was not going to refer, except in a very cursory manner, to the policy of the Opposition. He recognised that as a member of the Government he held an important position, and he was that night on his defence before them as a portion of the electors of the country, and it would be for them to say whether the Government policy contained any merits or not, or whether it should be adopted by the country,

The Wanganui Contest.

He had, since he came to Wanganui that week, been informed that he was to be opposed for this constituency. Of course he could not object to that; it was not for him to make any objection for he held that it was the duty of any section of the community that felt that its views were in accordance with those of its representative to make an appeal to the electors. He believed that this contest should be decided in a decorous manner and without recrimination or ill-feeling. (Hear Hear.) He thought that it could be fought out on higher grounds, as there were broad questions and broad principles to be settled, and they ought to settle them without any unnecessary amount of personality or abuse. Having said so much he would like to add further, that he was not conscious of having done anything during his term of office since his election in 1884 to lose him the confidence of those who returned him to Parliament (applause). If they returned him again his services were at their disposal, and if he were not returned again he would submit to their decision without a murmur. It would not be becoming on his part to dictate to any constituency as to what they should do, and he could only say that he felt confident that his political friends, who assisted him so largely at the last election, had not had their confidence shaken. He was aware that like every one else he had made mistakes. It was said that those are the most successful generals who make the least mistakes. Every battle teems with mistakes that are made on both sides; only those made on the winning side are fewer than those made by the losers. He was conscious that he

had made mistakes, but he was also conscious that what he had done was for the best. He had tried to promote those principles that he thought would tend most to the good of the colony, and he did not think that anyone could accuse him of having been inattentive to the wants of this particular community. (Applause.) He had felt, and always should feel, that Wanganui was his home and the people were his people, and that he was closely associated and identified with their progress. Therefore, it was not only a task, but a pleasure, to do all that lay in his power to promote the interests of Wanganui, and, as their representative, his object had always been such. (Applause.)

The Policy of the Government.

With regard to the policy of the Government, it had been freely condemned all over the colony, and, strange to say, the majority of the papers of the colony had declared against them. He might say that, from the time they first took office, the press was against them. The Government were in this position, that they never had had a large party or a strong party supporting them. At the time of the last election, in 1884, when the Atkinson Ministry appealed to the country, the question before the colony had very little to do with the *personnel* of the present Ministry, as most of them at the time of the defeat of the Atkinson party were not in Parliament. During their term of office they had been resposing, as it were, on the top of a pent up volcano, not having a strong party to assist them in carrying out their policy. He thought, however, considering the circumstances, that the Government had done more in the way of passing measures for the welfare of the colony, and measures which he thought had been endorsed by the people of the country than could have been expected.

Settlement of the Land

They had heard a great deal about an offence alleged to have been committed by the Government in expending between £60,000 and £70,000 without the authority of Parliament, and this had been brought forward as one of the greatest offences the Government had committed. Well, he was prepared to answer the objections; he asked for no consideration, but he would show that the policy from the beginning to the end was a constitutional policy, and that they were entirely justified on constitutional and political grounds in their actions in regard to the settlement of the land. (Applause.) One would suppose that they had been spending £60,000 more than had been definitely appropriated by Parliament, and that they had done something quite unconstitutional. His hearersought to know that Parliament gives to every Ministry the power of spending up to a £100,000 every year, without any definite votes; to be afterwards indemnified and endorsed by the special act of Parliament itself. Every year there came before Parliament appropriations which have not been specially voted, for the consideration and indemnification of the House. Well, in regard to the large expenditure they had incurred, he would ask, were there no precedents? They had only to look at the Financial Statement for 1884 and they would see that Major Atkinson came down and told the House that he had spent £260,000 in a case of emergency, for the purchase of railway material, and in making provision for the unemployed. They all remembered the action of Disraeli in connection with the Suez Canal shares, when he bought up £3,000,000 worth and negotiated for the purchase of them with the Rothschilds without any authority on the part of Parliament. Then what had he himself done in 1885? They all remembered the Russian war scare. That was a case of great emergency, and he believed that it would crop up in a few years again, and that we should continue having Russian war scares until Russia made an attack on India. He believed in this respect there was more danger than they anticipated. Well, the colony was greatly alarmed about the indefensible and undefended condition of its ports, and the Government, instead of waiting for the authority of Parliament, took upon themselves the question of harbour defences. They ordered over £150,000 worth of armaments and war material, and in addition they incurred considerable expenditure in preparing the fortifications—and all this without the authority of Parliament, Did Parliament object? No; as are as he knew, not a single member of the House raised his voice against the expenditure. On the contrary, the action of the Government was endorsed on all sides as one calculated to meet the circumstances of the case. Looking at it, therefore, from the constitutional side he would say they were justified in acting as they did. Then with regard to the political side. Last session he told the House that provision must be made for placing the working classes on the land, people with no capital or very little capital of their own. He asked for a specific vote of £5000 to be spent—he would ask them to mark that—to be spent within the year. He also placed upon the table of the House regulations that required a large contingent expenditure in cases where certain things were done by the settlers. They required that each man within five years, who had taken up a section of 20 acres, should clear, if it were a bush section, his land; and, that for every acre that he put down in grass, he was to receive ultimately £2 10s He was also to receive towards the cost of a house, which had to be certified to, the sum of £20. He had these regulations published

before the session and placed on the table of the House. He explained to Parliament again and again, and his speeches on this subject were in Hansard, what the nature of these conditions was and showed everything to them. They were perfectly satisfied and gave him £5000 for expenditure within the year. They could see, that if a man was required to clear his land within five years and was only to be paid as he cleared it, that the expenditure incurred must necessarily extend over those five years; and further, if they spent £5000 within the year, that this expenditure implied other liabilities under the regulations, possibly some £50,000 or £60,000. As a matter of fact he had not expended last year the amount voted by the House, but had only spent some £3000. The House had expressed the utmost surprise at what had been done, and Major Atkinson, who knew the conditions under which the liability had been incurred, explained them to the House in his No-Confidence motion on Sir Julius Vogel's Public Revenues Bill. The whole thing had been before them. They knew that compliance with these conditions entailed a very large contingent liability; but it was the last session of Parliament, and the opportunity occurred to the Opposition to make a great cry, and a great question for the country. And if they could only talk sufficiently, and keep up a clamour and a clatter, so that the country would hear nothing except about this tremendous expenditure without the authority of Parliament, the country would come to the conclusion that he had been a most reckless Minister and had shown want of capacity. They kept the debate up for three days and talked about censuring him for his actions. He told them that he had been given £5000 for expenditure within the year, and that he had incurred the other expenditure under the conditions laid down. He challenged them to pass a vote of censure, and said if they did he would appeal to the country and to the next House for a decision (applause). Did they pass a vote of censure? No; they did not, but they endorsed what he had done, and asked him what he was going to do in the future. He told them that he proposed to place upon the land within the next three months 150 families under these conditions, and that he would require some £7000 more. They said "Go on and do your work; we will give it to you." (Applause.) After a consultation between the leaders of the Opposition (Mr Rolleston and Major Atkinson), Mr Rolleston got up in the House and said "We agree to your proposal. and we will give you the money," So that not only did they refrain from passing the vote of censure, but they passed more money and told him to place more people on the land. He (Mr Ballance) challenged denial of these statements, from which, they would see that, on both the constitutional and political sides, he could amply justify the work he had done. (Applause.) He would ask them to look at this question from another point of view. What had been the position of this country with regard to land settlement. He had recognised that, although they had greatly liberalised the land laws, yet they lacked one great provision, and that was to place the working classes upon the land in large numbers. He recognised, too, that all the laws that had hitherto been made in connection with this question had been made in the interests of capitalists, large and small, and not in the interests of the great masses of the people. (Applause) This was so, and he asked them to consider what provision existed, and what had been done by past Ministers in this work of the settlement of the land. It was all very well to say to a man who wanted to take up 300 acres of land that he could pay, in ten instalments. But this took capital, and no man could clear the waste lands they now had at their disposal and carve out a home for himself, unless he had capital to start with. Before going further he would allude to another aspect of this matter. It had been said of these people that they were all placed on the land north of Auckland. The first and most prosperous settlement of the kind was in the Wairarapa. There the work had continued for some 12 or 14 months; and, besides this, enormous relief had been given to the unemployed in the South, especially in Otago. It was true that a larger number had been placed at Auckland during the last twelve months than elsewhere, but that would not take place during the next twelve months. There would be an equal proportion placed on the land in other districts of the colony. Another objection raised to the scheme was that those placed on the land were all loafers. Mr Ormond, the great political purist, called them paupers; but he not only called the village settlers paupers, but he included under this designation all those who took up land under the deferred-payment or perpetual lease systems, and in fact all those who did not pay cash for their land came under this category. And this was Mr Ormond's idea of settlement: Coming back to the question of the class of people lately placed on the land he would say that they were not of the pauper class. It was true they had not a very large amount of capital but they were respectable people, mostly with families, and they were not loafers; they had been used to taking whatever work they had been able to command. In the good times in Canterbury, when wheat was high, they were all employed, but in bad times they were thrown out of work. It was the same in Auckland. In the times of prosperity those people were engaged in various trades, but when the re-action came they fell back. They were rapidly spending their little savings, and many had come for force on the Charitable Aid vote. That was the position of affairs. If his hearers had gone among these people and seen the earnestness that they exhibited in getting into the country to earn some means of livelihood, they would condemn to eternal infamy the man who would call them either paupers or loafers. (Applause.) The Government knew what they were doing, and they agreed, on his recommendation, to place on the estimates for this year, for the purpose of carrying on this work, the sum of £50,000 per annum, which he assured them would be required so long as they continued the work. These settlers did not receive any money except for work

that had actually been performed on the Crown estate. This was an important consideration. The lands of the colony were the property of the colony, and they, as electors, had an interest in them. When a settler improved the value of his land to a certain extent, advances were made to him for what he had done. He paid interest upon the value of the land, and upon the whole of the money that had been expended thereon, at the rate of 5 per cent per annum. Was this a pauper class? Was this a position that ought to be deprecated, which had for its object the improving of the public estate? They did not receive one penny for these improvements until they had been certified to. Looking at it from another point of view it was the duty of the colony to provide in some way for those people who would not otherwise have been provided for. How were they to deal with the unemployed difficulty? Month after month they saw that the emigration was greater than the immigration especially to Victoria and New South Wales, and was it not the duty of the Government, to stem that? The class of people who left this colony were those who had a little money, the poorer had to remain here. Those who were going away were the best settlers, and it was the duty of the Government to meet this difficulty fairly in the face, and try to grapple with it. He had endeavoured to grapple with it, and he would ask them to judge whether what he had done was right or wrong. He would point out that it was not done in a dark corner, but done openly. The whole position was placed before the colony, and the result had been that, within twelve months, they had placed upon the land no fewer than 1000 families. He had the testimony of most impartial judges, outside the opinion of their officials which he had also, that these people were doing well, and that there would be few failures. After pointing out the details of the village settlement system, Mr Ballance went on to say, that it had been urged that they should give freehold tenure instead of leasehold. He, however, did not agree with this idea. In the first place, there would be no security for the money advanced, and in the second place there would be consolidation at once, and this was the main objection. They wanted to prevent the selling out of small farms, for consolidation would lead to the destruction of the settlements. The worst landlords in Ireland were not the large holders, but the "gombeen" man who lends out money at up to 120 per cent per annum. He himself would not object to the freehold system if it were provided that consolidation should not be allowed, though he preferred the perpetual leasing system, and held that a man could not do better than take his land at a small rental from the State. It was better for the individual himself and the community at large. Sir George Grey had made the assertion that these settlers were slaves and he (Mr Ballance) had replied that they were willing slaves, for it was strange that 1000 families should continue in a state of slavery, when they could tomorrow emancipate themselves. Sir George Grey was in favour of the "quit rent" system which was in vogue at the Cane, under which a man could hold as much as 500 acres, and this was the system he held up to admiration. He (Mr Ballance) held that there was danger in that system, there was always danger in altering the land tenure, and he believed that the quit rent system would lead to the consolidation of estates. He hoped that whatever Government might come into office, whether the present Government were kept in office or not, this work would be continued. If they went on as they had commenced, he believed that in two or three years there would be no such thing known as the unemployed class. He was convinced that it had only to be continued and the balance of immigration would be restored in our favor; and, instead of losing our best settlers to Victoria and New South Wales, we should receive a large influx from these colonies. There must be provision for the congestion of labour in the towns, and this seemed one of the best means of making it. Taking the Special Settlements, he found that in two years they had placed upon the land 1000 families on about 100,000 acres. In Wanganui they had their own Special Settlement, the Pemberton. These settlements were exceedingly prosperous, the people taking up areas from about 100 to 150 acres each. They would see that the Government had endeavoured to carry out the work of land settlement, and he would ask their consideration of some figures as to the result of their efforts during the past two years. Comparing what they had done, with what had been performed by previous Governments, Mr Ballance said that they had come into office in 1884, and he had provided the Special Settlement regulations, after careful consideration. He found that the navvies working on the railways left their families in the towns, and came back themselves into town as soon as they were out of employment; and he thought it absolutely essential to provide some method for these people going on to the land. Unless they did so they would have these men coming back into the towns again and again, and the unemployed difficulty would be greater than ever. Taking the figures from 1880 of those settled on the land, they found them to be as follows:—

(Applause). The number of settlers placed on the land had been about three times those of previous years back to 1879, and he thought that to raise their standard of settlement three times in one year was a work that must stand to their credit, and have a great effect on the colony. These figures were on record, and could not be controverted. They showed that the work of settlement had been carried on in a way that no other Government had ever done, and the result was seen in the number of families, 2000, which meant about 10,000 individuals being placed on the land in one year. The work, too, had been carried on with great regard to economy. In the matter of surveying, to take the figures of their predecessors in comparison with their own, they found the expenditure as under:—

So that they would see that, notwithstanding the greater number of people placed on the land, they had considerably reduced the cost of survey. Then, in the matter of the cost of roads, there had been a reduction. In 1881 the expenditure was £49,000, in 1882 £33,000, in 1883 £80,000, in 1884 £84,000, in 1885 £49,000, in 1886 £61,000, and for 1886-87 £57,000. On the ground of economy, therefore, their figures would bear comparison favourably with their predecessors. In New South Wales the distress was becoming so great and intense among the unemployed class, that the Treasurer there had asked for no less a sum than £250,000 for the purpose of making roads, and so providing work for the unemployed. So that, looked upon from whatever point of view they chose, they would see that the work the government were carrying on was justifiable and would compare favourably with what was going on in other colonies. (Applause.)

Retrenchment.

The question of retrenchment had been made one of the issues of the election, and rightly so. The people had a perfect right to say, before further taxation was imposed, that the Government must retrench to the utmost limits. The Government recognised this fact, and they replied that they had laid the foundation of a scheme of further retrenchment to a very great extent. They would no doubt be surprised to hear that the expenditure when the Government took office in 1884-85 was considerably larger than it is to-day, notwithstanding the fact that they were spending more on Education, and that the extension of the Post Office and Railway Departments required a larger expenditure every year, and the interest on loans was greater now than in 1884-85. With regard to Education, people might cry out that it was overdone in this colony, and that great reductions might be effected. To this the Government replied that the Education system was laid down many years ago—in 1877—and it was then provided that a certain amount of money should be set aside for education from year to year. The amount was first fixed at £3 15s per head after that it was raised by Act by a sum of 10s and a few years later this was reduced by five shillings per head and what the Government next proposed to do was to reduce it in five years by one shilling per year. In this way a sum of £5000 per annum or £25,000 in five years would be saved. Dealing with the suggestion that school age should be raised, Mr Ballance said that whatever provision might be made by raising the standard of age from 5 to 6 years, or by doing away with the 5th and 6th standards, the whole effect would fall upon the teachers. At the present time the average of teachers' salaries was £94 10s per annum, and he thought it would be a mistake to reduce them to starvation wages (applause). He believed to at every rational man must come to the conclusion that nothing rash or hasty should be done in this matter, but that they should act deliberately and with the facts before them. He was not sure that those connected with the Universities of this colony were favourably inclined towards the Education system; but he would point out this, that if they once commenced to attack education they would have to tackle the higher institutions as well as the others, although they were provided for by Act of Parliament. Whatever reduction was made must be made all round, and they must deal with those gentlemen who were receiving large salaries as well as with those who were receiving smaller. (Applause.) These individuals would find that a permanent Act would afford them no protection when the reduction of a permanent vote came to be considered. (Applause.)

RAILWAYS.

A great deal was said about the management of railways, but his firm opinion was that the railways in this country would compare favorably with those in any other part of the Empire. The amount of the appropriation last year was £748,000, and they had 1726 miles of railway to provide for, when they had only 1521 miles the expenditure was £751,000, so that they were spending less now than they did in 1884 85, and had, besides, an increased mileage to attend to. It might be that they were not doing the work properly, but people were inclined to grumble, and to make Mr Maxwell responsible for all the sins under the sun. He was held to be a detestable character, deliberately ruining the railways of the colony, the most hard-hearted man under the sun, and altogether a very bad character! He could assure them that the Government believed Mr Maxwell to be a painstaking, capable, and accomplished officer, and that these railways would show that as far as expenses and cost of management were concerned, that they would compare with any lines in the world. They were continually hearing of great accidents, involving thousands of pounds in other colonies, but they did not hear of any such accidents in this country. He thought that this must be considered as testimony of great weight in favour of the management in New Zealand. One accident alone might run away with a £1,000,000, and although they might at any time meet with an accident, they had so far escaped, a fact which should be placed to the credit of the railway management of the colony.

Reireachment.

Speaking as to the question of retrenchment generally, Mr Ballance said that Major Atkinson, though condemning the Government as extravagant failed to place his finger on a single item on which he could charge them with extravagance. He made general statements regarding the expenditure but there was no direct attempt made to show that the Government had been guilty of extravagance. This he thought must be taken as the strongest evidence of inability on the part of the Opposition to point out any defects, and it must be taken for granted that the estimates were brought down framed upon an economical basis.

The Native Department.

It had been said that during the course of debate that the Native Department ought to be abolished and that it was no longer required. He took this as the very strongest testimony that could be borne to the success of the administration of Native affairs during the last three years. If the Government had brought Native affairs to that pass that they required no Native Department and no particular provision from the Government of the day, then it followed to his mind most conclusively, that the conduct of Native affairs had not been bad during the past three years. It had been said that the Native Department ought to be reduced, but what was the expenditure as proposed by the Estimates last session for this Department? It amounted in all to less than £4000, and when they remembered the days when the Native Department cost, not £4000, but £100,000, they would see that it was not now a very expensive department. There was, of course, connected with the Native Department the Native Land Court, which was doing valuable work and cost some £12,000 or £13,000 per year. No one, however, proposed, so far as he had heard, that the Native Land Court should be abolished. To his mind it was absolutely essential that the Native Land Court should carry out its work. During the three years, between 1880 and 1884, it had clothed with European title 3,425,000 acres. From January, 1885, to 1887, or in two years and three months, they had passed through the Native Land Court no less than 3,489,294 acres;

Taxation.

Coming next to the question of taxation, he asked what it was that the Government proposed to do. It had been said that the Government proposed to put on crushing taxation; but let them take the amount of taxation it was intended to impose through the Customs, and examine the matter. The increased taxation was to be £175,000. He read in the morning paper that Mr Fisher said that £300,000 were to be raised by fresh taxation, and that 90 per cent, of this was to be on the necessaries of life. Considering that they only proposed to raise £175,000 altogether, this great man would have to alter his facts and figures considerably. (Laughter.) What is the position? It was a fact, indisputable and not challenged in the House, that the amount of money they derived last year from spirits was £70,000 less than they derived from spirits in 1882. That was to say, the consumption of spirits, from whatever cause, had fallen off since that time by the sum of £70,000 per annum. What is their duty in that case? Is it the duty of the Government to make the people drink more whiskey? or is it the duty of the Government to make up the amount by some fresh taxation? What did the teetotallers say? M If they would only give up drinking habits the State would not be ruined, because it would simply adjust the taxation upon some other thing"; and now, when the people have gives up drinking habits, they say to the Government, "Oh! what crushing taxation you are putting upon us." (Cheers and laughter). That accounted for £70,000 out of £175,000, and in addition they had lost through the diminished consumption of tobacco, cigars, wine, and beer a further sum of £25,000. so that in these two items they had lost £95,000 of revenue. Then in consequence of the cheaper goods coming into the country—a reduction of values having set in—they had lost on *ad valorem* duties £65,000. In that case the people had derived the benefit; indeed, in all these cases they had derived benefit. They consume less whisky, less tobacco and cigars, less beer, and get their goods from England much cheaper, and the Government has lost revenue. It was the duty of the Government to make up this loss, in order that they might pay the increasing interest accruing year by year. The Government did not want to put on crushing taxation, but simply to change the incidence of taxation; therefore the people were not poorer; the taxation is not crushing, and they are in a better position now to pay taxation than they were in 1880 or 1882. A statement had been carefully compiled by the Colonial Treasurer to show that had the prices ruling in 1880 ruled during 1886 the value of imports during the year would have been £8,000,000, in place of £6,200,000; so that the people last year, with the fall of prices, saved £1,800,000. They would see that this change of incidence of taxation, imperatively called for, was no burden upon them, because they saved more than an equivalent through cheaper goods and non-consumption of spirits and beer. (Cheers). With regard to the tariff itself, he had a word to say. He did not say that the Tariff Bill would be revived. They took up precisely the same position with regard to it as Mr Gladstone took in connection with the Home Rule Bill. The tariff had been condemned by the House, and they were free to consider what they would do next if they were called on to prepare another budget. They were not bound by the tariff, but they were by its principles, and any fresh budget of theirs would

be constructed on them, if they continued in power.

Property Tax.

He believed that this question was the one on which the Government had fallen, and it was the question that was being used now with the greatest effect against the Government by the large property owners. For the first time it laid down a principle he had long advocated, and one which, he believed, met with the approval of the people. They had made the tax progressive, so that it would fall with heavier incidence on the wealthier than upon the poorer classes, and that was the greatest crime, in his opinion, which the Government had committed. (Cheers.) It would, however, be for the country to say whether that was a crime in their eyes or not. If they realised the enormous increase given to the value of the private lands of the colony to the large estates especially, by the construction of public works upon which the colony was paying interest, they would come to the same conclusion as himself, that the incidence of taxation as set forth in the budget was one that was fair even to those classes themselves, and fair to every class in the community. (Applause.) The organs of these men had made an attempt to do away with all exemptions, Mr Ballance explained the working of the exemption clause, and showed that the proposal of the Government was that over £2200 there should be no exemption, but that under that sum the ordinary exemption should be allowed. The rate for those who owned more than £2200 worth of property would pay a penny in the £, and under that sum only 13-16ths of a penny in the £. The result of this would be that, while the smaller class of taxpayers were exempt from any further increase of taxation, the larger and wealthier taxpayers of the colony would be asked to contribute to this source of revenue £75,000. If the exemptions were abolished the larger class, numbering 21,591, would pay an increase of 83 per cent, while the wealthier class, numbering but 6235, would only increase their taxation by an average of 4 per cent. He put it to them whether they would have a graduated taxation on the basis the Government had proposed, or the reduction of the exemption. That was the question the country would have to answer.

Travelling Expenses.

This was to some extent a personal matter, and he desired to bring it in. It had been said that the Government had been reckless in their personal and travelling expenses. He would like to compare notes, and make a comparison with those of his predecessors; Mr Bryce had held only the position of Native Minister, whereas he (Mr Ballance) had held the portfolios of Native Minister, Defence, and Lands and had had to visit many parts of the country which the Native Minister was not required to visit—especially in the South Island. Taking the expenses for two years, and while not censuring or condemning Mr Bryce, whom he believed had incurred the expenses rightly and conscientiously in the discharge of his duties. Mr Bryce's expenses during the two years he was in office 1882-83 for travelling allowance and attendants' expenses amounted to £1355, while his (Mr Ballance's) for the two years of 1885-86 were £1112, and he had had a great deal of travelling to do in connection with the administration of lands in places where the Native Minister was not required. He could have made the figures more favourable to himself had he calculated the expense of having buggies in travelling where there were no railways, which entailed extra expenses in travelling. They must consider that his expenses compared favourably with those of his predecessors, and they must come to the conclusion that his was not an extravagant expenditure. With regard to Mr Larnach's expenses, he might say that there was not a nook or corner where gold was to be found in the colony that his colleague had not visited during the year, when he incurred the large expenditure; but if he had incurred a large expenditure in comparison with his predecessor, he did the work for it, and his investigation had been productive of the most happy and beneficial results, (Applause.)

Protection.

He had been told that he ought to shirk this question, but he was not afraid of his opinions, and did not think that any person could charge him with trimming because he believed his opinions to be unpopular. He was aware that Protection was unpopular, but he believed it was now in that state where arguments had been brought to bear on it from both sides. He believed that the ultimate victory would rest with Protection. It would be impossible, he believed, for a country with a small area like this to compete in the raw material with such countries as South America or British India. What were the absentees they heard of doing? Some of the early colonists who were residing in London, and were still drawing large sums from this colony, were sending their sons to the Argentine Republic to engage in pastoral pursuits. The Argentine Republic was progressing by leaps and bounds, and in a short time it would compete with them in wool. They were now improving their breeds there, and very soon they would produce wool equal to the best in any of the colonies. Talking about the value of wool, he showed that the exports had increased in quantity from 64 million lbs in 1877 to 90 millions in

1886, but that the values had fallen from £3,658,000 in 1877 to £3,072,000 in 1886. The severe competition would make the position of the colony from year to year worse than it had ever been before, and they must now reconsider their position. To take wheat as another example—in 1877 they exported grain to the value of £303,000, in 1881 to the value of £1,035,000, and in 1886 to £580,000. The very fluctuations in the Home market were enough to ruin our farmers. They made great preparations on the strength of a large demand, and then they found British India pouring its large supplies in the market, and the farmer was ruined. He would ask what prospect there could be in this colony for the export of raw material from this colony. They could not expect prosperity unless they employed their own people and brought in others, not by assisted immigration, but by voluntary immigration from other countries, so that our farmers might find a market for their produce at their own doors. That was the only hope for the country, and it was for that reason he was a Protectionist, (Applause.) They could see the prosperity of America, Victoria, Germany, France, and all European countries that had adopted Protection. In the Nineteenth Century they would find an article giving the rate of progress in continental countries, and they would see that they were progressing so fast that they would soon be on a level with England, and what was the reason? Simply, that they insisted on having employment for their own people. People only left these shores because of the want of employment. He had tried in a partial way to solve the problem by drawing the people out and placing them on the land; but that would not do altogether. It was not everyone who could go on to the land, and they must provide for the people in the towns, and Protection was the only way, as far as he could see, by which it could be brought about. The farmers might be hostile to Protection for a time, but he could assure them that Protection was their best friend, and that they would find a home market more profitable than a foreign one. If he did not feel strongly on the question, and realise the necessities of the case, he might have kept the subject back for a future time. How was it that the price of land had fallen in value until it would hardly bring the price of the improvements placed upon it? Because they had been ruined by foreign prices, and the prices received for produce would not pay more than the land was now bringing. If they wanted to realise a better future, the question must be grappled with at once, as it was their only chance. (Applause.) With regard to the question of manufactures, great progress is being made. We have a certain amount of Protection at present; it had not been put on with any discretion or discrimination, but for revenue purposes. That Protection had done something to build up their industries was true, but what they wanted was a discriminating protection—sufficient to protect our manufactures and to enable others to be established. Taking the progress made in manufactures since 1878, they found that the total value of the land, buildings, machinery, and plant in that year was £3,051,720; For 1881 it was £3,605,471, and for 1886 £5,697,117, a considerable advance in value. (Applause.) The value of colonial industries produced in 1885 amounted to no less than £7,436,649, and the hands employed on these industries numbered 25,655, and probably these twenty-five thousand would mean direct support to 100,000 people, and possibly indirect support to an additional 100,000, as it was impossible to say where these ramifications ended. They would see what a wonderful effect the employment of the people in manufactures would produce on the prosperity of a community, and with proper encouragement and stimulus given by adequate protection, these results could be accomplished.

The Tariff.

With regard to this question he said that the tariff was constructed to encourage colonial industry. They believed it was so arranged as to fall with the least possible weight upon the community. On the other side of the question the Chambers of Commerce had come forward—with the exception of the Wangauni Chamber, a happy and fortunate exception—with resolutions that the tariff was bad, and the incidence of taxation unjust. They had proposals of their own, and what were they? In nearly every case they wanted to put extra duties on tea and sugar, *i e*, the necessaries of life. They did not want any extra taxation on articles which could be made in this colony, and which were coming into it from other places. All their sympathies were with articles that must be brought here and which the people must consume; none of their sympathy was with those articles which people could make here, and which need not be imported (cheers). The Wellington Chamber of Commerce did not stop at tea and sugar, they went as far as salt, and made distinctions between fine and coarse salt. They thought they could realise £30,000 more by a duty on fine and coarse salt. He would ask whether it was better for the people that this taxation should be on the necessaries of life, such as tea and sugar which must be brought into the colony, and which are consumed by the vast body of the people, or put on those things which to a large extent can be made by the people in the colony (applause); The Government said that it was not wise to further tax the necessaries of life, but that where taxation was required it should fall on the things made in the colony in order to give employment to the people. He would ask them to decide between the position taken up by the Chambers of Commerce and the Government (cheers).

Native Land Administration.

He would like to say, partly in his own defence, and partly In defence of the Ministry, that they had not been idle since they took office. They had not been a "feather-bed Ministry," and remained comfortably in Wellington, leaving their Under-Secretaries to carry on the administration, and throwing on them the responsibility of the work of the colony. Both in policy and administration they had grappled with the most difficult questions of the day, and had most satisfactorily solved them. For instance, in the year 1884, when they took office he (Mr Ballance) brought in a Bill to restore the pre-emptive right over 4½ millions of acres of land along the North Island Trunk Railway. That was a very important measure at the time, but they could not do much during that session. In the following year, when they had more time for deliberation, they carried through Parliament what was admittedly the most liberal Land Act in the Australian Colonies, the Land Act of 1885. He did not think that any person could deny that it contained provisions for settlement of the land superior to anything that had been provided or enacted in any colony of the British Empire. In 1886 they grappled with the question of the administration of Native lands, which had been attempted by successive Ministries for 15 or 16 years, and they carried through an Act restoring the pre-emptive right over the whole of the Native lands of the colony. Now, instead of a few men and a few rings exercising sole control over the lands, the Native lands, if they are to be sold at all, must be sold under the Act of 1885, or they must be sold to the Crown. (Applause.) Therefore, he said they had placed in the possession of the Crown, Native lands available for settlement to the extent of 14,000,000 acres—lands that formerly were the prey of lands hawks. An Act of this kind could not pass without disturbing vested rights and interests, and without receiving great opposition. He was surprised himself at the paucity of the opposition. Only one or two petitions altogether had been sent to Parliament, and the largest signed petition Bent to the House was a petition tinged and tinctured with fraud and forgery. (Applause.) Even one-half of the names had not been signed to it by the people purporting to have signed it, but some other person had signed for them. Therefore they might reasonably come to the conclusion that this Act had met with the approval of the best Europeans and the best natives of the colony, (Applause.) He did not think that even if their opponents came into office to-morrow they would dare to repeal the Native Land Administration Act, as they recognised the merits of the measure as much as the Government did themselves; Though they may fan the flame of opposition by expressing sympathy with gentlemen who would vote upon their side, yet, when the responsibility was thrown on them to face the difficulty, they will shrink before attempting to meddle with that measure, which he believed was one of the most useful and important ever passed in this colony with regard to the interests of both Natives and Europeans; (Applause)

Land Administration.

Relative to special settlement regulations, Mr Ballance said they were as important as the provisions of the Act itself. While they provided for the settlement of the land they abolished the tender and auction systems, and established the ballot; In the Waimate Plains they had an instance of the effect of the tender system. Men tendering twice over the value, were now bankrupt and could not pay their rents, and were asking for assistance from the Government. In all parts of the colony the same results were observable; men having paid a price utterly out of comparison with the price of produce to-day. What was Major Atkinson's remedy for this state of things? Not to make the rents easy at the start, but to establish a Land Court to regulate the rent by the price of produce every two or three years. He was sure that the lessees would get the best of the Government if they adopted this plan, and rents would have a great tendency to go down and little tendency to go up. That was the statesmanlike proposals made by Major Atkinson and Mr Rolleston, who he supposed had been fascinated with the Irish Land Court. What had the Irish Land Court done? They had gone about reducing the rents and everything was supposed to be settled, but now no their Land Court was required. And the rents were still further lowered to tenants who were as much disinclined as ever to pay the rents. So it would be in this colony, it would disturb everything and settle nothing. It would entirely prejudice the fixity of tenure which, in his opinion, ought to be the basis of all prosperity. (Cheers.) Unless the people knew they had fixity of tenure, there could be no incentive to improvement, and this was the chief recommendation of the perpetual leasing system; it fixes the rent for a long term, and instead of being knocked down to the highest bidder, the person in possession I could take up a new lease, and everything was in favour of the tenant who held for a long term of years. His own plan had been to fix the rents low—much lower than the market value, and then let the ballot decide. It was to the interest of the State to make their tenants prosperous, and not to grind the last penny out of them. (Applause.) If they continued in office, he intended next session to bring in a bill abolishing altogether the system of tendering and auction, and to substitute the ballot, as in the Special Settlement Regulations. He

thought that was the right course to pursue, and not the Land Court. For his part, he would rather see a man pay too little than pay too much, and have the Land Courts continually disturbing the existing condition of affairs.

The North Island Trunk Railway.

Many people were of opinion, from the facility with which they got through this railway, that very little was required. He could assure them a great deal was required, and the task had been an exceedingly difficult one. But not only had the natives agreed to allow the railway to go through their land; they had even offered the land required for the railway as a free gift to the Government. The work of constructing the railway, so far as the natives were concerned, had gone on without a hitch. When the Government took office the natives were not at all disposed to bring their land into the Land Court, but they had since withdrawn from the position they had taken up towards Mr Bryce, and now they had the most hostile tribes going into the Land Court. Even the Taupo and Waikato natives—Tawhaio himself and his Prime Minister, Major Te Wheoro—had come into Court. But this had not been brought about without a great deal of work. When the Government took office the natives were sorely discontented; there was not a friendly feeling abroad among them towards the Government, but what was it to-day? Even on the West Coast Te Whiti did not show any inclination to disturb the peace of the colony (applause). When they took office they found an expenditure going on at the rate of £60,000 a year, to maintain 650 men to keep the natives in order. To-day the whole force was reduced to about 40 men stationed at Opunake; all the rest have been withdrawn, and the reign of the civil police has been established, and things are now going on much more quietly than before. They had abolished the military rule, and in its place they had set up the "one policeman policy," which he ventured to think had been much more successful (applause); They had saved there some £60,000 in abolishing the Armed Constabulary, and in establishing the reign of civil police. And here he might say that the colony was greatly indebted to one man who had carried out the administration of affairs on the West Coast—he referred to Inspector Pardy—for the great courage and discrimination he had shown, and the marvellous success that had attended his efforts in getting the natives under control. He believed that there would be no further difficulty. Mr Pardy was an able administrator, and his thanks and the thanks of the colony were due to him for the assistance he had rendered to him (Mr B) and to the colony, in the administration of affairs on this coast.

Defence Expenditure.

It was true that they had now an armed force, but it was necessary to maintain their harbour defences. That force cost the country about £48,000 a year. It was only the nucleus of a force, and it was absolutely necessary to continue that force for the particular work. The number of men in each battery was exceedingly small, and it would be impossible to reduce that force without leaving their fortifications unprotected, and without being put to large expenditure in organising a force in time of difficulty. They had abolished the A.C. force, and the system of keeping the natives in order at the point of the bayonet, and they had gone into this harbour defence and had created a new force, and it was for the country to say whether that force was absolutely necessary, or not. In his opinion, and in the opinion of most competent judges, 350 men were not too many for the protection of the principal harbours of the colony. With regard to the Volunteers, there had been an expenditure of £25,000 per annum going on when he took office. He admitted that a very great increase had taken place in that particular item, the expenditure now Volunteers being now about £44,000. But they had more than double their number, and they had brought them into a state of more efficient organisation than they were before. His impression was that at the time they took office the Volunteers were on the point of falling to pieces. There were only three or four thousand at the utmost in the four centres of the colony, the country districts were being neglected, and the Cadets were virtually abolished throughout the colony. Now they had 3000 Cadets, and good Volunteers, and the total cost of the force was £44,000 a year. The question now was whether they should take their part in the defence of the Empire by keeping up that force. In his opinion they were not paying too much as compared with other colonies, and they had a more efficient force. His intention was, as far as lay in his power, to uphold the volunteer force as it was now organised (cheers).

Land Acquisition Bill.

There was one other matter he would like to deal with. He had shown how settlement should be carried on, in his opinion; but there was another question of importance—what should they do with the large estates, especially in Canterbury and Otago, through which railways were running where there was no population at all, and which would not be cut up, unless they did something. One of two things must be done. Either the Crown must put a large progressive tax on these people, or we must allow people to hew out farms from some of these large estates, and pay a reasonable compensation for them. (Cheers.) Last session he introduced a bill for the

purpose of acquiring land in these large estates by means of associations of 20 persons, who could go and take up a piece of land, have it valued, and the Government would advance three-fourths of the money, and the Association advance the remaining fourth. In that way they would become possessed of a reasonable portion of land. In consequence of the Want-of-Confidence motion he had not an opportunity of bringing in the bill, but he intended to bring it forward next session. It was a bill, he believed, should be passed. The question must be dealt with. It was unjust to the people of this colony that they should be enhancing the value of the properties of these people by public works, by the increase of population, and by the industries carried on throughout the colony, without the owners of these estates paying a reasonable amount in return. One single railway carried through a large property might mean placing in the pockets of the owner half a million, or even a million of money. Where did this value come from? It comes out of the pockets of the people of the colony, and they had a right to ask that the interest on that amount at any rate should be returned to them. That was the equity of the case, he could see no other side to it. Complaint was made that this Bill meant spoliation. If there was progressive taxation of sufficient amount he would not object to it; it was the object he wished to attain, and undoubtedly, it must be attained before many years (applause),

Wanganui Harbor Rating Bill.

On the question of the Harbour Bill Mr Ballance gave at length the history of last session's Bill, and quoted from Mr Bryce's speech to show his inconsistency in speaking against the Bill after he had agreed to withdraw all active opposition. With respect to the inclusion of Rangitikei Mr Ballance said he occupied an extraordinary position. He deprecated the introduction of Rangitikei, but was told that it was necessary to include Rangitikei and so do away with local opposition. He introduced the bill as it was prepared by the Harbour Board and it passed its second reading. Mr Bruce presented a petition from his own constituents against the bill, stating that they would never use the port of Wanganui, and that it was injustice to tax them for harbour improvements. He was between two fires; the member for Rangitikei said his constituents did not use the port of Wanganui, and the member for Waitotara said the Harbour Board was bankrupt and the expenditure in his opinion would not be productive of any result. That portion of the bill relating to Rangitikei was thrown out, and he could not carry on the bill without Rangitikei on account of a compact made between the Harbour Board and the large land holders. What puzzled him was this:—Why if the expenditure was to do no good, and the Board was bankrupt, should those opposed to the bill want to draw Rangitikei into the maelstrom? Why saddle Rangitikei with works that were valueless? He came to the conclusion, whether it was justifiable or not, that these gentlemen were opposed to the Bill, and that Rangitikei was put into the Bill to kill it. He believed that if Rangitikei was included in any bill, the bill would be lost, and they were on the horns of a dilemma. Were they to have the Bill with Rangitikei or without it? If without Rangitikei, the Bill would be killed, and with Rangitikei it would be killed to a dead certainty. He was willing to do the best he could; it was for the people here to settle the matter for themselves, and he did not know that he could say anything further upon it.

Old Soldiers' Claims.

He had something to say about the old soldiers' claims. He had been told that a number of old soldiers were dissatisfied with the smallness of the number of names in the Bill. He recognised the fact that omissions might have been made, and in order that all claims might be sent in, he was holding the bill over till next session, The Commission had done its work very well, and an exhaustive enquiry had been held.

Governor's Salary, Etc.

Mr Ormond brought down a proposal to reduce the Governor's salary and the honorarium to members, and he had no doubt the hon. member would like to have reduced Ministers' salaries too. On the question of Ministers' salaries Ministers could not say much themselves, but they left the matter to be dealt with by the House, satisfied with what they would do. He thought they were entitled to the salaries fixed by Act of Parliament 25 years ago, and he thought that when gentlemen drew the same salary when the population was 150,000, it was not unjust that the salary should remain when the population was 600,000. Ministers were content that the House should deal with the matter, and did not care what was done so long as the House dealt with it. With regard to the honorarium, the position he had taken up was this, that it was not an honorarium, but was a real payment to members, and must be looked on in that light. In Victoria and New South Wales they paid £300; in New Zealand they paid £210. Why did Mr Ormond want to reduce the honorarium? Because he did not want any man in that house who was not a man of property (cheers). When they had that class in the House they would make laws to suit themselves (cheers). If £300 a year was considered fair in New South Wales £210 was not too much for New Zealand, and this was the stand he had taken in the House and on the

platform. It was to the interest of the colony for the conservation of its interests that they should pay members. If they were to have only wealthy men in Parliament the people would suffer from the character of the legislation. With regard to the Governor's salary and allowances, it would be a mean thing to interfere with what had been fixed for more than fifteen years, and the consequence would be that they would have to put up with inferior men, and they would lose caste as compared with other colonies. It would be an unwise thing to do, and he was not certain about the purity of the motive. It was, in his opinion, a cry to catch votes at the general election, and nothing else.

Conclusion.

In conclusion, Mr Ballance said—I have gone over a great deal of ground, but the occasion was an exceptional one. It was necessary I should say something of the policy and the work of the Government during three years. It was necessary, also, that I should say something with regard to the intentions of the Government for the future. As far as my own position is concerned, I have been a member for Wanganui for some years, and I shall esteem it the greatest favour and the greatest privilege to represent my own place, and it will depend upon yourselves whether I am returned or not. If I have the honour of being a member of the next Parliament, I hope that I shall be able to do my duty. I shall try to do it at any rate, and I shall try to go upon the same lines I have pursued since I became a member of Parliament. My opinions have not changed, they have developed. I have made some progress. I have not gone back, I am not afraid of expressing my opinions, and my opinions have not changed. I have not wavered in regard to them during the time I have been a member of Parliament. (Loud and continued applause.) I think it right to say this before I conclude: I am the first member, I believe, who has spoken since the prorogation of the House to his constituents, and I shall not be the last by a long way before another month is over (laughter.) The whole country has risen in arms with regard to the Ministerial policy, and gentlemen we are not afraid to have our views and policy fairly placed before the country. I would ask a fair hearing for both sides, and that the people should not be carried away by mere claptrap and abuse. Let the issues be fairly put before the country, and let us have a little more than that; let us have just an inkling of the policy of the other side. We should then know what they were going to do, if they get into power. If they have a policy at all, why should they be ashamed of placing before you those measures which they believe to be for the colony's good? Well, of course they will tell you that if they get into power, they will do everything for the good of the country and of the people; that their administration would be characterised by energy and vigour. We want to know what it is they are going to do for the country, supposing they are brought back to power. Suppose the country return a majority against us. They will not extinguish us nor our principles. As individuals, we will remain, and our principles will remain with us. I am perfectly indifferent, personally, as to what may be done at this election. I am certain that the principles we have enunciated, are those which should be passed into law for the good of the people of this colony, and I hope, in whatever position I shall be placed, I shall always be a staunch advocate of the principles I have placed before you. (Loud cheers.) Well, now, gentlemen, I hope, in conclusion, to be able to address you again before the election. I have calculated the time, and in about ten weeks I think the writs will be returnable; possibly it will be a little earlier. You are aware that the district of Wanganui will be greatly enlarged by the inclusion of Aramoho, Eastown, Castle Cliff, Westmere, Campbelltown, Putiki, and Duriertown, I hope to have the pleasure of addressing some of these communities in their centres before the election, when I shall be able to deal with other questions. I hope I have done justice to the subjects dealt with, and I am afraid that I have taken up too much of your time. I beg to thank you very heartily for the very patient hearing you have given me this evening. (Mr Ballance resumed his seat, amid much applause, after speaking exactly two hours.)

The Chairman intimated that Mr Ballance would answer any questions put to him.

Mr Armstrong, of Putiki, asked whether Mr Ballance did not think a smaller number of members would be able to carry on the work of legislation quite as well as the present number, to which Mr Ballance replied, as stated in his last address, that he was not in favour of a reduction of the number of members.

Mr G. Beaven proposed, in a few suitable remarks, That this meeting expresses its renewed confidence in Mr Ballance as member for the Wanganui district,

Mr J. Paul seconded in a happy manner, and alluded to the fact that Mr Ballance had been asked to contest larger and more important seats, but he had positively refused and said "No: I will stick to my old love."

Mr Barton, of Hawera, made a few remarks in support of the motion, which on being put was declared to be carried unanimously amid great enthusiasm.

At the request of Mr Paul, three hearty cheers were given for Mr Ballance and an additional cheer for Mrs Ballance.

Mr Ballance in reply said: Permit me to thank you very heartily indeed for the kind way in which you have responded to the proposal and for the honour you have done Mrs Ballance and myself, Mr Paul has referred to

my returning to my first love. It would be most ungrateful on my part, if I were to be tempted away from my first love. I hope always to have the gratification and pleasure of returning to my first love, Wanganui. I hope, further, that my future conduct will be such as to merit the continued confidence of the people of Wanganui. The feeling that I have the confidence of the electors of Wanganui is the greatest reward—the greatest compensation I can receive for my services, (Cheers.) Let me propose that a hearty vote of thanks be accorded to the Mayor for his conduct in the chair this evening. The motion was carried by acclamation, and the meeting separated.

decorative feature

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Political Tracts for the Times. No. 1.

Woman Suffrage.

[By F. G. Ewington.]

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EVERY British or naturalised British subject in New Zealand, being a man 21 years' old, can vote for the election of members of Parliament, provided he owns property worth £25, or has resided in the Colony for a year. The men who exercise this right may be paupers from the Old Men's Refuge, patients from the Hospital, bar-loungers, street-corner-loafers, old gaol-birds, habitual drunkards, or even worse; but women, however good, intelligent, and patriotic, cannot vote, merely because they are females. Women ratepayers vote here for the election of the Mayor and Borough Councillors, Licensing Committees, School Committees, and Road Boards; and in England they vote for Poor-Law Guardians, and School Boards.

In the Isle-of-Man

they vote for members of Parliament; in Wyoming, in the United States, they vote for members of Congress; in the Slavonic Provinces of Austria they vote by proxy in Municipal, Provincial, and national elections; and, in Finland, a Scandinavian Province of Russia, the Governor has recently declared that "man or woman who pays rates should vote."

It seems absurd that thousands of landladies of hotels and boarding-houses, who have sunk much capital in the country, are maintaining themselves and families, and bearing the burden of taxation, but cannot vote because they are women, while their waiters, barmen, and odd-men, can vote merely because they are men. Over twenty thousand women-farmers in England manage their estates and pay taxes, but cannot vote, while their ploughmen can vote merely because they are men. In New Zealand,

Widows and Spinsters,

who keep greengrocers' and other shops, and prove themselves to be good citizens, cannot vote, because they are women; but the Chinamen who sell them their vegetables can vote because they are men, although they do not understand our politics or intend to make our country their home. Widows of fortune cannot vote, but their coachmen and gardeners can; milliners in business cannot vote, but the men who carry their advertising boards about the streets can vote. It were hard to say whether the next generation will wonder more at the absurdity than the injustice of this arrangement.

Who passed the Laws?

The laws imposing these disabilities on women have been passed by men, the stronger of the sexes. In the days of old, Might was Right; physical force swayed races, nations, and classes. Women were looked upon as chattels; men sold their daughters for concubines; warriors seized women for wives in times of war; others stole them in times of peace, never dreaming of consulting their wishes. Even to-day women are reckoned as chattels by all except the better class of men, who esteem them as man's complement. The numbers of men who hold women to be something more than mere things, and deserving of the Franchise, are increasing every day. Three hundred and twenty-seven members of the House of Commons are in favour of women's suffrage: a recent Trades Union Congress voted in favour of it; a majority of our New Zealand Parliament voted in favour of the second reading of the Women's Suffrage Bill; about fifty-two thousand women in this Colony have petitioned

Parliament for it; men like Mr. Gladstone and Mr. Herbert Spencer advocate it, and in a few years at most it will be an accomplished fact. Some people who do not know what is going on in the world, say women do not want it; but if they will open their eyes to the public meetings held by women, to the leagues formed by them, to their writings, and their general activity in this matter, they will be ashamed to repeat the stock objection used against granting liberty to the American slaves: "They do not want it." If they will turn to the writings of Mrs. Ashton Dilke, Miss Frances Power Cobbe, Mrs. Oliphant and others, they will soon learn whether women want it or not.

Justice of the Claim.

It is a question of justice; women are entitled to it exactly on the same grounds as men,—because they are human beings, members of the state, affected by good and bad laws equally as men. During the last few years women have made great intellectual and social advance, and they are as well able to choose law-makers as millions of men who now exercise the Franchise. They are engaged by hundreds of thousands as law clerks, lawyers, doctors, teachers, commercial clerks, lecturers, "pointsmen" on railways, warehouse-hands, book-binders, pen-makers, and assistants in the building trade; hence they know by experience the pinch of bad legislation, and should have a voice in choosing men to amend the law. Tens of thousands of them are doing an immense work in Temperance, benevolent, and religious effort, besides discharging their private duties at home; and their patriotic desires to benefit the world are a guarantee that they will wisely select good men to make our laws.

Why Women should Vote.

It is contended that women should exercise the Franchise (1) Because they pay taxes and ought to have a voice in choosing representatives to impose and spend the taxes. It is a principal of our Constitution that no taxes should be imposed without the consent of the people through their representatives in Parliament, and as widows and spinsters have no Parliamentary Franchise, they are not represented. Those who laud John Hampden for resisting un-constitutional taxation, fly into a passion when women even hint at such a thing on their own account. (2) Women's questions will never be fairly discussed and justly dealt with in Parliament until the members know that women can take part in choosing and rejecting them. Many members of Parliament make greater efforts to keep their seats and honoraria than to decide questions on their merits; they try to please their constituents and do not trouble about "out-aiders" who cannot vote for or against them. Hence the Women's Property Act was shelved six times in one Session in England, and the Women's Suffrage Bill was recently shelved at Wellington. Mr. Moss and other members who voted against the Bill because of their "great reverence for women" would reverence them a hundred per cent, more, even to the point of worshipping them, if women had a vote. (3) Women have proved themselves worthy of the Franchise. In Wyoming and the Isle of Man their influence has been good; Queen Elizabeth, Queen Ann, and Queen Victoria proved that women have political capacities which only need developing; women, as a rule, rear their children well and judiciously, manage their husband's money, thus proving faithful in greater things than the exercise of a vote. (5) Women should have the Franchise to enable them to get relief from the unequal and unjust laws which disgrace our Statute-book. Mrs. Aldis has chased one unjust municipal law into outer darkness, and if women get their fetters off they will make short work of our divorce law. It is simply monstrous that men should make one law for themselves and another for women. If violation of the moral law and the marriage vow entitles a man to a divorce, it should also entitle the woman to a divorce, but it does not. Man can get free for one offence on his wife's part, but she cannot get free for the same thing unless the man commits also legal cruelty! Members of Parliament would soon rectify our unjust intestacy laws, too, and the laws affecting women's persons, if women could vote for their law-makers.

Unfounded Fears.

But it is argued that, if women drop a little vote into the scales of mercy and justice once in three years they will lose their womanly charm. Surely such fears are unfounded. "Women now have politics thrust upon them. Compulsory education, compulsory vaccination, compulsory sanitary laws, &c., &c., compel women to concern themselves about politics. First of all, it is important that women should perform their private duties, and be good daughters, good wives, and good mothers; but thousands upon thousands of women, after having discharged their private duties, desire to perform social duties, and help to regenerate the world. This spirit impels myriads of women to help their less fortunate fellow-creatures in various ways, and they go unscathed into scenes of suffering and infamy to rescue the sick, ignorant, and fallen. Florence Nightingale's, Mary Stanley's, and Sister Dora's are household names in England, and there are two or three household names here.

Ladies here are engaged in works of mercy, which fail through defective legislation; and if women could exercise the Franchise, they would get the law remedied at once. Reformatories without legal restraints are a delusion and a snare, but this and other questions will be shelved until women can take part in choosing our law-makers.

Lunatics.

There has been no public remonstrance against the claim at Dunedin that male lunatics should be taken from asylums to vote (see daily papers, July 14th); but when that privilege was claimed for sane, sensible, pure-minded, industrious, and patriotic female tax-payers, it was denounced as "the greatest devilment ever tried by the Devil in this world!" But the tide is rising; truth must and will prevail; Right, not Might, will win. Politicians can no more prevent women from getting this meed of justice than they can prevent British capitalists from wringing out of this colony the interest which is bleeding it to death, because they have not shown womanly prudence and honour in the affairs of State.

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Address

By J. Aitken Connell

Delivered at the

Choral Hall, Auckland, N.Z.,

On Monday, the 25th July, 1887

To

1000 Young New Zealanders

On

Democratic & Representative Institutions.

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The Political Campaign.

Mr. J. Aitken Connell's Address to Young Colonials.

(Specially Reported by Mr. Jas. M. Geddis, Shorthand Writer, Auckland Star)

MR J. AITKEN CONNELL (candidate for Eden) delivered in the Choral Hall, Auckland, on July 25th, an address to "Young Colonials," being the second of his series of "Monday Evening Political Addresses." There was an assemblage of fully a thousand persons, of which by far the largest proportion were youths and young men.

MrConnell, on making his appearance upon the platform, was received with cheers. He said: Ladies and Gentlemen,—I am compelled to ask you to-night as usual to choose your own chairman, for I have no chairman to propose.

After an awkward pause Mr Geo. Akers proposed that Mr Wm. Kelly (former member for the East Coast) should take the chair. (Applause.)

Mr Council called for a show of hands in favour of the proposition, and a large number were held up. Another long pause ensued.

Mr Kelly declined the honour on the ground that he was not an elector of the district.

Mr Connell: Well, it is rather an unusual thing in a large meeting of this kind that we cannot get a man to take the chair. If you cannot give me a chairman, I shall be obliged to choose one myself. I am quite in your hands, gentlemen.

Mr Akers was then proposed, but declined.

Mr. J. R. Green next moved that Mr. J. M. Philson should take the chair.

Mr. Philson: I am not an elector in this district.

Mr. Connell: That does not at all matter; you had better take the chair.

Mr. Philson: Much obliged, but I would rather not.

At this stage, loud cries of "Hodge!" were raised, and Mr. Connell said that he would be very glad if Air. Hodge would come forward and take the chair.

Mr. Hodge, however, did not appear to be present, and the proceedings again hung fire.

After a minute or two of hesitation Mr Connell said: There is a gentleman here I would like extremely to take the chair. I will tell you why later on. He is a young colonial (cheers), and I beg, therefore, that this gentleman here [pointing to Mr George Sexton] should take the chair. Mr Sexton, however, preferred to retain his seat, and firmly shook his head to all Mr Connell's inducements for him to mount the platform.

Finally, Mr Connell said: Well, gentlemen, if you cannot give me a chairman, you cannot expect me to give you a speech.

Hereupon Mr Geo. Akers rose from his seat, strode up to the platform and took the chair, amidst loud cheers. In opening the meeting he said: Ladies and gentlemen,—Electors of Auckland city,—On account of being called to the chair, I think I am here in my right place. (Applause.) Mr Connell told us the other night that he was an old colonial. Well, I am also an old colonial. (Applause.) He told us too that in the year 1859 he stood on the Queen-street Wharf with only sixpence in his pocket. To that I may say that, in the same year, I was for three weeks in Auckland with only sixpence in my pocket. I went up in the world after that, but I have come down again since. Ladies and gentlemen, I trust you will give an impartial hearing to Mr Connell for his address. (Cheers.)

Introductory.

Upon rising to address the audience, Mr. Connell was greeted with renewed outbursts of cheering. He said: Ladies and gentlemen,—I am happy to be able to say this evening that I can see in all your eyes the intention to give me a fair hearing. (Cheers.) Now, this evening I have to speak to you on the subject of Democratic and Representative Institutions. I am sorry that I will not be able to speak to you as loudly as I could wish, because in going to Waiwera I caught a cold; but at any rate I will speak as loud as I can. My object in calling this meeting, as you are aware, is particularly to meet the young colonials of New Zealand, and my reason for doing that is that I recognise the fact that we have in the young colonials of New Zealand a very large force, and, as I have told you already, I profess to be a tactician. (Loud laughter.) I told you also that a tactician always looks about him for a big force, and, therefore, I have invited the young colonials of New Zealand to meet me to night, because I recognise in them by far the largest force in the country. (Applause.) Now, gentlemen, it is my purpose to-night to endeavour to impress on each of your minds that which is impressed on my own mind, viz., that every young colonial in New Zealand is a very important person. (Laughter.) Most of you are aware that I am not a man who hesitates to tell big men and great men the truth to their faces, and in the face of the colony, and I say also at the same time that I am not a man to hesitate to say good things of any men if they deserve them, and I think the young colonials of New Zealand deserve some very excellent things to be said about them, and it is because they are true that I intend to say them. Now, there are a large number of persons who are only capable of taking a superficial view of things. People of this stamp — I speak as a politician—when they look over the face of society and see a large amount of what is called "larrikinism," and juvenile crime, say, "Ah, what is to become of New Zealand when these youngsters grow up, become electors and have the Government in their hands?" To these persons I reply, "If you take nothing more than a pessimistic view of things, you are not able to see very far through a grindstone. You are only looking at the skin and surface of things." The larrikin element is chiefly to be met with in our large towns, and I think I am correct in saying that it is in proportion to the rest of the population probably not 1 per cent. With regard to the remaining 99 per cent.—with regard to the great mass of the young population of the colony, I think so highly of them that it is my distinct purpose that they shall be an example, not only to the Australian colonies, but also to England and America. I believe that in the young men of this colony we have material not to be surpassed in the whole world. (Loud applause.) Now, when we come to look at democracy it will be found that a large number of people are afraid of democracy because they think it an institution that is bound to end in revolution and ruin. Now I tell you emphatically that I am a democrat to the backbone. (Applause.) I firmly believe in democracy. I believe it to be the grandest and most magnificent type of government the world has ever seen, because it is the government of the people by the people and for the people themselves. There have been other good forms of government in the world, but there has been no form of government, in my opinion, which is a patch upon democracy. But unless you have the individual units of a democratic nation of good material there is no possibility of having a grand and great democracy. If you have them debased and corrupted then you cannot expect to find a pure form of democratic government.

Dangers Threatening Modern Democracies.

Now it is my purpose to-night to show you some of the dangers which threaten our modern democracies, and in order that you may be interested in tracing these to their source, I propose to glance back at the causes which have wrecked democracies in the past. I am not one of those persons who are fond of theoretical arguments, but I attach the greatest weight to historical facts. If you can bring me a single fact to show the operation of a custom, of a law, of a vice, or of anything else, and say, "There is the consequence of it," I begin to look at it with the keenest interest; and it is by a study of the causes which led to the decay and fall of the ancient democracies that we may hope to save ourselves from similar disasters. If we find the same causes operating and producing the same results as in ancient times, it behoves those of us who look below the surface to be anxious, and watchful, and raise a warning voice in the endeavour to save our modern democracies from the dangers which overtook and overwhelmed the ancient ones. And before we go to these ancient republics let me put it to you in this way. You can easily see and understand that if we took 100,000 of the Pacific islanders and put them into one of our great countries, they would never make a democracy. It would be impossible. We are indebted to the history and traditions of our forefathers, to the customs of our forefathers, to the information sent down to us through the art of printing and now accumulated into a vast mass, being imparted to us in our earliest years—it is solely in consequence of all this, and the training we receive from the time we are born until we are called upon to exercise the vote of an elector, that we arrive at sound principles. Therefore it is highly important to all of us that the great institutions on which we depend for successful training should be preserved in their purity and integrity. I have referred in my address to the women of Auckland (laughter) to one of the great causes to which we can trace the fall of ancient Rome. We find the earliest danger in an attack upon the sanctity and beauty of the marriage tie, and, after the divorce laws had been changed and relaxed, instead of the Roman matron being held up to the admiration of the whole world for her chastity and loyalty to her husband, she gradually became degraded until, in the last years of the Republic, when the State was plunged in civil war, women thought nothing of poisoning their husbands. In a single year two hundred women were found guilty of poisoning their husbands. (Laughter.) And women in the highest places—not merely the lowest portion of the population—were found guilty of these terrible crimes. When we compare that state of affairs with the state of affairs in modern democracies now in regard to women, we find the same danger. The institution of marriage is being attacked. A cry is being raised by unthinking persons for the divorce laws to be extended, and the sanctity of the marriage tie is being invaded. We have to fight it at the initial point. If we do not, but allow these things and the abominable innovation of the Woman's Suffrage Bill to go on to the degrading of our women — although it may take fully 200 years to degrade the women of England—yet, as surely as history repeats itself, so surely the women of England, of America, and of these colonies will be degraded unless we raise a warning voice in time and see the thing stopped. Then, again, another great cause of the fall of Rome was the corruption of her senators and legislators. You can take a time in Roman history—I think about 270 or so B.C.—I have the date here, a time as late as 277 B.C., when the senators of Rome were pure and the citizens were pure. Anyone going then and attempting to bribe the Roman Senate or the Roman people met with a very queer kind of reception. In 277 B.C., Pyrrhus, King of Epirus, came to Italy to assist the Argives against the Romans. He defeated the Roman armies with great loss, and he found himself in such a position that he thought it a capital opportunity to make an advantageous treaty. He therefore sent his minister, a great orator, to Rome to negotiate terms of peace. And that great orator used his utmost arts of flattery upon the Roman people and upon the Roman Senate. He was also furnished with large sums of money in order to bribe the Senate, but what did he find? He found that there was not a man in Rome whose hand would close upon gold, and when he went away he declared that every burgess in that city was equal to a king. (Applause.) Well, gentlemen, we pass on to a later age, and in the meantime a great change had come over the Roman people. Something like 150 years had passed away when another very suggestive circumstance took place. You have all read of Jugurtha? (Cries of "No we haven't.") Well, if you have not you had better do so. (Laughter.) Well, Jugurtha was an African General who had served under the great Scipio and who had taken it into his head to usurp the kingdom of Numidia. He came over to Rome bringing immense sums of money with him, and he found a very different reception on the part of the Roman senators and the Roman people from that which Pyrrhus had experienced. He found he had not enough gold, vast as his wealth was, to grease all the palms that were held out for it. That was the state of affairs then. (Cat-calls, general disorder, at the extreme back of the hall, and a voice, "Hurry up, old man.") Now, you know you will have to behave yourselves there behind. Well, gentlemen—(renewed disorder and a voice: "Oh, shut up ")—when Jugurtha left Rome his testimony was very different from that of the minister of Pyrrhus. His words were: "Here is a city for sale if she can find a purchaser." Now, during these 150 or 160 years a very marked change had been coming over the Roman nation. It was found at the elections that bribery was going on. It was found that this system of corruption very gradually begun, was permeating the whole mass of the Roman people.

There was another thing that characterised the last century of the Roman empire. (Interruption.) It was this: the sudden rise of demagogues. These demagogues got so bad at last that they actually would pay men to come

and listen to them, and they went on making great speeches, trying to tickle the ears of the more ignorant portion of the people, and to delude them by putting before them all sorts of visionary ideas and by promising them all sorts of magnificent things if the people would only place them in power. Cannot you see some of these things passing round about us now? I see them with great clearness. I see a degeneracy of the integrity of public men in the last few years. I see attempts made in England and in the colonies to imperil the constitution, and to degrade the citizens by appeals to the lowest side of human nature. I see all sorts of promises made by our public men in attempting to get power into their hands. I see them promising large sums of money to be spent in various districts if they are put into power. That is neither more nor less than simple bribery—than corruption of the people. (Cheers.) If it were not for the fear of wearying you, I could show you other signs of weakness in the ancient democracies rising into the greatest prominence now. There was, for instance, the worship of wealth—one of the most notorious things that characterised the decay of the Roman empire. We see now amongst ourselves in Europe that if a man has a large amount of gold every one bows down to him. Scepticism spread with alarming rapidity throughout the whole mass of the people, and unholy and unclean orgies of the most frightful character debased and degraded the people. To such a terrible extent had this grown that at one time 7000 men were put to death on account of it without, however, crushing the frightful disorder. All these things we may 'see traces of in our modern democracies and we must face them with a determination to purge them out of the land. In attempting to do my share in this direction I have a distinct purpose in standing for a seat in parliament to endeavour to aid in raising the public life of New Zealand, and to purge out of it these evidences of a decay or of a corruption which is sapping the public life of the colony. And, gentlemen, when I think, or when I thought, how best it was to be done, I could see that my hopes lay with the young colonial blood of the colony. (Cheers.)

Mr. Connells Faith in Young Colonials.

Now, I will tell you one principal reason why I have such faith in young colonials. It is this: — We all have character. (Laughter.) Mind, you have all got character—some a little better than others, and some a little worse. And that character was not made in a day. It is a thing that has been built up. It is the result of causes which have been at work for years'. And each one here bears in himself the effect which those causes have produced. Now, the grandest of all things for building up character are the influences of home association, and the influence of work. Mark that. I say the greatest thing for forming and settling a man's character is that home influence and the nature of the work in which he has been engaged; and there is no kind of occupation in this world that yields such splendid character as outdoor labour in a young country. If you find a large number of the population of a country engaged in assisting to conquer nature, and in improving the face of the land on which they live, you get the finest material in the world for a nation. But if you find the vast mass of men shut up in small rooms, ill-ventilated, and engaged in a dull routine of toil in the production of boots and shoes, and things of that kind, you cannot expect to have the sturdiness and manliness of the man who takes his shirt off and knocks down a big tree every day of his life. (Cheers and laughter.) Therefore it is because our young colonials know what this sort of work is that I believe they are unsurpassed in the world. (Laughter and cheers.) There is scarcely any young colonial who does not know what it is to knock about in stock-yard up to his knees in mud among cattle, or who cannot take his axe in his hand and chop down a tree, or who cannot take his spade and dig up a patch of potatoes. (A voice: "What about gum-digging?") I will tell you something about gum-digging in a little. I say that that is the kind of occupation that forms character, and it is in the out door sports, the occupations, and the life of the young New Zealander, that I see the formation of the grandest material to be found in the world for democratic government. There is another thing to be seen, and that is what I call the *esprit de corps* of the young colonial. (A voice: "What's that?" and laughter.) It is a grand thing. We older hands have got the *esprit de corps* of old colonials, and the chairman and myself feel a bond of sympathy between us to-night simply because we are old colonials. And every old colonial has got a love and a liking for every other old colonial. I say, then, that the young colonials have also got. *esprit de corps*. And I will tell you, gentlemen, that, highly as I think of my own class—the old colonials—yet that I think still more highly of the young colonial class. (Applause.) That is a fact. (Cheers.)

Mr. Connell Tells a Story.

Now, I will diverge here a little from my subject, and tell you a story about gum-diggers. As you have asked about gum-digging. (Laughter and applause.) You know, gentlemen, that I committed myself at the Opera House to the statement that it is a most unfortunate fact that a considerable number of old colonials have given way to drink. (Laughter.) Now, gentlemen, that is a statement which is absolutely true. (Cries of "No.") Wait a little. I say with sorrow that it is a fact, because I speak of my own class. (Interruption.) Now, I will tell

you a story about gum-diggers, but you must not make a row. (Derisive calls of "Hush, hush.") Well, I was going to Waiwera on Saturday for a spell, and I reached a point on the road where I thought I would enter a house and get tea. That was at the Wade. I went into a public-house there. (Loud laughter and cries of "Oh, oh!") I say again, gentlemen, I went into the public-house. (Renewed laughter.) They were going to show me into a nice little parlour in the front, where there were muslin curtains and a mahogany table. It was very cold, and seeing two men in a room by themselves with tea on the table, I said, "No, I am going in here." The men were two gum-diggers, (A voice: "Old colonials?") Yes, they were both old colonials. They had been old soldiers. One of them was what I call three-quarter seas over, the other was not quite so bad. (Laughter.) We entered into conversation and managed to shake down well together. I said to the one who was furthest gone, "Look here, you are a pretty kind of fellow to be like this now. You are an old colonial. (Yells of laughter.) It is drink that is keeping you a poor man. Why should not a man like you who has been so long here—for they had told me that they had both been about 30 years in the colony—be in a comfortable position by this time? Why is it that after making so much money you have not got a good farm instead of sitting here in a hotel under the influence of liquor?" "Well," he says, that's a fact. I remember coming down here one day with £17 10s in my pocket and leaving again in about a week £4 in debt." I said, "Yes, that is the way they do. You had better join the Blue Ribbon." He said he would not, because he could keep from the drink if he liked. I said, "Well, you had better like now." I also told them that I had got into a row at the Opera House, because I said that if old colonials got out of work it was nearly always through drink. (Cries of "No "and "Yes.") Listen, and I will tell you what the two gumdiggers said - and they were both old colonials "Well," they both said, "that's a fact." (Cries of "Oh" and laughter.) That is just what they said. And therefore, much as I respect the old colonial—and I am one myself—I say that a great number of these old colonial hands have not had the same educational advantages, and have [not had the same moral training in the form that you young colonials have, and the consequence is that a large number have developed drinking habits and other things rendering them not so good as the young colonials.

Another Story.

Now, I will tell you a very creditable thing about the young colonials. It is a very rare thing to find a young colonial that drinks. (Loud laughter and boo-hooing.) Now, when I was at Waiwera the other day there happened to be there at the same time a gentleman who had got a large quantity of land — 10,000 acres of fine agricultural land. And he was a very good sort of man too, although he had got plenty of land. (Laughter.) Some of you think that there is no good in a man when he happens to have a large quantity of land, but I tell you that there is not one of you mad enough to refuse a piece of land if he could honestly get it. As for myself, I have never owned an acre of agricultural land in my life, but the only reason for that is that I could not buy it. (Laughter.) I was speaking to this land-owner about myself, and I said to him, "What sort of fellows have you got working about your place?" He replied, "Mostly young colonials." I asked what he thought of them. Pie said, "My experience of them is grand; none of them drink." (Cries of "You don't say so?" and loud laughter.) It is a fact. The young colonial that drinks is the larrikin about the city. (Cheers.) And that man simply told me, gentlemen, the very same thing that I have observed myself throughout the colony—that the young colonial sticks to his work like a man and that he is a grand fellow. (Cheers.)

Representative Institutions.

Now, I promised to-night not only to speak about Democracy, but to say something about Representative Institutions. (A voice: "What about the gum diggers?") Now, our modern democracies have got many great advantages which the ancient democracies did not have, and one of these is the perfection of our representation and representative institutions. The older democracies were subject to very, very great drawbacks in this respect. They did not have anything like the perfection of our representative system, nor even any approach to such a system. It is a device of a more advanced civilization to gather up the minds of the units of the nation and concentrate them in a single point, viz., the representative of the constituency. And, gentlemen, it is a grand device. I say then, that for a man to deserve to gather up that magnificent power into his own hands he can only do so properly by acting faithfully to the trust reposed in him. If our public men take over this glorious thing called "power" with a deep and true sense of its responsibilities, and instead of debasing their constituents by abominable bribery, act with honour and uprightness, we may have representative institutions such as the world has never seen. (Interruption.) Now, gentlemen, as we have these representative institutions at work amongst us, I want, to-night, to tell you one or two things about them. They are marked by great strength, but they are also subject to great weakness. At present democratic institutions in England are going through a period of considerable peril. Why? For this reason: because representative institutions and government necessarily

involve the opposing of two great forces—the force that governs and the force that desires to govern. There is no room for any third, fourth, or fifth forces. We have to send a great mass of men to Parliament, and once there that mass has got to select from its own members men to be entrusted with the power of the Government of the country, and that House of Assembly must then fall into two great ranks. (Interruption.) I say it must fall into two great ranks—the ranks of those who uphold the existing Government of the country and the ranks of those who oppose that Government. As soon as the Government of the country has, by virtue of misconduct, or ill-doing, or by incapacity on its part, lost the confidence of the nation or the House, then the number opposing it grows larger and larger until it becomes the majority, in which event it casts that weak and incapable Government out of office and out of power. And then those who have gathered the consensus of opinion on the other side take their places as the Government.

A Cause of Peril.

Now, the great peril in which, at this moment, democratic institutions in England stand, is that this distinguishing principle has become confused by the introduction of the Irish question. In England we have now - in consequence, I may say, of absolute blundering, which I propose to deal with more particularly next Monday night—got the spectacle of the English Government and the English House of Commons in a state of almost irretrievable confusion. Instead of those two great forces of which I spoke being alone at work, we have now the introduction of a third force—Mr Parnell and his party—who hold the balance of power and render it impossible for either side to govern with effect. (Applause.) Now, gentlemen, it is because I see the trouble that this state of affairs is bringing upon England—because of the confusion and loss of power which make it impossible to carry forward good measures—in consequence, I say, of that third power—that I have distinctly stated we must not and shall not have a similar state of affairs here in New Zealand. I say that at the present time the crisis here is so serious that we must have representative government in an orderly form. And if we have a third power, neither falling in with the Government nor with the Opposition, the hands of the Government will become paralysed like those of the Government at Home. The hands of the men who are knocking on the head the ignorance, fraud, deceit, and incapacity that have arisen of late in the colony must not be paralysed by some third power. (Interruption.)

Sir George Grey.

And, therefore, gentlemen, at the risk of all the unpopularity you can cast upon me, I testify, in the face of the colony, that there is a power in New Zealand incapable of falling in, I believe, with representative institutions, and that power is Sir George Grey. (Tremendous uproar, hooting and groans from the back of the hall), Now, gentlemen. I have never said—and I defy anyone to point out that I have ever said an unkind word of Sir George Grey—(disorder)—and if anybody says I have, I ask you not to believe it. (Three cheers for Sir George Grey, followed by three groans for Mr Council.) You must know that it is not bellowing that will do it. You must bring argument. Now, I say this, gentlemen, that if he can get into Parliament with a following of six or seven, or eight men after him, he will belong neither to the Government nor to the Opposition, and good and effective government will become dimply impossible. (Uproar.) Gentlemen, if the colonists of New Zealand send Sir George Grey to Parliament with any tail behind him, there is not the slightest use talking of retrenchment. You will have no retrenchment. My own feeling with regard to Sir George Grey is almost one of affection, because he could exercise a magnificent influence for good in our democracy if, instead of sitting in Parliament, where he has no power (loud dissent), he stood outside where he would be the guardian of the liberties of the people. He could make magnificent orations in serious crises which would compel the Government to do right, and he might be a magnificent force in New Zealand of a kind that has never been seen in any country in the world. I recognise in Sir George Grey great honesty of purpose, and that he has the real good of the colony lying at heart, and I would not say that of any man unless I believed it to be true. But, I say again, in order to make him an effective representative, you must have in him sound practical political character, and the training of Sir George Grey has been such as, in my opinion, to render him unfit to work in with the representatives of the people. (Hooting and hisses, culminating in three cheers for Sir George Grey, followed by three groans for Mr Connell. The speaker paused to consult his notes, whereupon loud cries of "Go on, Connell," were raised.)

Young Colonials' Democratic Association.

Now gentlemen, if I have spoken to you to-night with any effect I hope I have done this: I hope I have raised in the minds of the young New Zealander tins feeling, that, as I said before, he is an important man. And, gentlemen, mark this: You may have vast forces which are at present wasted. Why? Because they have not

intelligence to direct them—because they have no power of organisation. You have no conception of what might be done by organisation. Now, I want the young New Zealander to wake up to a sense of the importance of public affairs, and to wake up to a perception of the fact that he is the substance of which a great nation is made. And I want the young colonial of New Zealand, not only in Auckland, but all over the colony, to organise as a Young New Zealand Democratic Association in order to take an active interest and part in political affair. If you had such an association as that, not committed to any special programme, but a kind of committee of public safety for the whole colony—an association which would guard the liberties, and the privileges, and the hopes of New Zealand, and composed, not, mark you, of every young man in the colony—because I believe it ought to be an association which it should be considered an honour to belong to; and my own impression therefore was that no one should be admitted to it unless he came within certain limits of age — say twenty to thirty that he was following some outdoor occupation or belonged to some athletic club. That is my idea, but I may say that there is a young man sitting in this room to whom I am indebted for bringing my views into practical effect. I know what was in my heart it was the desire to raise the public life of the colony. When I found the spirit of disorder manifesting itself on the occasion of my first appearance, I felt that what I needed was the sympathy of the young colonials, and I knew that I would get it. My first idea was only to ask the young colonials to see that I got fair play and to put down that kind of larrik nism that I saw at my first meetings and to show an interest in public affairs and a determination to uphold right doing But for the enlargement of that idea, for the bringing of that idea to the far more important form which it assnmes in my mind to-night, I am indebted to a young colonial who is present here to night. (Loud cries of "Name.") I do not know his name, but there he is, gentlemen. (Here MrConnell pointed to the young man whom he wished to take the chair at the opening of the proceedings. Cries of "Platform" and "Name.") You will get his name afterwards. (At this stage Mr Connell consulted the young man to whom he referred.) It is Mr Sexton, gentlemen. (Laughter and renewed cries of "Platform.") I am indebted to that gentleman for giving me a larger and better idea than I had myself conceived. And this idea was, that I should not merely seek the influence of the young colonials for my work, but that they should be encouraged to form themselves into an association to do their own work. If you think proper I shall be glad to have you throw me overboard, for I want only to be the means of assisting you in the way I have indicated. I am a politician, gentlemen—a practical politician — a commonsense politician—I even profess to be a little in the nature of a scientific politician. And I tell you, gentlemen, that I can see the enormous power you can exercise in politics. I tell you that there is no man in New Zealand who had a constituency to represent would dare to do wrong if there was a strong democratic association like this in existence, determined to see right done, and to support only men who were determined to do right. There would be an end to all the chicanery, log-rolling and corruption, which of late have been so disgraceful to the name of the colony. Now, gentlemen, that is about all that I have got to say to you to night. But, before I sit down, I want to move the following resolution:—"That this meeting cordially approves of the suggestion that a political association should be immediately formed, and be called the Young New Zealand Democratic Association, the members of which shall consist of persons between the ages of 20 and 30 years, and that a committee be selected from young colonials to convene a meeting of such persons as may be willing to join such association, for the purpose of enrolling names, settling the constitution of such association, and otherwise taking steps to give effect to this resolution." I beg therefore to move that resolution with the greatest pleasure. And I have not the slightest doubt that in Auckland, you who are young colonials will appreciate the honour of starting this association, and that you will have branches all over the colony. And before you know where you are you will have 20,000 young men, the back bone of the colony, influencing these elections for good, and thus saving New Zealand.

Mr Connell resumed his seat amid loud cheers.

At this stage a little fellow of about 15 years, who subsequently stated his name to be Frank Mason, mounted the platform in order to propose an amendment, and was received with loud cheers. He said: Mr Connell, I wish to recommend an alteration in the resolution you have just proposed. I suppose you can easily see by my appearance that I am not used to public speaking. (Loud laughter.) I hope, gentlemen, you will give me a fair show. (Cheers.) Mr Connell, I attended both of your other meetings, and I learnt there that you were an old colonial hand. (Shrieks of laughter.) you are also, I believe, a Scotchman. Well, I am a bit of a Scotchman myself. (A voice: 'A mighty small bit,' and laughter.) My experience of old colonials is—(here the lad's voice was drowned in uproar).

Mr Connell: I think, gentlemen, you really ought to give the lad fair play.

The appeal was effectual, and the youngster resumed:—My experience of old colonial hands has always been that they give the young colonial hands a fair show. I have attended all the political meetings I could during the last three years. (Loud laughter.) And I take a very great interest in politics. I attended both your other meetings and I may say, conducted my self in a very orderly manner (renewed laughter), considering the way that other people conducted themselves. (A voice: "Oh, put him out," and laughter.) I saw your

advertisement in the paper, and I have had for some years a great desire to belong to such an association as you published your intention to form. I came here, and on coming to the door I was told that I was not a young colonial hand—in fact, that I was only a boy. (Laughter.) And the gentleman said that as Mr Connell was down in Otago I could not see him, and that I knew nothing about politics. (A voice, "Let us see if you are stuffed ") Well, I have managed to see you at last, and I have no hesitation in saying that if the gentleman at the door only knew one-half as much of politics as I do it would be well for him. I do not see why I should not be admitted to the meeting I was told no one would be admitted except he were over the age of 21 years. I consider that when one has reached the age of 21 he is not a young colonial. (Laughter and uproar.) I knew, Mr Connell, that this could not be your purpose, because you said you were a tactician (laughter), and tacticians should know that in order to produce any effect, the child should be trained up in the way he is desired to go. (Laughter.) I see from the resolution you have read that no one is to be allowed to join this association unless he is between the ages of 20 and 30 years. Well, gentlemen, I beg to move as an amendment that the limit of age for members of the association be altered from 15 to 30 years.

Mr Connell: Speaking to that amendment, gentlemen, I should say that if all our young fellows had the intelligence of our young friend here, it would be highly advisable to make the alteration he suggests. (Cheers.) But, unfortunately, we now but too well that our young lads have not the necessary self-control and confidence, and many would probably prove a source of hindrance and confusion to the association. I think they may very well study politics, as this young fellow has been doing very effectively for some time. (Interruption.) I think, however, we might, perhaps, carry the limit of age down to 18 years. But I do not think it would be wise to make it any lower. (A voice: "Did you give him half-a crown?" and laughter.) If you will allow me, therefore, I shall alter the ages proposed in my resolution to 18 to 30. With regard to keeping boys out of the hall we thought it wise to do so in order to ensure order. But when I saw the anxiety of our young friend and his mates to get in, I said, "You can come in, but you must behave yourselves." I now move this resolution again, 20 years being altered to 18 years.

Mr Sexton: I beg to second the proposition.

A gentleman at this stage rose up in the body of the hall and began to address the chairman, but a noisy uproar prevented him from being heard. He several times attempted to speak, but his voice was lost amid cries of "Platform."

The Chairman requested a fair hearing for him, but without avail.

Mr Connell: Gentlemen, this is a most unfair proceeding. The gentleman desires to say something which I would like to hear as it may throw light on the subject we are considering. (Disorder.) Why do you bellow at him as if he were a bull? (Loud laughter.) Mr Connell (to the subject of the uproar): You had better come up on the platform.

The gentleman in question: No fear.

The Chairman was about to put the resolution, the amendment not having been seconded, when Master Mason came forward and appealed to the audience for a seconder.

Mr Mills: I will second it.

The amendment and resolution were then put to the meeting, and upon a show of hands being taken the Chairman declared the resolution carried.

The Chairman asked if there were any questions, and one written upon a slip of paper was handed up.

Mr Connell however, declined to answer questions, explaining that he only did so at meetings of his intended constituents.

The assemblage at the back of the hall then gave three cheers for Sir George Grey, and three groans for Mr Connell.

Mr Connell proposed a vote of thanks to the Chairman, and this brought the proceedings to a conclusion.

The admission to reserved seats was by ticket (free) only. About six hundred orderly citizens, some accompanied by ladies, availed themselves of these tickets. Admission to the back part of the hall was thrown entirely open. Any interruption or noise was confined throughout the evening to the back part of the hall.

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Protection v. Freetrade

An Address

Delivered before the

Thames

Debating Society

On August 10th, 1887.

By R. N. Smith.

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Preface

THE following few pages were written in response to a request made by the Thames Debating Society, and as Protection has long been a favorite theme of mine, I thought the present political contest in which we are engaged a favorable opportunity of launching my views (however crude) on the sea of public criticism.

To provoke discussion is my main object, which I now invite, confident that, if conducted in an honest, open manner, with the welfare of the colony as our first consideration, I need not fear the dictum.

R.N.S.

To the Industrious and Working Men

Of New Zealand

THE following lines are dedicated with the fervent hope that those who read them may be benefitted by their perusal.

R.N.S.

Protection v. Free-trade.

I HAVE no desire to air my eloquence, even as a Protectionist, but as the subject of Protection is one of vital importance to a new country like this, it is the duty of every man to do what he can in fostering and helping his fellowmen; and especially is it necessary at the present time, on the eve of a General Election, when, by our collective votes we are called upon to return men to the House, who for the next three years shall rule the destinies of New Zealand. If ever there was a time when men should seriously consider their position it is the present: the power is in their own hands, and as they use that power, so the weal or the woe of the future depends. Protection, then, I contend, ought to be our national policy. "National industry is national wealth." Are we as a nation industrious? Are our people all busily engaged in even supplying our own wants? I say no. Then, is it not a great anomaly to think that we have a great many idle people; a great many only half employed—men with ability and energy, but can't get employment, and yet we a nation are employing: thousands in other countries to do the work for us. which we could do ourselves. Supposing that I required a large amount of labor, and that I introduced some hundreds of Chinese, Cooly, or other cheap labor to perform that work, what would you think of it! Why I would be hunted out of the country, and rightly too. Yet every one of you who purchases articles manufactured in other countries by cheap labor are doing worse: you are countenancing and encouraging cheap labor, and they contribute nothing towards your taxes, while I who would impart the cheap laborers would make them colonists, who would contribute their quota towards the taxes of the country. I wish you to note this well; think it out carefully. Protection, I conceive to be the right policy for us, because all countries within the range of my observation that have adopted it have prospered, and all countries that have endeavored to perpetuate the grand old fallacy of Free-trade have declined, Let me take the case of Canada as an illustration. The lands of Canada attracted a large population of the agricultural class, hence Canada was settled by what is called a small farming class. Free-trade is her adopted policy, and down to the year 1877 the trade of her towns was comparatively small. The United States supplied her markets, and any attempts to establish industries of their own were immediately defeated by the manufacturers of the United States, who flooded the markets with their goods, and sold them in Canada at prices even below what they cost to produce in the States so as to frustrate the attempts of the local manufacturer even getting a start, What was the result in 1877—only ten years ago. Canada was the poorest of the British possessions. The young men of the Colony unable to find employment at Home, crossed over to the States—a protected country—where there was lots of work: others followed, induced by the success of their comrades; Canada was thus losing the bone and sinew, the cream of her population. It was time for Canada to awaken to a true sense of her position, which she did, and I will show you the results. The question of Protection was agitated. Sir John McDonald, who was then leader of the Opposition (McKenzie, Premier), who had been a staunch Free-trader, but seeing the necessity for some change took up the cause of Protection, and went about the country preaching it. The people, alive to the urgency of their case, took up the cry, and a majority were returned pledged to Protection, and they

immediately altered the Customs Duties by raising it 25 per cent, on every article that could be produced in the country, whether it was a necessary of life or not, and in a year or two afterwards when she found that the manufacturers of the States were still sending their goods they increased the duty on some articles, such as agricultural implements, to 35 per cent., and this in the very face of a large proportion of their population being; farmers. What followed; their debentures rose seven per cent, in two years. In four years after their Protective policy was in force, or in 1832, their factories had increased so largely, the number of persons employed in those factories so great, their productions so valuable that people were able to buy luxuries. The revenue from their customs duties so increased that they had an overflowing treasury from that source. In 1882 they were able to reduce the customs duties by £250,000, and in 1883 - only one year more—by another £250,000. So that the result of protection there was that, in two years they were able to reduce the customs duties half a million of money, retain and increase their population and that population more contented and happy. It is an exploded fallacy that because you adopt Protection, you increase the cost of living, that is proven by the various countries that have adopted it, which I will refer to farther on.

Anyone who advocates Free Trade and takes Britain as the basis for their arguments, and say that because she has increased so wonderfully under her Free Trade regime that, therefore, every other country ought to follow suit. Let us look at their different circumstances: Britain has 121,000 sq miles, with a population of 35,000,000; New Zealand. 107,000sq miles with under half a-million population. Britain can have no desire to double her population as it would mean famine with all its horrors, while we, on the other hand, are desirous, not only of doubling our population, but of multiplying it tenfold. Britain with Her limited area densely peopled was the manufacturing workshop for the world, being the cradle of Genius, took the lead in all branches of industries, to send out her manufacturd wares, was not only her policy, but her very necessity. It was also equally necessary that she should bring back grain to feed her people, heuce Free Trade was her policy and her Protection; she simply did what every other nation does, she adopted a policy that was Protection to her people, and called it Free Trade. There was no pouring in of manufactures into her country to compete with her workmen, as there was no country in a position to do so. Things have now changed, and countries that used to absorb her manufactures have crown strong under Protection, and can export their surplus into her markets, and successfully compete with her at her own doors. I am as much an admirer of J. S. Mill's writings as anyone, but you must beer in mind that he wrote in England, with English sympathies and British interests; had he been a Colonial I have no doubt the esse would have stood very different. One thing: I am certain of, I am a Protectionist here, but had I been in England these 20 years, I would be as ardent a Free Trader as I am now a Protectionist, and being here I c aim the same right to that policy which suits us best, viz. Protection, as they to that which suits them, viz. Free Trade. I also claim, as a citizen of this new country, to work out our own destiny without the inrerference of those in other countries. If they wish to manufacture for us, then let them come out here, conform to our rules of shorter days and higher wages, become colonists like ourselves, then I am sure all will extend to them the right hand of fellowship.

What do the advocates of Free Trade imagine we are made of? Do they think they are so much smar er than their fellow men that they can successfully compete with those who only pay one-third of the wages that we desire to do in this country. You must accept the inevitable you must either adopt Protection in providing our own people in employment at the shorter hours of labour and higher wages, or wages must come down, your days lengthened to the level of other nations, whom we allow to compete with us. "Wages are too high," is an argument too oft expressed by the employers of labour; and especially the Free Trader, and which at first sight appear? to have many arguments in its favour. The farmer finds that the wages demanded cannot be realised out of the prices obtained for his produce; the property owner finds that the rents obtained for his houses, are altogether inadequate to give interest upon his outlay hence he builds no further, and will scarcely maintain up to a habitable standard, those that have been but under more prosperous auspices; the farmer ceases to employ unless at a very reduced wage, forgetting that while he is doing so. he is most assuredly bringing down the price of his own products. If you will calmly look into this matter you will find that it is quite a natural position for the individual employers of labour to take up. A man asks tor employment, the employer is master of the situation, he may or may not gave the wages asked but when he goes to market to sell his products, he is in exactly the same position to the merchant as the wages man was to him he is asking his wages for certain work performed, and those wages will be paid only in proportion to the wages obtained by the bulk of the population. Hence, everything is reduced to the lowest, time is of less value and a lot of it is wasted, the wealth of the world is only the result of the labours of the world, hence the same applies to nations. If the people of a nation only work one-half their time, those people and that nation will only be one-half as rich as they ought to be, hence they have only half the purchasing power. What is the cause of this unsatisfactory state of things? "Free Trade." The allowing of the pouring in from other countries their surplus wares, glutting our markets, stiffling our industries, crushing the brightest hopes and aims of cur young people in this new country.

But is there any necessity why we should reduce the wages? Unlike England, our population is not so

dense. Competition for existence is not so keen that we need extend the hours of labour. When it is, and when we are supplying our own wants and have a surplus to send away, then we may consider the advisability of adopting Free: trade, and then depend upon it the wages must drop to the level of all other nations who are in commercial relations with us. The question of over-production will then stare us in the face, and the hours of labour will require shortening all the world over.

If national industry is national wealth, which I think will not be disputed, then, besides the employment of our own people, see how much better our credit would be in the world's money market. Our prosperous condition would attract the attention of the world. There would be no need of State Immigration; people would flock here voluntarily, by the prospects of food wages, constant employment, and a good climate. Had the Government spent as much in fostering industries as it has spent in bringing out second-class colonists, this country would be in a very different position to-day. Look at the progress America has made without State Immigration; look at the thousands that are pouring into it from all quarters—and what is the cause? It is a country of Protection, and affords ample employment for its people. Protection drew the people there, and Protection peopled the country. When Protection was first introduced, the English manufacturer who held the market so long, loth to lose her custom, but could not afford to pay the high tariff in posed, sent out junior members of the firm with workmen, established branch factories, employed some American people—in tact, became American people themselves, thus helping in her success. If this was the natural outcome of Protection there, then why not here in New Zealand? So sure as the sun will rise in the morning, so would the same result follow here. One step has already been taken in that direction. Some time ago a duty was put upon jams. Tasmania then, to save the duty and keep our custom, sends over a manufacturer to Dunedin, who employs labour there, while Tasmania still supplies the raw material, in the shape of pulp or parboiled fruit, which is not reached by Duty.

I may be told, look at the unemployed in America. Yes, and look at the unemployed of Great Britain, but as I have no records of the proportion of unemployed, let us take the pauper statistics. The population of the United States is over 50,000,000 and the total number of paupers is 88,000, or about 1 pauper to every 600 persons. Whereas, In England, with a population of 35,000,000. the pauper class exceeds 1,00,000, or 1 pauper to every 35 persons. A very great disparity here in favor of Protection.

I think I may safely assert that there are considerably more unemployed in this Free Trade New Zealand in proportion to the population, than there is in Protected America. Now it is a fallacy to imagine that because Protective duties are imposed, that the consumers or those protecting have to pay that duty. On the contrary, it is the manufacturers who send the goods into the country who pay. They are therefore contributing towards the taxes of the country by whom they are employed, and rightly too. The results in all countries where Protection has been adopted prove this. In Victoria, where they have Protection, there is a duty on oats, hence New Zealand cannot afford to pay that duty, and sends very little there, while we send to New South Wales from 5000 to 6000 tons per month. In Victoria there are 280,779 horses, and must require a large quantity to feed them, yet the price of their oats has, not risen in proportion to the tax, otherwise we would have been able to pay the tax to sell at the advanced price. On the contrary, we send to New South Wales, a Free Trade country where oats are higher than in Protected Victoria. Had we on the other hand, had to pay the increased price on jams, Mr Peacock would not have come over here to escape that duty, and had the Americans to pay the extra duty on their cutlery, the Sheffield manufacturers would have remained at home. This opens up another phase of the argument, Protection while populating America, that required it, it was drawing them from Britain, who could spare them, so both countries were benefitted. So it would be with New Zealand. Let the workmen of Britain who are working for us there come out here. We have at all events beef and mutton to spare; let us invite them out by Protection to consume it in the country, but don't let the manufacturers send their wares here without paying a heavy tax for doing so, and depend upon it, the escaping of that tax is one of the greatest inducements we can offer.

The wonder is not that we are so poor, but that we have existed so long under such adverse circumstances. No wonder we require to borrow in the London market, when we send her £7,000,000 annually for goods, half of which we ought to produce ourselves.

Let us glance at the exports and imports, and see what those tell us. I take it that all countries whose imports are greater than their exports are not doing a healthy business, nor are they in a sound position. Put it thus: If a family are spending more than their earnings, i.e., if they are importing more into their house than their income, or what they have exported and converted into cash, that family will very soon go to the wall, Or, if a mercantile house spends more in its business than derived from that business, bankruptcy must follow. And so it is with a nation. If it imports more goods into the nation than it exports the difference must be drawn from some other source. It may be accumulated capital; if so, we are reducing the value of our assets, or put thus: A man may be earning no money, yet be able to live well, what does he live on but his assets or accumulated wealth. He may have acquired capital enough so that he may be able to live on the interest In that case there is

an assured income without decreasing the value of the asset. No nation can be in such a position unless it has vested interests outside of itself in other nations, from which it draws its income: It could then afford to import without export and then only in such a case, to the extent of its income. Are we in that happy position? Have we vested interests in other countries, that we can afford to waste our time here and draw our supplies from other people? On the contrary, other countries have vested interests in us. We have mortgaged the country to such an extent that nothing but the greatest activity for all hands will be able to free us. Let us stop employing labour that we can't afford to pay. Let us work to supply our own wants first, then we may be able to make or grow something to sell to other people.

This leaves only an apparent difference of 373,102. Not a great sum, but if you analyse the export list you will find that about one-half of the goods on that list have been imported, we have bought them from somebody else; we have paid foreign workmen wages to produce some of our exports. You can't call what comes in a ship to-day and is passed into another tomorrow for the Islands or else where, as exports from this country; it is classed as such. A true export should mean that which is produced in the country, so that in place of being only 373,102 on the wrong side, it ought to show about 1,500,000 less exports than our imports. I may be told that if we sell these imported articles we get the money back into the country again; how much better are we for that? That money has got to be spent in wages in producing something for export, before it can be honestly classed as an export. "Import all you can." says the Auckland Herald, "the more you bring into the country the richer it becomes" a strange process of reasoning this. If you bring a million pound's worth of material into the country and it is consumed, how much richer are we? Exactly in the same position, ready for another million. Would it not be much better to utilize our own internal force and energies, that can be turned into a mine of wealth, from which all the treasures, all our necessities, all our comforts can be gathered, I am surprised that all people cannot see it. and especially newspapers, and those newspapers who take upon themselves to teach their fellow colonists doctrines ruinous to their best interests are traitors to their country, and ought to be treated as such. I regard it as very humiliating that we have people amongst us who either from want of thought or interested purposes are Free Traders. These are the proverbial black sheep of the flock.

The Free Traders' axiom is to buy in the cheapest market and sell in the dearest, but how do they put into practice. They buy their good - in the foreign market, and by the same rule they (the foreigners) are selling in the dearest market hence we the purchasers are their best customers; we are the foreigners' dearest market, hence we may be paying too high for our goods. Test it by encouraging local competition, and you will see by results. You will find we have been selling in the cheapest market and buying in the dearest. A Home Market is the best to deal in, to either buy or sell, because all the intermediate expenses in the shape of freight, exchange, middlemen's profit, etc., are dispensed with, being unnecessary; the producer and consumer are brought closer together. All those expenses which have got to be added, to what we purchase, and deducted from what we sell, are got rid of. That is the kind of market the Protectionist is striving for, not the visionary cheapest and dearest market the Free Trader has been dreaming of, and whom we have followed so long. He will tell you Protection is granting monopoly to manufacturers. Do not believe it, think it out for yourselves; see whether Protection will not break down the monopolies that at present exist amongst Importers, who are the representatives of your foreign cheap competition. They have a monopoly because their numbers are necessarily fewer than local manufacturers would be. Everyone with ability can manufacture something, and but very few can be importers. Let us unitedly strive to make importers manufacturers of the wares they deal in, then they will be better colonists. Let them cease to be the medium of sending so much money out of the country: induce them to circulate that money amongst the people from whom it is collected, and patiently abide the issue.

A few words about foreign vessels competing in our coastal trade will show the hardship our own coasters have to put up with. Foreign vessels come here, bring their crews., their own stores, which are of the very cheapest character. The men are paid at the very lowest rates, 35s. per month, while colonial boats pay their crews £5 to £6 per month. They are fed on the produce of this country, are contributing to the taxes of the country. Is there any reason why the foreigners should be allowed to come in and snatch a few freights from those who follow that pursuit. The foreigner has not lent a helping hand in settling the country, pays nothing towards the maintenance of the country; he has therefore no more right to share in the fruits of it than a stranger has to come into my orchard and help himself to fruits he never helped to plant or maintain. The one robs the orchard, the other robs the nation. He is a floating foreigner, who has no right to participate in our show without paying the proper fee for admission. We want Protection against such.

I have no desire to be selfish or dogmatic, and I would ask Free Traders to be equally generous. Let me say to them you have had a long innings, you have tried to govern this country; your mistaken Free Trade policy has been a signal failure. Are the people prosperous, contented and happy; where are the happy homes and bright firesides, that has been so glowingly pictured forth by some of your statesmen; has your waste lands of the colony been dotted over by those visionary smiling homesteads; have you no unemployed, where of necessity you have to dole out a few weeks' labor at State expense, to save from starvation; have you made

provision for the young men of the Colony, after having spent large sums upon their education, that those young men can be profitably employed at home. I say, No! Then, in all fairness, I ask you Free Traders to stand to one side, let us give Protection a chance, and we will show how, as if by fairy wand, all those things you have aimed at, and striven for, but never could attain, will be successfully accomplished under our regime. We will undertake to provide employment for all the people, and from the people's weekly earnings will follow those happy homes *you* have so idly dreamt of. We will undertake to populate the country without spending one shilling of State money, and with a superior class who will come here learned in their various crafts, employ and impart that knowledge to you. Unlike your system that while the people here were only averaging four days work per week, you have taken from their four days' pay enough to bring out immigrants, whose competition has been equal to reducing their four days' work to three. Can you deny it? You have been obliged to build up a huge Charitable Aid System, brought on by enforced idleness of the people, enforced because you encouraged the glutting of our markets at fabulous prices, wares manufactured by cheap labour. We will undertake to abolish this incubus, because under our new system of National Industry, employment will be found for the young and the aged, even the maimed we will find something congenial to the necessities of their case: we will settle the people on land by a scheme far superior to yours. Yours has been one of necessity, or a Charitable Aid in another form, where the people are taxed to put them there, and to maintain for a time; we, on the other hand, will get voluntary settlers, men who will clear their own bush, build their own homesteads and make the wilderness blossom as a rose.

We also undertake to provide a home market for the farmers, a home market made up of an industrious working population, who will be able to buy at increased prices all the products of the farm, while you, on the other hand, have left the farmer to seek a market on the other side of the world, where, after the risk and expense incurred in sending his goods there has left him no margin wherewith to employ fresh labour. You have left him no choice, he must either send his goods there or leave them to perish at home, or further still, a little more enforced idleness and produce nothing beyond his own requirements.

You have wisely adopted and spent a large sum upon a National System of Education, but you have failed of utilise it, and put it to practical use; you are allowing other countries to reap the benefit of your expenditure. It is like the farmer who tills and sows, produces a beautiful field of grain, but neglects to harvest it, and it is left to perish. We will take over that system lop of many superfluous branches, teach a sound commercial education only, draft them from the schools to the workshop, factory, or the desk, who in turn, will retire into the rural districts on a competency, making room for the younger ones to make their mark and a name in this new and grand country.

We will enhance the value of property, so that in place of being a burden to its owners, it will become a source of revenue, to be re-distributed amongst the people in wages, which the improved state of things will warrant; we will reduce your taxes by getting others to share those burdens with us. We promise to do all this and much more, all we ask is give us a fair trial, if we don't accomplish what we undertake, the power that adopts a protective tariff can undo it again. We claim to have made out a fair case, have put the matter in a fair light, have established good precedents, and if it has resulted in good to countries that have adopted Protection, we can reasonably claim that the same prosperity will follow in New Zealand,

Some newspapers there are who from selfish and interested motives, advocate Free Trade, their's is a peculiarly privileged business; there is no foreign competition with them, but were it otherwise, were the English or American paper proprietors able to circulate their papers here every morning with our local news, see what a howl there would be. It is only a short time ago the Government with its Free Trade Policy, purchased a large quantity of telegraph forms from England because they were cheaper, and what a noise was made about sending the money out of the country, by those same papers who are loudest in Free Trade. Why don't they sell their papers and their space at the same price as they do in England? Oh, they will tell you they have higher wages to pay. And yet they expect manufacturers here, who compete with foreign wares, to do so; they will tell you the freight out ought to be Protection enough. But a ton of pig iron (raw material) costs little less in freight than manufactured castings or bar iron to the highly finished parts of a steam engine. I quote the following from the Herald:—

"To put the matter in another form, it may thus be stated—to Protection there are two parties—the Protector and the Protected. In this colony, the Protectors are the farmers who are tilling the soil, and endeavouring to the best of their ability to settle the country; the Protected are those who are engaged in other industries, manufacturing the articles the farmer needs for his use. The effect of the Protection is that the farmer has his market limited to the narrowest range and obtains the smallest price for his produce, whilst in return he obtains only £83 10s value of goods for every £100 of produce, and yet Mr Moss says this is a great gain to the farmer. The mischief does not end here The Customs tariff was adopted for the purpose of raising revenue, but as these industries have been started one after another, the manufacturers have transferred the duties on the articles they have made from the revenue to their own pockets, and when the shrinkage became so

large as to cause such a falling off in the revenue, the property tax had to be imposed. This tax is collected from the farmer, on the value of his land with all implements, improvements, etc. The extent to which it is necessary to replace losses by Protective duties cannot be precisely ascertained, but it is certainly to more than one-half. If when the farmer is writing out his cheque, he will reflect that if we had Free Trade his cheque need only be for half the amount, he will become aware that Protection is a farmers' question."

According to this Protection is to be the ruin of the fanner. If providing a market at home for his products, and at better prices, without the losses of risk and freights means ruin, then my understanding must be sadly at fault. I claim to have had some experience, and some knowledge of a farmer's wants, but the mode of reasoning and style of arguments contained in the above extract is beyond my comprehension, and I think must also be to the ordinary common sense mind. And for a public journal to try and mislead the farmers by telling them that Free Trade is for their benefit, and Protection against them, shows a heartless disregard for our nation's welfare.

I have noticed many comparisons made in the indebtedness of this country with others as to the amount of taxes per head of the population, to show we are not worse than our neighbours. Now, I don't think this is a fair way of putting it; the ability to pay should also be taken into consideration. Our taxes may be £5 per head, but it may be the last £5 we have, and no prospect of getting another, whereas another country may be taxed £6 per head, and have £6 per head left, and good prospects before them. All things considered I think that New Zealand is the heaviest taxed people in the civilised world.

Importers generally object to a Protective duty naturally so; as things are they have all the Protection to themselves. What means these huge subsidies to mails and cables? That is their Protection What are ail those bonded warehouses that require such a huge army of officials to look after Protection stores for the importers. Manufacturers are supposed to pay wages as he goes along, but the importers awaits the chance of a customer, before he pays his duty.

Again, without local competition, the people have no means of ascertaining the correct value of the goods they purchase, viz.: the cost of production, but continue to pay what is demanded, whether it is a fair price or not. As a case in point, these last 20 years the average price of Register Grates was 50s to £3. A gentleman well up in that trade arrived in Auckland some few years ago, saw there was lots of money in them at the price, started manufacturing, intending to supply the wholesale houses, but owing to the large stocks on hand would not buy. He had then to undersell to the builder or furnisher, so that competition between the maker and importers has brought the same article down to 18s and £1, and they have probably a fair profit yet, and only for this we might have gone on for another 20 years paying three times the cost of production, with out the slightest suspicion that anything was wrong. Another instance: Blasting powder used to sell on an average at 9d per lb. A powder mill was started in Otago, the merchants there immediately became so generous, that they consented to sell at cost price 5½d, and there I believe it remains. Candles that we used to pay 9d or 10d per lb for, since local competition comes in the field you can get at 6d. I could go on quoting numberless instances to show the benefit derived from local competition, but lest I should weary you with illustrations, I will draw this to a close with a fervent hope that to those who are Free Traders, I may have said something that will cause them to re-consider the stand they have taken on this all important subject. The welfare of the country depends upon it; men's time is their capital if utilised; let us by our united efforts help them to turn their time into capital by affording facilities for employment; don't call it selfish by debarring others from competing with us. It was selfishness which brought us out here, viz, to better our positions, then let us be consistent, and strive to better ourselves further by carrying out in its entirety our improved policy of 8 hours' work, 8 hours' recreation, and 8 hours' rest. To those who are wavering and have not declared tor either side, I would ask them calmly and carefully to weigh well the arguments for and against, examine the evidences with an unbiassed mind, look back over the career of other countries, similarly situated as our own. note well the turning points in the progress of their history, and you will see that prosperity begins with the advent of Protection; look at the Australian papers of to day, and you will find that in New South Wales a large party are struggling to burst the bonds that binds them to rely on foreign nations for their supplies, and I commend the self-reliant spirit that actuates them. On the other hand, do we sec any disposition on the part of the Victorians to return to their early love, Free Trade? None! Then, sir. I think with such examples before us, our demands are not unreasonable; we cannot be blamed for desiring to follow in the footsteps of nations greater than ourselves, their experience ought to be ours, let us cast off our swaddling clothes and become men, men of ability, men of genius, men, with a self-reliant determination to overcome every obstacle. Then, sir, the future of New Zealand will be crowned with happiness and prosperity.

To the limited Protectionist I would say why limit it, if Protection is good, we cannot have too much of a good thing; it is our nature and our duty to Protect our young, not by half-feeding or clothing, but thoroughly, until they are able to take their place side by side with their fellows in this world. We, as a nation, are almost the youngest infants in the world's family, yet we think that we have arrived at that age, that we no longer desire to be fed by the pap supplied us by our parents; we desire to go out from under their control and supply

ourselves with something more congenial to our matured tastes. We have arrived at that stage in which we insist in supplying our own wants in our own way in this our future home, and we are able to do so, and more we will also provide accomodation to relieve our aged parents of part of her young family, whose accomodation has been one of the very scantiest, and from their overcrowded state are dependent on other countries for their food, while we have enough, and a large surplus to dispose of.

I feel certain there are many in oar midst who are advocates of Free Trade; who are good and intelligent citizens too, but I venture to think and hope that they are only so because they have not sufficiently studied it in all its bearings, that from the nature of their training and the calling they pursue, they have not been brought directly into contact with foreign competition. Of all pursuits that men follow, who are likely to advocate Free Trade: the mining class are, theirs is a business in which there can be no foreign competition, and the mistaken nations that if Protective duties were imposed, the articles they consume would be increased to them, hence they look after No I and cry out Free Trade, thus helping to bring about the general depression. Many of you may be perforced to follow raining for Jack of other industries which might be more congenial to your tastes, your families growing up are certainly entitled to a choice of work; mining, idling, or emigrating is all they have to choose from here Then let us join hands and be unanimous in determining that Protection shall be our policy; as a farmer I claim to have some knowledge of his requirements, and I say give us Protection, and make a home market for our produce; as a manufacturer I demand that the facilities afforded by State assistance to the commission agents for foreign labour shall be removed, and that cheap labour of foreign countries shall not be allowed to compote with us. Even the prison labour of other countries are brought into open competition with the honest workman here; is that a healthy state of things? No, as a tradesman I protest against it, and I appeal to you all, as men, to raise your voices in denunciation of this great wrong.

I have endeavoured to give you arguments in favor of Protection, I have backed up those arguments by facts, and the experience of other nations that have adopted it, I have not tried to be eloquent, but I am sincere, your welfare is my welfare. Let us be consistent, do not be selfish as individuals in their different interests, but as colonists, as members of one great family, strive for the common weal, self-preservation is the first law of nature With this motto before you I feel certain the verdict will be a Protective Policy for New Zealand.

Finis.

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New Zealand & South Seas Exhibition, 1889-90.

Education and Science Court.

Exhibits of the School Board for London.

LONDON, W.C. Printed by Alexander & Shephard, 27, CHANCERY LANE,

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General Arrangement.

A.—School Accommodation of London.

The Elementary Education Act of 1870, commonly known as Mr. Forster's Act, laid it down that there should be "provided for every school district a sufficient amount of accommodation in Public Elementary Schools available for all the children resident in such district for whose elementary education efficient and suitable provision was not otherwise made."

For all Boroughs and Parishes outside the Metropolis it remained to be decided, after inquiry by the Education Department, whether School Boards were required or not. But in the case of London the great defieiciency of school accommodation was so notorious that a School Board was created by the Act itself.

In the year 1871—that is, the year following the passing of the Elementary Education Act—the number of school places in efficient voluntary schools was 262,259.

At March, 1889, the number of school places in efficient voluntary schools was 262,270, and in Board Schools 415,016, *i.e.*, in all, 677,286.

Of the accommodation in Board Schools, some was provided in schools which had been transferred to the Board, and some in temporary schools, but the bulk of the accommodation, amounting to 399,801 school places, was provided in 359 New Permanent Schools which had been built by the Board.

- Report of the School Board for London.
- Report of the Statistical Committee.

B—School Buildings.

Before the date of Mr. Forster's Act, elementary schools throughout the country usually consisted of one large room and a small class-room, or perhaps in some instances two small class-rooms. From the time when the earliest school of the School Board was planned, the Board determined to provide a larger number of class-rooms in each school, in order to ensure more effective teaching.

One of the earliest schools erected by the Board was entirely on the class-room system, and in recent years the tendency has been more and more in this direction. The size of the class-rooms depends on the composition of the staff. The Board, generally speaking, have been in the habit of reckoning that an adult teacher can take charge of an average class of 60 children, and a pupil teacher of 30 children. The class-rooms, as a rule, accommodate 60 children; but class-rooms have also been arranged for 90 children, so that an adult teacher and a pupil teacher may work side by side. Amongst the later schools regard has also been had to the different numbers of children in different standards, and rooms accommodating other numbers, such as 50 and 70 children, have been introduced.

As the Board are now building all their schools on the class-room system, it is desirable that there should be one general assembly room for religious instruction, collective lessons, music, addresses of head teachers, examinations, &c. The Board are therefore building a central hall to each department in all new schools.

In regard to the question of lighting, the class-rooms are invariably lighted from the left, unless other exigencies of the plan preclude this arrangement. Thus where it is considered desirable to have two class-rooms in a line, in order to be able easily to throw them together, only one room can be lighted from the left, the other being lighted from the right.

The wanning of all the new schools built by the Board is effected with hot-water pipes, chiefly low pressure with large pipes, although in some cases high-pressure water and in others low-pressure steam has been adopted. These are supplemented with open fires in some of the class-rooms—notably in the babies' rooms, where the cheerful influence of a bright fire is important for the little ones between three and five years of age.

A most vital point in connection with the planning of schools is the ventilation, whereby copious draughts of fresh air are admitted into the rooms, and ample arrangements made for the extraction of the foul air. The rooms are thus found singularly fresh and sweet, even at the close of school work. It would be impossible to point out in detail all the various methods used to ensure the constant vivifying influence of fresh air during school hours, seeing that they must necessarily vary under different circumstances; but it must be sufficient to state that the greatest importance is attached to the principle.

In all the early schools built by the Board, the w.c.'s for the children consisted of continuous iron troughs partially filled with water, separated for the purpose of single closets by wood divisions. It has been found that these iron troughs corrode; and, as the flushing had to be done at one end by the caretaker, it was a very unpleasant, not to say dangerous, operation. These have nearly all been removed, and replaced with white enamelled stoneware fittings, with automatic flushers, which ensure a proper cleansing as often as they are set to act, while the use of a stop-cock prevents the waste of water when the school is not in use. A proper system of man-holes and inspection shafts is provided to all the drains, which are ventilated through their entire length.

The great care exercised in reference to sanitary matters has no doubt had a powerful effect in preventing the Board Schools from becoming the centres of contagion or infection. Still, in spite of this, difficulty is experienced, especially in the closely crowded districts of London. To obviate any danger, a system of disinfectants is used, by which it is believed the children are, as far as possible, protected from disease. "Whenever several children are seized with the same disease in a school, it is the practice of the Board to close the building for a few days, and to thoroughly disinfect the whole before re-opening.

In the schools of three storeys the staircases are placed at each side of a block of mezzanine floors, consisting alternately of cloak rooms and teachers' rooms. In one corner of the block the coal-lift is provided, with access to each floor and a direct communication with the cellar in the basement. All the Board Schools of great height are provided with a lightning conductor.

It has been felt by the Board that a proper playground is absolutely essential, particularly in those parts of London where there are few open spaces. The Board have consequently, wherever it is possible, secured an

adequate site. In the cases where, owing to the denseness of the population, land is very dear and a site of an adequate size to ensure fairly large playgrounds is prohibitive on account of its price, the Board have erected schools of three storeys in height with a playground for the departments occupying the top floor over the whole area of the school building. These playgrounds on the top of the school are much appreciated.

The earliest sites purchased by the Board have proved to be insufficient in area, when judged by the light of later experience. While the sites formerly chosen varied from one quarter of an acre to half an acre, it is now no uncommon thing in the outlying portions of the metropolis to find sites ranging from an acre to an acre and a half.

These playgrounds are open not only to children on the roll of the Board Schools, but also to other children in the neighbourhood during good behaviour at certain times.

One or more taps, with constant supply of water and cups for drinking, is provided in each playground.

In voluntary elementary schools there was usually a teacher's residence, and the teacher had charge of the building. It has been felt, however, by the London School Board that in the interest of the teachers it is desirable that they should dwell at some little distance from the place of their work; and the Board have consequently, in lieu of teachers' residences, built schoolkeepers' houses.

C.—School Furniture.

Dual Desks.—The most important articles of school furniture are the scholar's desk and seat. In earlier days the scholars sat in rows, on a long backed seat in front of a long desk. The main objection to this arrangement was that the teacher could not have access to the pupil, and that the pupil could not reach or leave his seat without inconvenience to others. Moreover, in this arrangement the various objects for which the desk has to be used were not sufficiently considered. In the abstract it would appear that the best form of desk would be the single desk; but the objections to this are two-fold: firstly, that a class-room of single desks would necessarily have to be increased in size, and, secondly, the cost would be excessive. When planning their earlier schools, the School Board for London gave careful attention to this question, and had the advantage of the advice of Dr. R. Liebreich, of St. Thomas's Hospital. Ultimately they decided upon the dual desk and seat (*i.e.*, a desk and seat for two scholars), of which the following are the main advantages:—The teacher has access to the scholar, and the scholar can leave his seat or return to it without interfering with any other scholar. In the case of the old desk, it was necessary, in order that the scholar might stand in his place, that the desk should be at some distance from the seat, the result of which was that the pupil, whenever writing, was compelled to lean forward, and so contract his chest. In the dual desk, as at present designed, the inner edge of the desk is vertically above the outer edge of the seat, so that the scholar can write without inconvenience. Further, by an arrangement which admits of a part of the desk being turned upwards, the scholar is enabled to stand, without leaving his place. And again, the desk, in consequence of this arrangement, has two different angles—one in its original position for writing, and the other at a greater angle for resting the books when reading. Moreover, the seat is so arranged as to slope upwards from rear to front, and has a rail which fits into the hollow of the scholar's back, thus affording complete rest when the child is sitting and reading or listening to the lessons of his teacher. The desk is also fitted with a shelf for books, and with a recess for slates.

In an ordinary class-room, with accommodation for sixty children, there would be six files and five rows of desks (or, in a square room, five files and six rows); in a class-room for ninety, nine files and five rows, and so on.

- Details of desks—six sheets, mounted.

The following are hung in all the schools of the Board:—

- *Time Table*, setting out the subjects and times of instruction.
- *Sections 7 and 14 of the Elementary Education Act of 1870*, which define a public elementary school and a Board School.
- *Regulations of the Board in regard to Bible Instruction and Religious Observances.*
- *Regulations of the Board in regard to Infectious Diseases.*
- *Duties of Schoolkeepers.*

D.—Subjects Taught—Books and Apparatus.

The subjects taught in the London Board Schools are, with one or two exceptions, those laid down in the Code of the Education Department.

In the senior departments these subjects are distinguished as follow:—(a) Obligatory Subjects, (b) Class Subjects, (c) Specific and other Subjects.

The *Obligatory* Subjects are Reading, Writing, Arithmetic, and (for Girls) Needlework, unless it be taken

as a Class Subject.

The *Class* Subjects, *i.e.*, the subjects taken by classes throughout the Boys' and Girls' Departments are English, Geography, Elementary Science, History, and Needlework for Girls.

The *Specific* Subjects, under the existing Code of the Education Department, of which not more than two may be taken by any one child in Standard V. and upwards, are as follow:—Algebra; Euclid and Mensuration; Mechanics; Latin; French; Animal Physiology; Botany; Principles of Agriculture; Chemistry; Physics—Sound, Light, and Heat; Magnetism and Electricity; Domestic Economy (Girls).

Any subject, other than those mentioned, may be taken as a Specific Subject, if sanctioned by the Department, provided that a graduated scheme of teaching it be submitted to, and approved by, the Inspector (Article 16, New Code). In Article 109*h* of the New Code, instruction in Cookery is also specially recognised, but no grant is made on account of this latter subject in the case of any girl who is presented in more than one Specific Subject.

The Board have availed themselves of the best books and the best apparatus produced by different publishers and manufacturers, and in no case have they published any books of their own. Lists of the books and apparatus from which managers and teachers can choose, is shown in Exhibit No. 18.

The Exhibits enumerated below are a special selection from the apparatus, &c., in use in the Board Schools.

Obligatory Subjects.

- *Reading*—
 - Cooper's Method of Teaching to Read:
Word Building Boards, No. 1 and No. 2.
Reading Sheets, introductory, and 1st, 2nd, and 3rd Grade.
Readers. 1st, 2nd, 3rd, and 4th Grade.
 - Cassell's Modern Reading Sheets, Series I., II., and III.
 - Casseirs Modern Readers. Set of nine books.
 - Longmans' New Readers. Set of nine books.
 - Holborn New Readers. Set of six Books.
 - Suggestive Lessons in Practical Life. Set of four Books.
 - Drink and Strong Drink. (Temperance Lesson Book.) Parts 1, 2, 3.
- *Writing*—

Headline Copy Books, printed for the School Board for London, on uniform quality of paper:

 - Collins' Round Hand Writers. Sixteen Nos.
 - Holborn Series. Twenty-eight Nos.
 - Jackson's "Vertical" Copy Books (Upright Writing). Eight Nos.
 - Jarrold's Young England. Thirteen Nos.
- *Arithmetic*—
 - Sonnenschein's Arithmetical Apparatus.
 - Blackie's Arithmetics. Seven Parts.
 - Cassell's Modern Arithmetics. Seven Parts.
 - Longmans' Modern Arithmetics. Seven Parts.
 - Blackie's Mental Arithmetic.
 - Chambers' Book-keeping.

Class Subjects.

- *English*—
 - Macleod's Grammar—Definitions, and Parts 1 to 4.
 - Morris's Primer.
 - Salmon's Exercises in Grammar and Composition.
 - Nelson's English Language.
 - How to teach English Literature.
- *Geography*—
 - Johnston's World Series of Maps and Diagrams:
Geographical Terms. Seven Diagrams.
England. Nine Maps.
 - Stanford's Series of Maps. Four selected.
 - Sonnenschein's Blackboard Maps—
England, Europe, "World."

Cassell's Geographical Readers. Four Parts.
 Longmans' New Geographical Readers. Five Parts.
 Bacon's Excelsior Atlas.
 Graphic Sketch Map Copy Books. Three Parts.

- *Elementary Science*—

This subject is taken at present in but very few schools as a Class Subject. See, however, under the headings, *Object Lessons, Mechanics, &c.*

- *History*—

Historical Portraits. Three Sets (framed), with Descriptions.

Blackie's Historical Readers. Eight Books.

Nelson's Royal Historical Readers. Nine Books.

- *Needlework*—

In the first scheme drawn up for instruction in this subject the Board Inspectors were held responsible for the inspection of needlework, and they were empowered to ask for the assistance of ladies on the management of the various schools, and, where this was impracticable or inexpedient, to call in other efficient assistance.

On the 7th May, 1873, the School Management Committee reported that, after some experience, they were of opinion that to give real efficiency to the teaching of needlework it was necessary that there should be a special officer whose sole duty it should be to examine this branch of work. On the 30th July, 1873, Mrs. Floyer was appointed Examiner of Needlework. At the present time two Examiners of Needlework are engaged by the Board.

In 1878 the simultaneous class teaching of needlework, with the aid of large demonstration frames, was introduced, and is now in use in all the schools of the Board. Cutting-out is also taught to a class simultaneously on the chequered blackboard. In the lower classes of infant schools the use of needle, cotton, and thimble is taught by needlework and knitting drill.

Demonstration Frame.

Stockwell Demonstration Frame.

Lambert's "Paragon" Needlework Demonstration Apparatus.

Demonstration Sheets. Thirteen Sheets.

Specific Subjects.

The subjects most frequently selected by teachers are Algebra and Animal Physiology in boys' schools, and Domestic Economy and Animal Physiology in girls' schools.

- Blackie's Algebra. Three Parts and Answers.
- Nelson's Algebra. Two Parts.
- Huxley's Science Primer.
- Miller's Animal Physiology. Three Parts.
- Blackie's Animal Physiology. Three Parts.
- Blackie's Botany. Three Parts.
- Fothergill's Domestic Economy. Three Parts.
- Harrison's Science of Home Life. Three Parts.
- The Making of the Home. By Mrs. Barnett.

With reference to *Cookery*, the first suggestion that the teaching of this subject should be introduced into the girls' schools under the School Board for London was made by Mr. John Macgregor, in January, 1874. In 1876, two class-rooms were opened in which instruction in cookery was given to female pupils, and two more were added in the following year. In 1878, a more comprehensive scheme was adopted. It was decided to build cookery class-rooms, technically called "centres," in the playgrounds of convenient schools, in which pupils from the Board Schools within a certain distance were to receive instruction. The first of these centres was erected at the Stephen Street School, Edgware Road. At the present time there are sixty-eight such centres, while more are being built or projected. In addition to these, in seven schools, so near the boundary of the School Board area as to be beyond the range of any centre, cookery is taught in one of the class-rooms fitted up for that purpose. In 1882, the Committee of Council on Education recognised practical cookery as a subject for instruction, and offered an annual grant of 4s. for every girl who, having attained the age of twelve years, should receive forty hours' instruction in cookery during her school year, not less than 20 of which were to be spent in cooking with the child's own hands. The limit of age is now taken away, but the grant is restricted to girls who have reached the Fourth Standard. The cooking staff consists of three superintendents, with an instructor and a kitchen-maid for each centre. At the present time there are more than 13,000 girls on the roll for cookery instruction. This represents about half the number who receive instruction during the year. The average

attendance is about 78 or 79 per cent.

The cookery class-room measures about 21 feet by 18 feet, and is shown upon the plan exhibited, No. 148. A class of thirty pupils can be taught at one time. The fittings consist of:—1. A counter with gas stove in centre. 2. Two fire-place openings, one fitted with a range, and the second with an ordinary kitchen range, with oven and boiler. 3. A dresser. 4. A wash-up, with sink. 5. A gallery for the pupils. 6. A cloak-room. The cost of each class-room is about £450.

- Plans of a Cookery Centre.
- Instruction in Cookery—Book of Receipts.
- General Axioms for Plain Cookery.
- Ditto, large Type, mounted on Roll.

Other Subjects.

(a) Bible Instruction—

The following are the regulations of the Board with reference to Bible instruction and religious observances:

(a) "In the schools provided by the Board the Bible shall be read, and there shall be given such explanations and such instruction there from in the principles of morality and religion as are suited to the capacities of children, in accordance with the terms of the resolution of the Board passed 8th March, 1871: provided always—

"(i.) That, in such explanations and instruction, the provisions of the Act in Sections VII. and XIV. be strictly observed, both in letter and spirit, and that no attempt be made in any such schools to attach children to any particular denomination.

"(ii.) That, in regard of any particular school, the Board shall consider and determine upon any application by managers, parents, or ratepayers of the district who may show special cause for exception of the school from the operation of this resolution, in whole or in part.

"Such explanations and instruction as are recognised by the foregoing regulation shall be given by the responsible teachers of the school. In this Article the term 'responsible teachers' does not include pupil teachers."

(b) "In all schools provision may be made for giving effect to the following resolutions of the Board, passed on July 26th, 1871:

"(i) That, in accordance with the general practice of existing elementary schools, provision may be made for offering prayer and using hymns in schools provided by the Board at the "time or times" when, according to Section VII., Sub-Section 2, of the Elementary Education Act, 1870, "religious observances" may be "practised."

"(ii.) That the arrangements for such "religious observances" be left to the discretion of the teachers and managers of each school, with the right of appeal to the Board by teacher, managers, parents, or ratepayers of the district.

"Provided always—

"That in the offering of any prayers, and in the use of any hymns, the provisions of the Act in Sections VII. and XIV. be strictly observed, both in letter and spirit, and that no attempt be made to attach children to any particular denomination.'

"During the time of religious teaching or religious observance, any children withdrawn from such teaching or observance shall receive separate instruction in secular subjects."

In the first instance the examination of schools in Bible knowledge was conducted by the examiners at the time of their annual visits to the schools.

In 1876, Mr. Francis Peek (who at that time was a member of the Board) informed the Board that he had made an agreement with the Religious Tract Society "for the purpose of providing a permanent fund to supply, yearly, prizes to the scholars under the control of the London School Board, who may show excellence in Biblical knowledge at a voluntary examination."

For the award of these prizes there has been an annual examination in two parts. The first or preliminary part is conducted, *vivâ voce*, by the teachers of the schools. A proportion of the children in Standards IV. and upwards are then selected, and, with the pupil teachers and pupil teacher probationers, compete in an examination on paper. Although this examination is a purely voluntary one, it is found that very few children, pupil teachers, or pupil teacher probationers abstain from presenting themselves.

- Scripture Syllabus now in use.
- Report on the Examination in Bible Knowledge.
- Bida's Scripture Prints. Selection of six.
- National Society's New Scripture Prints. Set of four.

(b) *Vocal Music*—

This subject, although not technically known as a "Class" subject, is taken throughout the schools.

On the 22nd March, 1871, the Board resolved, "That the art and practice of singing be taught, so far as may be possible, in the Board Schools as a branch of elementary education."

In the year 1872, it was decided that singing should be taught from note, and a singing instructor was appointed to direct and superintend the teaching of music. The Board further decided that either the staff notation or the tonic-sol-fa notation should be used, at the discretion of the teachers. The singing instructor not only visits the schools and examines the scholars, but he also superintends evening classes for the instruction of teachers.

The Education Department give a grant, calculated on the average attendance, for singing, amounting (i.) to Is. if the scholars are satisfactorily taught to sing by note (i.e., by the standard or any other recognised notation), or (ii.) to 6d. if they are satisfactorily taught to sing by ear.

During the year ended at Lady-day, 1888, 1,135 departments were examined. Of these, 1,128 departments earned the full grant of Is., six departments earned the 6d. grant, and one department failed to earn a grant.

- Modulator.
- Code Music Drill. Parts 1, 2, 3.
- Educational Music Charts. Four Sets.

(d) *Drawing and Modelling*—

On the 7th of October, 1874, the Board resolved "That systematised lessons in drawing be given in all Board Schools, so that all scholars may have an 'opportunity of learning drawing.'"

The Board also require that all their permanent teachers shall obtain the full (D) Drawing Certificate.

With a view of extending and improving the methods of imparting instruction, the Board on the 3rd of August, 1882, decided to appoint a drawing instructor, and they are now about to appoint another instructor.

Drawing is now a compulsory subject of instruction in all senior departments.

Special drawing classes for scholars have been established at the Saffron Hill School, Farringdon Road, and at the Monnow Road School, Bermondsey. Here selected boys and girls receive instruction in drawing, and also in modelling in clay.

Every year local exhibitions of drawings are held in Board Schools at certain centres. From these centres are selected drawings for exhibition at some central place where they may be conveniently viewed by the public.

- Blackie's Drawing Books. Sixteen Books.
- Blackie's Demonstration Sheets. Eight Nos.
- Gill's Geometry Books. Six Parts.
- Isbister's Drawing Books. Thirteen Books.
- Minerva Series of Drawing Copies.

(e) *Object Lessons*—

When the course of instruction in the schools of the Board was first Laid down in June, 1871, it included "systematised object lessons, embracing in the six school years a course of elementary instruction in physical science, and serving as an introduction to the science examinations which are conducted by the Science and Art Department."

In November, 1878, the Board adopted a scheme for object teaching, and the School Management Committee issued certain instructions to their teachers.

At this time object lessons were not recognised in any way by the Education Department. The words first appear in a note in the Code of 1880.

In June, 1881, the Board forwarded to the Educational Department a memorial, praying "that, in the contemplated modifications of the New Code, object lessons should be fully recognised, that they should be considered an essential part of the instruction in infant schools, and that their introduction into the upper schools should be facilitated." The Code of 1882 laid it down that, in assessing the merit grants in infants' departments, regard was to be had "to the provision made for * * simple lessons on objects and on the phenomena of nature and of common life." In the upper departments the Code moreover recognised as a Class. Subject Elementary Science, which was defined as "a progressive course of simple lessons * * adapted to cultivate habits of exact observation, statement and reasoning."

Upon the appearance of these regulations the School Management Committee revised their instructions to teachers, and a graduated scheme of object lessons up to Standard VII. was suggested. These suggestions are now set out in detail in Appendix V. of the Board Code of Regulations and Instructions for the guidance of Managers and Teachers. The Board also encourage this intuitive instruction by providing rarer objects, and by offering a museum cabinet to any school in which a good commencement of a collection has been made.

- Sets of Apparatus, in box.

- Course of Simple Object Lessons.
- Object Lessons, and how to give them. Two Books.
- Leutemann's Natural History Pictures. Selection of twelve.
- Moffatt's Trees. Set of six.
- Specimens of Wool-Spinning.

(f) *Kindergarten (Infants' Departments)*—

On the 26th November, 1873, the Board appointed Miss Bishop as an "Instructor in Kindergarten Exercises."

In the year 1878, the Board, finding that teachers too frequently regarded Kindergarten rather as a subject of instruction, like reading, writing, &c., than as a principle to be applied where possible in every lesson, abolished the title of "Instructor in Kindergarten Exercises," and substituted for it the title of "Superintendent of Method in Infants' Schools."

The Board also defined the duties of the superintendent, in addition to the duty of visiting schools, as follows:—"To secure, wherever practicable, the application of Kindergarten principles to the teaching of ordinary subjects. To give occasional model lessons to the children illustrative of the mode in which the above object may be secured. To report once a quarter, or oftener if necessary, the progress made in the extension of Kindergarten methods."

Since the Education Department Code of 1882, Her Majesty's inspectors, in reporting upon an infants' department, have been required to have regard to the provision made for (1) suitable instruction in the elementary subjects, (2) simple lessons on objects and on the phenomena of nature and of common life, and (3) appropriate and varied occupations.

On the 27th March, 1884, in consequence of the work of the superintendent being considerably greater than one superintendent could be reasonably expected to perform, the Board appointed an assistant superintendent.

Evening classes for the instruction of teachers are held at five centres.

- Kindergarten Principle.
- Bedding's Music and Drill.
- Bourne's Boys' and Girls' Games. Two Volumes.
- Kindergarten Gifts. Four gifts.
- Papers for Paper Folding and Cutting.
- Mats and Strips for Weaving.

(g) *Mechanics*—

Among the Specific Subjects in the Code of the Education Department is mechanics. On the 18th December, 1884, the Board passed the following resolution:—"That the peripatetic plan of teaching 'mechanics' be tried in some district or districts of London."

The teaching of mechanics according to this plan was commenced on 1st June, 1885, in twenty schools in the Hackney and the Tower Hamlets Divisions. The science demonstrator gives a lesson fortnightly to the boys in the fifth and higher standards, the lesson being illustrated experimentally by specimens and apparatus carried from school to school. Between the visits of the demonstrator instruction is given to the same class by a teacher who was present at the demonstrator's lesson. In consequence of the success of this plan, the Board, in March, 1887, extended the plan to other parts of London, and three additional demonstrators were appointed, as an experiment, for three years.

- Grieve's Mechanics. Stages 1, 2, 3.
- Harrison's Mechanics. Stages 1, 2, 3.

(h) *Manual Training*—

Use of Tools.—The Board, being desirous of making an experiment in some school in the instruction of boys in the use of tools, began the experiment in September, 1885, in the Beethoven Street School, Queen's Park Estate. The schoolkeeper of that school, having been a carpenter by trade, has given the practical instruction under the superintendence of the head master. The boys are selected from the Seventh Standard, and taught on two afternoons a week. The instruction is given in a shed that has been erected in a corner of the playground. An attempt is now being made "to develop some regular system of working, by which a boy can first draw and then, from his own drawing, make a series of joints of increasing difficulty."

In May, 1887, a letter was received from the City Guilds asking the Board to appoint a deputation to consult with a number of their members for the purpose of considering a scheme for the equipment and maintenance, for one year, of four schools of Elementary Technical Education, at a cost of about £1,000.

A Special Committee was accordingly appointed by the Board, which Committee met the Representatives of the Guilds Institute. After a consultation, the appointment of a Joint Committee was agreed upon, consisting of eighteen members, of whom nine were appointed by the School Board, and nine by the Institute.

The Joint Committee ultimately selected six centres, at each of which a class was to be held. The head

masters of the surrounding public elementary schools—both Board and non-Board—were invited to hold a conference with the Committee as to the best methods of securing the attendance of boys from such schools, and also as to the number of the scholars in proportion to the several school rolls. The head masters very cordially entered into the project, and have since manifested considerable interest in the progress of the work.

Manual Training.—With regard to the general question of manual training, the Board, on July 19th, 1888, adopted the following resolution:—"That the methods of Kindergarten teaching in infants' schools be developed for senior scholars throughout the standards, so as to supply a graduated course of manual training in connection with science teaching and object lessons." This resolution, with others, was referred to the School Management Committee to carry out. The School Management Committee referred it to the Board inspectors, to prepare a scheme. This scheme was prepared by Mr. Ricks, the senior inspector, and published by him in two volumes, entitled "Hand and Eye Training."

An invitation to teachers, by circular, to try the scheme or some part of it was answered in the affirmative by some 250 head teachers; but, at the same time, a large number expressed a wish to have more light thrown on the subject. In compliance with this wish, Mr. Ricks is now engaged in the instruction of upwards of 1,400 head and assistant teachers.

When the teachers are qualified to teach, it is proposed to introduce the scheme of work into the schools, both boys' and girls'.

- Hand and Eye Training. Two Parts.

(i) *Instruction of the Blind*—

The Board, in 1871, decided to put into force their powers for compelling children to attend school; and it was not long before the visitors, in the exercise of their duties, met with a number of blind children for whom there was no proper school provision. In April, 1875, the Board appointed an instructor, who, with an assistant, did what was possible for the blind children until the year 1879, when the Board decided to engage Miss Greene, who had long experience in teaching the blind both in the Perkins Institution, Boston, U.S.A., and in the Royal Normal College for the Blind, London.

The following paragraph, taken in substance from a report of the British and Foreign Blind Association, will explain the grounds upon which the Board have adopted the apparatus now in use:—

Embossed printing was first introduced in Paris by Valentin Haüy in 1784. The character adopted was naturally the Roman letter, as being that to which he was accustomed. Mr. Gall, of Edinburgh (1827), and Mr. Alston, of Glasgow (1837), subsequently printed books, using modifications of the Roman letter. Then two shorthand systems were introduced—one stenographic, by Mr. Lucas (1837), the other phonetic, by Mr. Frere (1837), both of whom used arbitrary characters. A modification of the Roman type, including the use of both capitals and small letters, was first embossed in 1838 by Mr. Dawson Littledale, and is adopted in printing for the blind at Worcester. Finally, Dr. Moon (1847) introduced the system which bears his name. He aimed at greater simplicity, and used but few abbreviations. He employed Roman letters whenever their form was sufficiently simple to be easily distinguished by touch, while in other cases he adopted the simple line characters by Mr. Frere. Books were printed in all these systems, but none of much importance except the Bible. The managers of each institution adopted the system of which they had heard most favourably, and proper school books scarcely existed, because it was not worth while to print books which could only be used in one or two schools. Moreover, to all these systems attached the serious defect that they could not be written.

The system introduced (1834) by Louis Braille, in Paris, is the only one (except the New York Point, used in some American schools) which enables a blind child to write as rapidly as sighted children in ordinary school exercise, and also to read and so to correct what he has written. It is, therefore, indispensable where blind children share the instruction of the sighted, and has accordingly been adopted by the London School Board in its classes for the blind. Moon's system is also used for reading, as, in many instances, enabling a blind child to read sooner than if confined to Braille, in which the letters of the alphabet are learned by the process of learning to write them.

Details of the scheme for the instruction of blind children may be found in Exhibit No. 89.

- Reading Books in Moon's type, *with illustrations in relief*.—These books were produced by Dr. Moon at the request of the Board, in order that the blind children in Board schools might have books the exact counterpart, including illustrations, of those used by their sighted companions. They are believed to have been the first *illustrated* school books for the blind ever published.
- Royal Readers, Standards. Vol. I., in Braille Type.
- History of England. Vol. I., in Braille Type.
- Relief Maps, various.
- Guides to Relief Maps, in Braille Type.
- Braille "Writing (Embossing) Frame and Style, with sheet of paper showing writing.
- Arithmetical Board, with several rows of the Arithmetical Type used as figures.

- Portion of Nelson's Royal Reader, Standard V., *embossed by children in London Board Schools.*
(J) *Instruction of Leaf Mutes.*

It was stated in the last paragraph that the visitors, in the exercise of their duties, met with a number of blind children, for whom there was no proper school provision. Similarly there was found a number of deaf and dumb children for whom previously to the year 1874 no suitable instruction could be obtained, except in institutions supported by voluntary contributions. In September of that year, the Board determined to provide instruction for these children in the ordinary schools, and accordingly appointed an instructor (the Rev. W. Stainer), who had had thirty years' experience in teaching deaf mutes, to initiate a system of deaf mute instruction at the Wilmot Street, Bethnal Green, Board School. At first there were only five children in attendance; but this number soon increased. It was also found necessary to open at successive periods additional classes in different parts of the Metropolis. There are now 390 children under instruction, who are assembled for instruction at fifteen centres in different districts of London.

As to the system of instruction, the first efforts of the instructor were to teach the children to speak. They soon learned the sounds and some simple words; but in a few months the number of children increased threefold, and for a time no assistance could be obtained to carry on the "Oral" teaching—consequently as fresh cases flowed in the "Oral" teaching diminished and the "Manual" teaching, which is much easier, increased. However, as time went on, a supply of teachers on the "Oral" system became available, and that system was gradually adopted as the supply of teachers increased. In 1879, a class was placed in charge of a teacher, who had been trained at the College of the "Association for the Oral Instruction of the Deaf and Dumb," Fitzroy Square. The Board now appoints only those teachers who are qualified to instruct on the "Oral" system, which is now adopted exclusively in all the classes of the Board.

Further and full particulars of this section of the work of the Board will be found in Exhibit No. 100.

101. *Hill's Pictures of Objects* (bound and indexed for teacher's use).—Pictures of objects are found to be a necessity to the teacher who has to give simultaneous instruction to a class of deaf children. The above-named series is used extensively on the Continent. The twenty - four sheets contain 384 coloured illustrations. The author of these says:—"The pupil must not be allowed to dwell upon the picture alone, but his attention must be directed to similar objects and circumstances in his own surroundings; in other words, he is made to understand the living world in which he finds himself, and to a proper understanding of which the picture is only to be used as a help."

102. Reading Sheets in script type, compiled by Rev. W. Stainer, L.H.D., for use in the classes for the Deaf and Dumb (4 sheets mounted).

E.—Miscellaneous Exhibits.

- Set of School Board Registers. Admission, attendance, summary.
- Set of Requisition Lists.
- Fee Book.
- Stock Book.
- Stock Book (smaller).
- Needlework Cash Book.
- School Management Committee's Annual Report.
- Evening Class Committee's Annual Report.
- Bye Laws Committee's Annual Report.
- Industrial Schools Committee's Annual Report.
- School Management Committee's Code of Regulations.
- Evening Class Committee's Code of Regulations.
- Special Report on Subjects of Instruction.

F.—Specimens of School Work,

(a) Drawing.

180. Specimens of Garments and Knitting, and Government Examination Day pieces, from all the *VII. Standards* of Girls' Schools.

The following have contributed:—

181. Specimens of Garments and Knitting worked by the Pupil Teachers from the following Pupil Teachers' Schools:—

NOTE.—*All the above Needlework was collected from the schools almost without notice and represents the*

ordinary work done during the year to show to the Inspector, or they are specimens of the small pieces each child (according to Standard she is in) has to work before an Inspector on the day of the Government Examination.

Alexander and Shephard, Printers, Chancery Lane, London, W.C.

Mr Ballance's Speech to the Electors, of Wanganui. decorative feature

Delivered at the Princess Theatre, Wanganui, June 22nd, 1887,

decorative feature Wauganni: PRINTED BY THE WANGANUI HERALD NEWSPAPER COMPANY, LIMITED, 1887.

Mr Ballance's

Speech to the Electors of Wanganui, Delivered at the

Princess Theatre, Wednesday, June 22nd, 1887.

(WANGANUI HERALD.)

His Worship the Mayor occupied the chair, and in a few remarks introduced the speaker.

Mr Ballance, on coming forward, was received with rounds of applause. He said that he appeared before them on that occasion, after a very short interval since his last speech, in consequence of the defeat of the Government. The Government had been defeated because certain gentlemen of exalted opinions and patriotic motives who usually found their normal resting place on the verge or margin of parties, withdrew their support from the Ministry. It had been very easily done. The change was brought about by the change of views of four gentlemen; even less—three gentlemen accomplished the work. They found out that the Government were not entitled to their support as soon as the tariff proposals were brought down; but in reality they had withdrawn their support from the Government before they knew what the tariff would be, and they had expressed their intentions of not voting for the Government. There were always to be found men in this position on the boundaries of parties, and the defeat of Governments were generally caused by these extremely conscientious gentlemen. The question that arose with the Government was as to the course they should follow, consequent on the motion being carried. There were only two courses open. One was to resign office and allow their successors to come into power, and the other to appeal to the country. The Government could have thrown up the reins and said to the other party that they could go in and show what they were able to do, and in fact a great many of the friends of the Government advised them to take this course, on the ground that the Opposition, when they got into power would also find the necessity for Increased taxation, and would begin to make enemies immediately they proposed it. The Government, however, dissented from this position, and having a distinct policy on which they could appeal to the country, as against the negative policy of the Opposition, they decided to go to the country to ascertain whether or not it endorsed their policy. He was aware that this course was attended with considerable inconvenience to Ministers, more especially as they had a definite policy, while they were unable to ascertain what their opponents' policy was. Everyone was aware of the policy of the Government, but no one knew the policy of the Opposition. Some had tried to find out their policy from the negative policy or no opinions of Major Atkinson, and had gone back to the "Continuous Ministry" which had held office from 1879 to 1884 and had in some cases gone back to some of Major Atkinson's speeches to find out if his policy was there. He was not going to refer, except in a very cursory manner, to the policy of the Opposition. He recognised that as a member of the Government he held an important position, and he was that night on his defence before them as a portion of the electors of the country, and it would be for them to say whether the Government policy contained any merits or not, or whether it should be adopted by the country,

The Wanganui Contest.

He had, since he came to Wanganui that week, been informed that he was to be opposed for this constituency. Of course he could not object to that; it was not for him to make any objection for he held that it was the duty of any section of the community that felt that its views were in accordance with those of its representative to make an appeal to the electors, He believed that this contest should be decided in a decorous manner and without recrimination or ill-feeling. (Hear Hear.) He thought that it could be fought out on higher grounds, as there were broad questions and broad principles to be settled, and they ought to settle them without any unnecessary amount of personality or abuse. Having said so much he would like to add further, that he was not conscious of having done anything during his term of office since his election in 1884 to lose him the confidence of those who returned him to Parliament (applause). If they returned him again his services were at their disposal, and if he were not returned again he would submit to their decision without a murmur. It would not be becoming on his part to dictate to any constituency as to what they should do, and he could only say that he felt confident that his political friends, who assisted him so largely at the last election, had not had their confidence shaken. He was aware that like every one else he had made mistakes. It was said that those are the most successful generals who make the least mistakes Every battle teems with mistakes that are made on both sides; only those made on the winning side are fewer than those made by the losers. He was conscious that he had made mistakes, but he was also conscious that what he had done was for the best. He had tried to promote those principles that he thought would tend most to the good of the colony, and he did not think that anyone could accuse him of having been inattentive to the wants of this particular community. (Applause.) He had felt, and always should feel, that Wanganui was his home and the people were his people, and that he was closely associated and identified with their progress. Therefore, it was not only a task, but a pleasure, to do all that lay in his power to promote the interests of Wanganui, and, as their representative, his object had always been such. (Applause.)

The Policy of the Government.

With regard to the policy of the Government, it had been freely condemned all over the colony, and, strange to say, the majority of the papers of the colony had declared against them. He might say that, from the time they first took office, the press was against them. The Government were in this position, that they never had had a large party or a strong party supporting them. At the time of the last election, in 1884, when the Atkinson Ministry appealed to the country, the question before the colony had very little to do with the *personnel* of the present Ministry, as most of them at the time of the defeat of the Atkinson party were not in Parliament. During their term of office they had been reposing, as it were, on the top of a pent up volcano, not having a strong party to assist them in carrying out their policy. He thought, however, considering the circumstances, that the Government had done more in the way of passing measures for the welfare of the colony, and measures which he thought had been endorsed by the people of the country than could have been expected.

Settlement of the Land

They had heard a great deal about an offence alleged to have been committed by the Government In expending between £60,000 and £70,000 without the authority of Parliament, and this had been brought forward as one of the greatest offences the Government had committed. Well, he was prepared to answer the objections; he asked for no consideration, but he would show that the policy from the beginning to the end was a constitutional policy, and that they were entirely justified on constitutional and political grounds in their actions in regard to the settlement of the land. (Applause.) One would suppose that they had been spending £60,000 more than had been definitely appropriated by Parliament, and that they had done something quite unconstitutional. His hearersought to know that Parliament gives to every Ministry the power of spending up to a £100,000 every year, without any definite votes; to be afterwards indemnified and endorsed by the special act of Parliament itself. Every year there came before Parliament appropriations which have not been specially voted, for the consideration and indemnification of the House. Well, in regard to the large expenditure they had incurred, he would ask, were there no precedents? They had only to look at the Financial Statement for 1884 and they would see that Major Atkinson came down and told the House that he had spent £260,000 in a case of emergency, for the purchase of railway material, and in making provision for the unemployed. They all remembered the action of Disraeli in connection with the Suez Canal shares, when he bought up £3,000,000 worth and negotiated for the purchase of them with the Rothschilds without any authority on the part of Parliament. Then what had he himself done in 1885? They all remembered the Russian war scare. That was a

case of great emergency, and he believed that it would crop up in a few years again, and that we should continue having Russian war scares until Russia made an attack on India. He believed in this respect there was more danger than they anticipated. Well, the colony was greatly alarmed about the indefensible and undefended condition of its ports, and the Government, instead of waiting for the authority of Parliament, took upon themselves the question of harbour defences. They ordered over £150,000 worth of armaments and war material, and in addition they incurred considerable expenditure in preparing the fortifications—and all this without the authority of Parliament, Did Parliament object? No; as are as he knew, not a single member of the House raised his voice against the expenditure. On the contrary, the action of the Government was endorsed on all sides as one calculated to meet the circumstances of the case. Looking at it, therefore, from the constitutional side he would say they were justified in acting as they did. Then with regard to the political side. Last session he told the House that provision must be made for placing the working classes on the land, people with no capital or very little capital of their own. He asked for a specific vote of £5000 to be spent—he would ask them to mark that—to be spent within the year. He also placed upon the table of the House regulations that required a large contingent expenditure in cases where certain things were done by the settlers. They required that each man within five years, who had taken up a section of 20 acres, should clear, if it were a bush section, his land; and, that for every acre that he put down in grass, he was to receive ultimately £2 10s He was also to receive towards the cost of a house, which had to be certified to, the sum of £20. He had these regulations published before the session and placed on the table of the House. He explained to Parliament again and again, and his speeches on this subject were in Hansard, what the nature of these conditions was and showed everything to them. They were perfectly satisfied and gave him £5000 for expenditure within the year. They could see, that if a man was required to clear his land within five years and was only to be paid as he cleared it, that the expenditure incurred must necessarily extend over those five years; and further, if they spent £5000 within the year, that this expenditure implied other liabilities under the regulations, possibly some £50,000 or £60,000. As a matter of fact he had not expended last year the amount voted by the House, but had only spent some £3000. The House had expressed the utmost surprise at what had been done, and Major Atkinson, who knew the conditions under which the liability had been incurred, explained them to the House in his No-Confidence motion on Sir Julius Vogel's Public Revenues Bill. The whole thing had been before them. They knew that compliance with these conditions entailed a very large contingent liability; but it was the last session of Parliament, and the opportunity occurred to the Opposition to make a great cry, and a great question for the country. And if they could only talk sufficiently, and keep up a clamour and a clatter, so that the country would hear nothing except about this tremendous expenditure without the authority of Parliament, the country would come to the conclusion that he had been a most reckless Minister and had shown want of capacity. They kept the debate up for three days and talked about censuring him for his actions. He told them that he had been given £5000 for expenditure within the year, and that he had incurred the other expenditure under the conditions laid down. He challenged them to pass a vote of censure, and said if they did he would appeal to the country and to the next House for a decision (applause). Did they pass a vote of censure? No; they did not, but they endorsed what he had done, and asked him what he was going to do in the future. He told them that he proposed to place upon the land within the next three months 150 families under these conditions, and that he would require some £7000 more. They said "Go on and do your work; we will give it to you." (Applause.) After a consultation between the leaders of the Opposition (Mr Rolleston and Major Atkinson), Mr Rolleston got up in the House and said "We agree to your proposal. and we will give you the money," So that not only did they refrain from passing the vote of censure, but they passed more money and told him to place more people on the land. He (Mr Ballance) challenged denial of these statements, from which, they would see that, on both the constitutional and political sides, he could amply justify the work he had done. (Applause.) He would ask them to look at this question from another point of view. What had been the position of this country with regard to land settlement. He had recognised that, although they had greatly liberalised the land laws, yet they lacked one great provision, and that was to place the working classes upon the land in large numbers. He recognised, too, that all the laws that had hitherto been made in connection with this question had been made in the interests of capitalists, large and small, and not in the interests of the great masses of the people. (Applause) This was so, and he asked them to consider what provision existed, and what had been done by past Ministers in this work of the settlement of the land. It was all very well to say to a man who wanted to take up 300 acres of land that he could pay, in ten instalments. But this took capital, and no man could clear the waste lands they now had at their disposal and carve out a home for himself, unless he had capital to start with. Before going further he would allude to another aspect of this matter. It had been said of these people that they were all placed on the land north of Auckland. The first and most prosperous settlement of the kind was in the Wairarapa. There the work had continued for some 12 or 14 months; and, besides this, enormous relief had been given to the unemployed in the South, especially in Otago. It was true that a larger number had been placed at Auckland during the last twelve months than elsewhere, but that would not take place during the next twelve months. There would be an

equal proportion placed on the land in other districts of the colony. Another objection raised to the scheme was that those placed on the land were all loafers. Mr Ormond, the great political purist, called them paupers; but he not only called the village settlers paupers, but he included under this designation all those who took up land under the deferred-payment or perpetual lease systems, and in fact all those who did not pay cash for their land came under this category. And this was Mr Ormond's idea of settlement: Coming back to the question of the class of people lately placed on the land he would say that they were not of the pauper class. It was true they had not a very large amount of capital but they were respectable people, mostly with families, and they were not loafers; they had been used to taking whatever work they had been able to command. In the good times in Canterbury, when wheat was high, they were all employed, but in bad times they were thrown out of work. It was the same in Auckland. In the times of prosperity those people were engaged in various trades, but when the re-action came they fell back. They were rapidly spending their little savings, and many had come perforce on the Charitable Aid vote. That was the position of affairs. If his hearers had gone among these people and seen the earnestness that they exhibited in getting into the country to earn some means of livelihood, they would condemn to eternal infamy the man who would call them either paupers or loafers. (Applause.) The Government knew what they were doing, and they agreed, on his recommendation, to place on the estimates for this year, for the purpose of carrying on this work, the sum of £50,000 per annum, which he assured them would be required so long as they continued the work. These settlers did not receive any money except for work that had actually been performed on the Crown estate. This was an important consideration. The lands of the colony were the property of the colony, and they, as electors, had an interest in them. When a settler improved the value of his land to a certain extent, advances were made to him for what he had done. He paid interest upon the value of the land, and upon the whole of the money that had been expended thereon, at the rate of 5 per cent per annum. Was this a pauper class? Was this a position that ought to be deprecated, which had for its object the improving of the public estate? They did not receive one penny for these improvements until they had been certified to. Looking at it from another point of view it was the duty of the colony to provide in some way for those people who would not otherwise have been provided for. How were they to deal with the unemployed difficulty? Month after month they saw that the emigration was greater than the immigration especially to Victoria and New South Wales, and was it not the duty of the Government, to stem that? The class of people who left this colony were those who had a little money, the poorer had to remain here. Those who were going away were the best settlers, and it was the duty of the Government to meet this difficulty fairly in the face, and try to grapple with it. He had endeavoured to grapple with it, and he would ask them to judge whether what he had done was right or wrong. He would point out that it was not done in a dark corner, but done openly. The whole position was placed before the colony, and the result had been that, within twelve months, they had placed upon the land no fewer than 1000 families. He had the testimony of most impartial judges, outside the opinion of their officials which he had also, that these people were doing well, and that there would be few failures. After pointing out the details of the village settlement system, Mr Ballance went on to say, that it had been urged that they should give freehold tenure instead of leasehold. He, however, did not agree with this idea. In the first place, there would be no security for the money advanced, and in the second place there would be consolidation at once, and this was the main objection. They wanted to prevent the selling out of small farms, for consolidation would lead to the destruction of the settlements. The worst landlords in Ireland were not the large holders, but the "gombeen" man who lends out money at up to 120 per cent per annum. He himself would not object to the freehold system if it were provided that consolidation should not be allowed, though he preferred the perpetual leasing system, and held that a man could not do better than take his land at a small rental from the State. It was better for the individual himself and the community at large. Sir George Grey had made the assertion that these settlers were slaves and he (Mr Ballance) had replied that they were willing slaves, for it was strange that 1000 families should continue in a state of slavery, when they could tomorrow emancipate themselves. Sir George Grey was in favour of the "quit rent" system which was in vogue at the Cane, under which a man could hold as much as 500 acres, and this was the system he held up to admiration. He (Mr Ballance) held that there was danger in that system, there was always danger in altering the land tenure, and he believed that the quit rent system would lead to the consolidation of estates. He hoped that whatever Government might come into office, whether the present Government were kept in office or not, this work would be continued. If they went on as they had commenced, he believed that in two or three years there would be no such thing known as the unemployed class. He was convinced that it had only to be continued and the balance of immigration would be restored in our favor; and, instead of losing our best settlers to Victoria and New South Wales, we should receive a large influx from these colonies. There must be provision for the congestion of labour in the towns, and this seemed one of the best means of making it. Taking the Special Settlements, he found that in two years they had placed upon the land 1000 families on about 100,000 acres. In Wanganui they had their own Special Settlement, the Pemberton. These settlements were exceedingly prosperous, the people taking up areas from about 100 to 150 acres each. They would see that the Government

had endeavoured to carry out the work of land settlement, and he would ask their consideration of some figures as to the result of their efforts during the past two years. Comparing what they had done, with what had been performed by previous Governments, Mr Ballance said that they had come into office in 1884, and he had provided the Special Settlement regulations, after careful consideration. He found that the navvies working on the railways left their families in the towns, and came back themselves into town as soon as they were out of employment; and he thought it absolutely essential to provide some method for these people going on to the land. Unless they did so they would have these men coming back into the towns again and again, and the unemployed difficulty would be greater than ever. Taking the figures from 1880 of those settled on the land, they found them to be as follows:—

(Applause). The number of settlers placed on the land had been about three times those of previous years back to 1879, and he thought that to raise their standard of settlement three times in one year was a work that must stand to their credit, and have a great effect on the colony. These figures were on record, and could not be controverted. They showed that the work of settlement had been carried on in a way that no other Government had ever done, and the result was seen in the number of families, 2000, which meant about 10,000 individuals being placed on the land in one year. The work, too, had been carried on with great regard to economy. In the matter of surveying, to take the figures of their predecessors in comparison with their own, they found the expenditure as under:—

So that they would see that, not with standing the greater number of people placed on the land, they had considerably reduced the cost of survey. Then, in the matter of the cost of roads, there had been a reduction. In 1881 the expenditure was £49,000, in 1882 £33,000, in 1863 £80,000, in 1884 £84,000, in 1885 £49,000, in 1886 £61,000, and for 1886-87 £57,000. On the ground of economy, therefore, their figures would bear comparison favourably with their predecessors. In New South Wales the distress was becoming so great and intense among the unemployed class, that the Treasurer there had asked for no less a sum than £250,000 for the purpose of making roads, and so providing work for the unemployed. So that, looked upon from whatever point of view they chose, they would see that the work the government were carrying on was justifiable and would compare favourably with what was going on in other colonies. (Applause.)

Retrenchment.

The question of retrenchment had been made one of the issues of the election, and rightly so. The people had a perfect right to say, before further taxation was imposed, that the Government must retrench to the utmost limits. The Government recognised this fact, and they replied that they had laid the foundation of a scheme of further retrenchment to a very great extent. They would no doubt be surprised to hear that the expenditure when the Government took office in 1884-85 was considerably larger than it is to-day, notwithstanding the fact that they were spending more on Education, and that the extension of the Post Office and Railway Departments required a larger expenditure every year, and the interest on loans was greater now than in 1884-85. With regard to Education, people might cry out that it was overdone in this colony, and that great reductions might be effected. To this the Government replied that the Education system was laid down many years ago—in 1877—and it was then provided that a certain amount of money should be set aside for education from year to year. The amount was first fixed at £3 15s per head after that it was raised by Act by a sum of 10s and a few years later this was reduced by five shillings per head and what the Government next proposed to do was to reduce it in five years by one shilling per year. In this way a sum of £5000 per annum or £25,000 in five years would be saved. Dealing with the suggestion that school age should be raised, Mr Ballance said that whatever provision might be made by raising the standard of age from 5 to 6 years, or by doing away with the 5th and 6th standards, the whole effect would fall upon the teachers. At the present time the average of teachers' salaries was £94 10s per annum, and he thought it would be a mistake to reduce them to starvation wages (applause). He believed to at every rational man must come to the conclusion that nothing rash or hasty should be done in this matter, but that they should act deliberately and with the facts before them. He was not sure that those connected with the Universities of this colony were favourably inclined towards the Education system; but he would point out this, that if they once commenced to attack education they would have to tackle the higher institutions as well as the others, although they were provided for by Act of Parliament. Whatever reduction was made must be made all round, and they must deal with those gentlemen who were receiving large salaries as well as with those who were receiving smaller. (Applause.) These individuals would find that a permanent Act would afford them no protection when the reduction of a permanent vote came to be considered. (Applause.)

RAILWAYS.

A great deal was said about the management of railways, but his firm opinion was that the railways in this country would compare favorably with those in any other part of the Empire. The amount of the appropriation last year was £748,000, and they had 1726 miles of railway to provide for, when they had only 1521 miles the expenditure was £751,000, so that they were spending less now than they did in 1884-85, and had, besides, an increased mileage to attend to. It might be that they were not doing the work properly, but people were inclined to grumble, and to make Mr Maxwell responsible for all the sins under the sun. He was held to be a detestable character, deliberately ruining the railways of the colony, the most hard-hearted man under the sun, and altogether a very bad character! He could assure them that the Government believed Mr Maxwell to be a painstaking, capable, and accomplished officer, and that these railways would show that as far as expenses and cost of management were concerned, that they would compare with any lines in the world. They were continually hearing of great accidents, involving thousands of pounds in other colonies, but they did not hear of any such accidents in this country. He thought that this must be considered as testimony of great weight in favour of the management in New Zealand. One accident alone might run away with a £1,000,000, and although they might at any time meet with an accident, they had so far escaped, a fact which should be placed to the credit of the railway management of the colony.

Reirenchment.

Speaking as to the question of retrenchment generally, Mr Ballance said that Major Atkinson, though condemning the Government as extravagant failed to place his finger on a single item on which he could charge them with extravagance. He made general statements regarding the expenditure but there was no direct attempt made to show that the Government had been guilty of extravagance. This he thought must be taken as the strongest evidence of inability on the part of the Opposition to point out any defects, and it must be taken for granted that the estimates were brought down framed upon an economical basis.

The Native Department.

It had been said that during the course of debate that the Native Department ought to be abolished and that it was no longer required. He took this as the very strongest testimony that could be borne to the success of the administration of Native affairs during the last three years. If the Government had brought Native affairs to that pass that they required no Native Department and no particular provision from the Government of the day, then it followed to his mind most conclusively, that the conduct of Native affairs had not been bad during the past three years. It had been said that the Native Department ought to be reduced, but what was the expenditure as proposed by the Estimates last session for this Department? It amounted in all to less than £4000, and when they remembered the days when the Native Department cost, not £4000, but £100,000, they would see that it was not now a very expensive department. There was, of course, connected with the Native Department the Native Land Court, which was doing valuable work and cost some £12,000 or £13,000 per year. No one, however, proposed, so far as he had heard, that the Native Land Court should be abolished. To his mind it was absolutely essential that the Native Land Court should carry out its work. During the three years, between 1880 and 1884, it had clothed with European title 3,425,000 acres. From January, 1885, to 1887, or in two years and three months, they had passed through the Native Land Court no less than 3,489,294 acres;

Taxation.

Coming next to the question of taxation, he asked what it was that the Government proposed to do. It had been said that the Government proposed to put on crushing taxation; but let them take the amount of taxation it was intended to impose through the Customs, and examine the matter. The increased taxation was to be £175,000. He read in the morning paper that Mr Fisher said that £300,000 were to be raised by fresh taxation, and that 90 per cent, of this was to be on the necessaries of life. Considering that they only proposed to raise £175,000 altogether, this great man would have to alter his facts and figures considerably. (Laughter.) What is the position? It was a fact, indisputable and not challenged in the House, that the amount of money they derived last year from spirits was £70,000 less than they derived from spirits in 1882. That was to say, the consumption of spirits, from whatever cause, had fallen off since that time by the sum of £70,000 per annum. What is their duty in that case? Is it the duty of the Government to make the people drink more whiskey? or is it the duty of the Government to make up the amount by some fresh taxation? What did the teetotallers say? "If they would only give up drinking habits the State would not be ruined, because it would simply adjust the taxation upon some other thing"; and now, when the people have given up drinking habits, they say to the Government, "Oh! what crushing taxation you are putting upon us." (Cheers and laughter). That accounted for £70,000 out of £175,000, and in addition they had lost through the diminished consumption of tobacco, cigars, wine, and beer a

further earn of £25,000. so that in these two items they had lost £95,000 of revenue. Then in consequence of the cheaper goods coming into the country—a reduction of values having set in—they had lost on *ad valorem* duties £65,000. In that case the people had derived the benefit; indeed, in all these cases they had derived benefit. They consume less whisky, less tobacco and cigars, less beer, and get their goods from England much cheaper, and the Government has lost revenue. It was the duty of the Government to make up this loss, in order that they might pay the increasing interest accruing year by year. The Government did not want to put on crushing taxation, but simply to change the incidence of taxation; therefore the people were not poorer; the taxation is not crushing, and they are in a better position now to pay taxation than they were in 1880 or 1882. A statement had been carefully compiled by the Colonial Treasurer to show that had the prices ruling in 1880 ruled during 1886 the value of imports during the year would have been £8,000,000, in place of £6,200,000; so that the people last year, with the fall of prices, saved £1,800,000. They would see that this change of incidence of taxation, imperatively called for, was no burden upon them, because they saved more than an equivalent through cheaper goods and non-consumption of spirits and beer. (Cheers). With regard to the tariff itself, he had a word to say. He did not say that the Tariff Bill would be revived. They took up precisely the same position with regard to it as Mr Gladstone took in connection with the Home Rule Bill. The tariff had been condemned by the House, and they were free to consider what they would do next if they were called on to prepare another budget. They were not bound by the tariff, but they were by its principles, and any fresh budget of theirs would be constructed on them, if they continued in power.

Property Tax.

He believed that this question was the one on which the Government had fallen, and it was the question that was being used now with the greatest effect against the Government by the large property owners. For the first time it laid down a principle he had long advocated, and one which, he believed, met with the approval of the people. They had made the tax progressive, so that it would fall with heavier incidence on the wealthier than upon the poorer classes, and that was the greatest crime, in his opinion, which the Government had committed. (Cheers.) It would, however, be for the country to say whether that was a crime in their eyes or not. If they realised the enormous increase given to the value of the private lands of the colony to the large estates especially, by the construction of public works upon which the colony was paying interest, they would come to the same conclusion as himself, that the incidence of taxation as set forth in the budget was one that was fair even to those classes themselves, and fair to every class in the community. (Applause.) The organs of these men had made an attempt to do away with all exemptions, Mr Ballance explained the working of the exemption clause, and showed that the proposal of the Government was that over £2200 there should be no exemption, but that under that sum the ordinary exemption should be allowed. The rate for those who owned more than £2200 worth of property would pay a penny in the £, and under that sum only 13-16ths of a penny in the £. The result of this would be that, while the smaller class of taxpayers were exempt from any further increase of taxation, the larger and wealthier taxpayers of the colony would be asked to contribute to this source of revenue £75,000. If the exemptions were abolished the larger class, numbering 21,591, would pay an increase of 83 percent, while the wealthier class, numbering but 6235, would only increase their taxation by an average of 4 per cent. He put it to them whether they would have a graduated taxation on the basis the Government had proposed, or the reduction of the exemption. That was the question the country would have to answer.

Travelling Expenses.

This was to some extent a personal matter, and he desired to bring it in. It had been said that the Government had been reckless in their personal and travelling expenses. He would like to compare notes, and make a comparison with those of his predecessors; Mr Bryce had held only the position of Native Minister, whereas he (Mr Ballance) had held the portfolios of Native Minister, Defence, and Lands and had had to visit many parts of the country which the Native Minister was not required to visit—especially in the South Island. Taking the expenses for two years, and while not censuring or condemning Mr Bryce, whom he believed had incurred the expenses rightly and conscientiously in the discharge of his duties. Mr Bryce's expenses during the two years he was in office 1882-83 for travelling allowance and attendants' expenses amounted to £1355, while his (Mr Ballance's) for the two years of 1885-86 were £1112, and he had had a great deal of travelling to do in connection with the administration of lands in places where the Native Minister was not required. He could have made the figures more favourable to himself had he calculated the expense of having buggies in travelling where there were no railways, which entailed extra expenses in travelling. They must consider that his expenses compared favourably with those of his predecessors, and they must come to the conclusion that his was not an extravagant expenditure. With regard to Mr Larnach's expenses, he might say that there was not a nook or

corner where gold was to be found in the colony that his colleague had not visited during the year, when he incurred the large expenditure; but if he had incurred a large expenditure in comparison with his predecessor, he did the work for it, and his investigation had been productive of the most happy and beneficial results, (Applause.)

Protection.

He had been told that he ought to shirk this question, but he was not afraid of his opinions, and did not think that any person could charge him with trimming because he believed his opinions to be unpopular. He was aware that Protection was unpopular, but he believed it was now in that state where arguments had been brought to bear on it from both sides. He believed that the ultimate victory would rest with Protection. It would be impossible, he believed, for a country with a small area like this to compete in the raw material with such countries as South America or British India. What were the absentees they heard of doing? Some of the early colonists who were residing in London, and were still drawing large sums from this colony, were sending their sons to the Argentine Republic to engage in pastoral pursuits. The Argentine Republic was progressing by leaps and bounds, and in a short time it would compete with them in wool. They were now improving their breeds there, and very soon they would produce wool equal to the best in any of the colonies. Talking about the value of wool, he showed that the exports had increased in quantity from 64 million lbs in 1877 to 90 millions in 1886, but that the values had fallen from £3,658,000 in 1877 to £3,072,000 in 1886. The severe competition would make the position of the colony from year to year worse than it had ever been before, and they must now reconsider their position. To take wheat as another example—in 1877 they exported grain to the value of £303,000, in 1881 to the value of £1,035,000, and in 1886 to £580,000. The very fluctuations in the Home market were enough to ruin our farmers. They made great preparations on the strength of a large demand, and then they found British India pouring its large supplies in the market, and the farmer was ruined. He would ask what prospect there could be in this colony for the export of raw material from this colony. They could not expect prosperity unless they employed their own people and brought in others, not by assisted immigration, but by voluntary immigration from other countries, so that our farmers might find a market for their produce at their own doors. That was the only hope for the country, and it was for that reason he was a Protectionist, (Applause.) They could see the prosperity of America Victoria, Germany, France, and all European countries that had adopted Protection. In the Nineteenth Century they would find an article giving the rate of progress in continental countries, and they would see that they were progressing so fast that they would soon be on a level with England, and what was the reason? Simply, that they insisted on having employment for their own people. People only left these shores because of the want of employment. He had tried in a partial way to solve the problem by drawing the people out and placing them on the land; but that would not do altogether. It was not everyone who could go on to the land, and they must provide for the people in the towns, and Protection was the only way, as far as he could see, by which it could be brought about. The farmers might be hostile to Protection for a time, but he could assure them that Protection was their best friend, and that they would find a home market more profitable than a foreign one. If he did not feel strongly on the question, and realise the necessities of the case, he might have kept the subject back for a future time. How was it that the price of land had fallen in value until it would hardly bring the price of the improvements placed upon it? Because they had been ruined by foreign prices, and the prices received for produce would not pay more than the land was now bringing. If they wanted to realise a better future, the question must be grappled with at once, as it was their only chance. (Applause.) With regard to the question of manufactures, great progress is being made. We have a certain amount of Protection at present; it had not been put on with any discretion or discrimination, but for revenue purposes. That Protection had done something to build up their industries was true, but what they wanted was a discriminating protection—sufficient to protect our manufactures and to enable others to be established. Taking the progress made in manufactures since 1878, they found that the total value of the land, buildings, machinery, and plant in that year was £3,051,720; For 1881 it was £3,605,471, and for 1886 £5,697,117, a considerable advance in value. (Applause.) The value of colonial industries produced in 1885 amounted to no less than £7,436,649, and the hands employed on these industries numbered 25,655, and probably these twenty-five thousand would mean direct support to 100,000 people, and possibly indirect support to an additional 100,000, as it was impossible to say where these ramifications ended. They would see what a wonderful effect the employment of the people in manufactures would produce on the prosperity of a community, and with proper encouragement and stimulus given by adequate protection, these results could be accomplished.

The Tariff.

With regard to this question he said that the tariff was constructed to encourage colonial industry. They believed it was so arranged as to fall with the least possible weight upon the community. On the other side of the question the Chambers of Commerce had come forward—with the exception of the Wangauni Chamber, a happy and fortunate exception—with resolutions that the tariff was bad, and the incidence of taxation unjust. They had proposals of their own, and what were they? In nearly every case they wanted to put extra duties on tea and sugar, *i e*, the necessaries of life. They did not want any extra taxation on articles which could be made in this colony, and which were coming into it from other places. All their sympathies were with articles that must be brought here and which the people must consume; none of their sympathy was with those articles which people could make here, and which need not be imported (cheers). The Wellington Chamber of Commerce did not stop at tea and sugar, they went as far as salt, and made distinctions between fine and coarse salt. They thought they could realise £30,000 more by a duty on fine and coarse salt. He would ask whether it was better for the people that this taxation should be on the necessaries of life, such as tea and sugar which must be brought into the colony, and which are consumed by the vast body of the people, or put on those things which to a large extent can be made by the people in the colony (applause); The Government said that it was not wise to further tax the necessaries of life, but that where taxation was required it should fall on the things made in the colony in order to give employment to the people. He would ask them to decide between the position taken up by the Chambers of Commerce and the Government (cheers).

Native Land Administration.

He would like to say, partly in his own defence, and partly in defence of the Ministry, that they had not been idle since they took office. They had not been a "feather-bed Ministry," and remained comfortably in Wellington, leaving their Under-Secretaries to carry on the administration, and throwing on them the responsibility of the work of the colony. Both in policy and administration they had grappled with the most difficult questions of the day, and had most satisfactorily solved them. For instance, in the year 1884, when they took office he (Mr Ballance) brought in a Bill to restore the pre-emptive right over 4½ millions of acres of land along the North Island Trunk Railway. That was a very important measure at the time, but they could not do much during that session. In the following year, when they had more time for deliberation, they carried through Parliament what was admittedly the most liberal Land Act in the Australian Colonies, the Land Act of 1885. He did not think that any person could deny that it contained provisions for settlement of the land superior to anything that had been provided or enacted in any colony of the British Empire. In 1886 they grappled with the question of the administration of Native lands, which had been attempted by successive Ministries for 15 or 16 years, and they carried through an Act restoring the pre-emptive right over the whole of the Native lands of the colony. Now, instead of a few men and a few rings exercising sole control over the lands, the Native lands, if they are to be sold at all, must be sold under the Act of 1885, or they must be sold to the Crown. (Applause.) Therefore, he said they had placed in the possession of the Crown, Native lands available for settlement to the extent of 14,000,000 acres—lands that formerly were the prey of land sharks. An Act of this kind could not pass without disturbing vested rights and interests, and without receiving great opposition. He was surprised himself at the paucity of the opposition. Only one or two petitions altogether had been sent to Parliament, and the largest signed petition sent to the House was a petition tinged and tinctured with fraud and forgery. (Applause.) Even one-half of the names had not been signed to it by the people purporting to have signed it, but some other person had signed for them. Therefore they might reasonably come to the conclusion that this Act had met with the approval of the best Europeans and the best natives of the colony, (Applause.) He did not think that even if their opponents came into office to-morrow they would dare to repeal the Native Land Administration Act, as they recognised the merits of the measure as much as the Government did themselves; Though they may fan the flame of opposition by expressing sympathy with gentlemen who would vote upon their side, yet, when the responsibility was thrown on them to face the difficulty, they will shrink before attempting to meddle with that measure, which he believed was one of the most useful and important ever passed in this colony with regard to the interests of both Natives and Europeans; (Applause)

Land Administration.

Relative to special settlement regulations, Mr Ballance said they were as important as the provisions of the Act itself. While they provided for the settlement of the land they abolished the tender and auction systems, and established the ballot; In the Waimate Plains they had an instance of the effect of the tender system. Men tendering twice over the value, were now bankrupt and could not pay their rents, and were asking for assistance from the Government. In all parts of the colony the same results were observable; men having paid a price

utterly out of comparison with the price of produce to-day. What was Major Atkinson's remedy for this state of things? Not to make the rents easy at the start, but to establish a Land Court to regulate the rent by the price of produce every two or three years. He was sure that the lessees would get the best of the Government if they adopted this plan, and rents would have a great tendency to go down and little tendency to go up. That was the statesmanlike proposals made by Major Atkinson and Mr Rolleston, who he supposed had been fascinated with the Irish Land Court. What had the Irish Land Court done? They had gone about reducing the rents and everything was supposed to be settled, but now no their Land Court was required. And the rents were still further lowered to tenants who were as much disinclined as ever to pay the rents. So it would be in this colony, it would disturb everything and settle nothing. It would entirely prejudice the fixity of tenure which, in his opinion, ought to be the basis of all prosperity. (Cheers.) Unless the people knew they had fixity of tenure, there could be no incentive to improvement, and this was the chief recommendation of the perpetual leasing system; it fixes the rent for a long term, and instead of being knocked down to the highest bidder, the person in possession I could take up a new lease, and everything was in favour of the tenant who held for a long term of years. His own plan had been to fix the rents low—much lower than the market value, and then let the ballot decide. It was to the interest of the State to make their tenants prosperous, and not to grind the last penny out of them. (Applause.) If they continued in office, he intended next session to bring in a bill abolishing altogether the system of tendering and auction, and to substitute the ballot, as in the Special Settlement Regulations. He thought that was the right course to pursue, and not the Land Court. For his part, he would rather see a man pay too little than pay too much, and have the Land Courts continually disturbing the existing condition of affairs.

The North Island Trunk Railway.

Many people were of opinion, from the facility with which they got through this railway, that very little was required. He could assure them a great deal was required, and the task had been an exceedingly difficult one. But not only had the natives agreed to allow the railway to go through their land; they had even offered the land required for the railway as a free gift to the Government. The work of constructing the railway, so far as the natives were concerned, had gone on without a hitch. When the Government took office the natives were not at all disposed to bring their land into the Land Court, but they had since withdrawn from the position they had taken up towards Mr Bryce, and now they had the most hostile tribes going into the Land Court. Even the Taupo and Waikato natives—Tawhaio himself and his Prime Minister, Major Te Wheoro—had come into Court. But this had not been brought about without a great deal of work. When the Government took office the natives were sorely discontented; there was not a friendly feeling abroad among them towards the Government, but what was it to-day? Even on the West Coast Te Whiti did not show any inclination to disturb the peace of the colony (applause). When they took office they found an expenditure going on at the rate of £60,000 a year, to maintain 650 men to keep the natives in order. To-day the whole force was reduced to about 40 men stationed at Opunake; all the rest have been withdrawn, and the reign of the civil police has been established, and things are now going on much more quietly than before. They had abolished the military rule, and in its place they had set up the "one policeman policy," which he ventured to think had been much more successful (applause); They had saved there some £60,000 in abolishing the Armed Constabulary, and in establishing the reign of civil police. And here he might say that the colony was greatly indebted to one man who had carried out the administration of affairs on the West Coast—he referred to Inspector Pardy—for the great courage and discrimination he had shown, and the marvellous success that had attended his efforts in getting the natives under control. He believed that there would be no further difficulty. Mr Pardy was an able administrator, and his thanks and the thanks of the colony were due to him for the assistance he had rendered to him (Mr B) and to the colony, in the administration of affairs on this coast.

Defence Expenditure.

It was true that they had now an armed force, but it was necessary to maintain their harbour defences. That force cost the country about £48,000 a year. It was only the nucleus of a force, and it was absolutely necessary to continue that force for the particular work. The number of men in each battery was exceedingly small, and it would be impossible to reduce that force without leaving their fortifications unprotected, and without being put to large expenditure in organising a force in time of difficulty. They had abolished the A.C. force, and the system of keeping the natives in order at the point of the bayonet, and they had gone into this harbour defence and had created a new force, and it was for the country to say whether that force was absolutely necessary, or not In his opinion, and in the opinion of most competent judges, 350 men were not too many for the protection of the principal harbours of the colony. With regard to the Volunteers, there had been an expenditure of £25,000 per annum going on when he took office. He admitted that a very great increase had taken place in that

particular item, the expenditure now Volunteers being now about £44,000. But they had more than double their number, and they had brought them into a state of more efficient organisation than they were before. His impression was that at the time they took office the Volunteers were on the point of falling to pieces. There were only three or four thousand at the utmost in the four centres of the colony, the country districts were being neglected, and the Cadets were virtually abolished throughout the colony. Now they had 3000 Cadets, and good Volunteers, and the total cost of the force was £44,000 a year. The question now was whether they should take their part in the defence of the Empire by keeping up that force. In his opinion they were not paying too much as compared with other colonies, and they had a more efficient force, His intention was, as far as lay in his power, to uphold the volunteer force as it was now organised (cheers).

Land Acquisition Bill.

There was one other matter he would like to deal with. He had shown how settlement should be carried on, in his opinion; but there was another question of importance—what should they do with the large estates, especially in Canterbury and Otago, through which railways were running where there was no population at all, and which would not be cut up, unless they did something. One of two things must be done. Either the Crown must put a large progressive tax on these people, or we must allow people to hew out farms from some of these large estates, and pay a reasonable compensation for them. (Cheers.) Last session he introduced a bill for the purpose of acquiring land in these large estates by means of associations of 20 persons, who could go and take up apiece of land, have it valued, and the Government would advance three-fourths of the money, and the Association advance the remaining fourth. In that way they would become possessed of a reasonable portion of land. In consequence of the Want-of-Confidence motion he had not an opportunity of bringing in the bill, but he intended to bring it forward next session. It was a bill, he believed, should be passed. The question must be dealt with. It was unjust to the people of this colony that they should be enhancing the value of the properties of these people by public works, by the increase of population, and by the industries carried on throughout the colony, without the owners of these estates paying a reasonable amount in return. One single railway carried through a large property might mean placing in the pockets of the owner half a million, or even a million of money. Where did this value come from? It comes out of the pockets of the people of the colony, and they had a right to ask that the interest on that amount at any rate should be returned to them. That was the equity of the case, he could see no other side to it. Complaint was made that this Bill meant spoliation. If there was progressive taxation of sufficient amount he would not object to it; it was the object he wished to attain, and undoubtedly, it must be attained before many years (applause),

Wanganui Harbor Rating Bill.

On the question of the Harbour Bill Mr Ballance gave at length the history of last session's Bill, and quoted from Mr Bryce's speech to show his inconsistency in speaking against the Bill after he had agreed to withdraw all active opposition. With respect to the inclusion of Rangitikei Mr Ballance said he occupied an extraordinary position. He deprecated the introduction of Rangitikei, but was told that it was necessary to include Rangitikei and so do away with local opposition. He introduced the bill as it was prepared by the Harbour Board and it passed its second reading. Mr Bruce presented a petition from his own constituents against the bill, stating that they would never use the port of Wanganui, and that it was injustice to tax them for harbour improvements. He was between two fires; the member for Rangitikei said his constituents did not use the port of Wanganui, and the member for Waitotara said the Harbour Board was bankrupt and the expenditure in his opinion would not be productive of any result. That portion of the bill relating to Rangitikei was thrown out, and he could not carry on the bill without Rangitikei on account of a compact made between the Harbour Board and the large land holders. What puzzled him was this:—Why if the expenditure was to do no good, and the Board was bankrupt, should those opposed to the bill want to draw Rangitikei into the maelstrom? Why saddle Rangitikei with works that were valueless? He came to the conclusion, whether it was justifiable or not, that these gentlemen were opposed to the Bill, and that Rangitikei was put into the Bill to kill it. He believed that if Rangitikei was included in any bill, the bill would be lost, and they were on the horns of a dilemma. Were they to have the Bill with Rangitikei or without it? If without Rangitikei, the Bill would be killed, and with Rangitikei it would be killed to a dead certainty. He was willing to do the best he could; it was for the people here to settle the matter for themselves, and he did not know that he could say anything further upon it.

Old Soldiers' Claims.

He had something to say about the old soldiers' claims. He had been told that a number of old soldiers were dissatisfied with the smallness of the number of names in the Bill. He recognised the fact that omissions might

have been made, and in order that all claims might be sent in, he was holding the bill over till next session, The Commission had done its work very well, and an exhaustive enquiry had been held.

Governor's Salary, etc.

Mr Ormond brought down a proposal to reduce the Governor's salary and the honorarium to members, and he had no doubt the hon. member would like to have reduced Ministers' salaries too. On the question of Ministers' salaries Ministers could not say much themselves, but they left the matter to be dealt with by the House, satisfied with what they would do. He thought they were entitled to the salaries fixed by Act of Parliament 25 years ago, and he thought that when gentlemen drew the same salary when the population was 150,000, it was not unjust that the salary should remain when the population was 600,000. Ministers were content that the House should deal with the matter, and did not care what was done so long as the House dealt with it. With regard to the honorarium, the position he had taken up was this, that it was not an honorarium, but was a real payment to members, and must be looked on in that light. In Victoria and New South Wales they paid £300; in New Zealand they paid £210. Why did Mr Ormond want to reduce the honorarium? Because he did not want any man in that house who was not a man of property (cheers). When they had that class in the House they would make laws to suit themselves (cheers). If £300 a year was considered fair in New South Wales £210 was not too much for New Zealand, and this was the stand he had taken in the House and on the platform. It was to the interest of the colony for the conservation of its interests that they should pay members. If they were to have only wealthy men in Parliament the people would suffer from the character of the legislation. With regard to the Governor's salary and allowances, it would be a mean thing to interfere with what had been fixed for more than fifteen years, and the consequence would be that they would have to put up with inferior men, and they would lose caste as compared with other colonies. It would be an unwise thing to do, and he was not certain about the purity of the motive. It was, in his opinion, a cry to catch votes at the general election, and nothing else.

Conclusion.

In conclusion, Mr Ballance said—I have gone over a great deal of ground, but the occasion was an exceptional one. It was necessary I should say something of the policy and the work of the Government during three years. It was necessary, also, that I should say something with regard to the intentions of the Government for the future. As far as my own position is concerned, I have been a member for Wanganui for some years, and I shall esteem it the greatest favour and the greatest privilege to represent my own place, and it will depend upon yourselves whether I am returned or not. If I have the honour of being a member of the next Parliament, I hope that I shall be able to do my duty. I shall try to do it at any rate, and I shall try to go upon the same lines I have pursued since I became a member of Parliament. My opinions have not changed, they have developed. I have made some progress. I have not gone back, I am not afraid of expressing my opinions, and my opinions have not changed. I have not wavered in regard to them during the time I have been a member of Parliament. (Loud and continued applause.) I think it right to say this before I conclude: I am the first member, I believe, who has spoken since the prorogation of the House to his constituents, and I shall not be the last by a long way before another month is over (laughter.) The whole country has risen in arms with regard to the Ministerial policy, and gentlemen we are not afraid to have our views and policy fairly placed before the country. I would ask a fair hearing for both sides, and that the people should not be carried away by mere claptrap and abuse. Let the issues be fairly put before the country, and let us have a little more than that; let us have just an inkling of the policy of the other side. We should then know what they were going to do, if they get into power. If they have a policy at all, why should they be ashamed of placing before you those measures which they believe to be for the colony's good? Well, of course they will tell you that if they get into power, they will do everything for the good of the country and of the people; that their administration would be characterised by energy and vigour. We want to know what it is they are going to do for the country, supposing they are brought back to power. Suppose the country return a majority against us. They will not extinguish us nor our principles. As individuals, we will remain, and our principles will remain with us. I am perfectly indifferent, personally, as to what may be done at this election. I am certain that the principles we have enunciated, are those which should be passed into law for the good of the people of this colony, and I hope, in whatever position I shall be placed, I shall always be a staunch advocate of the principles I have placed before you. (Loud cheers.) Well, now, gentlemen, I hope, in conclusion, to be able to address you again before the election. I have calculated the time, and in about ten weeks I think the writs will be returnable; possibly it will be a little earlier. You are aware that the district of Wanganui will be greatly enlarged by the inclusion of Aramoho, Eastown, Castle Cliff, Westmere, Campbelltown, Putiki, and Durietown, I hope to have the pleasure of addressing some of these

communities in their centres before the election, when I shall be able to deal with other questions. I hope I have done justice to the subjects dealt with, and I am afraid that I have taken up too much of your time. I beg to thank you very heartily for the very patient hearing you have given me this evening. (Mr Ballance resumed his seat, amid much applause, after speaking exactly two hours.)

The Chairman intimated that Mr Ballance would answer any questions put to him.

Mr Armstrong, of Putiki, asked whether Mr Ballance did not think a smaller number of members would be able to carry on the work of legislation quite as well as the present number, to which Mr Ballance replied, as stated in his last address, that he was not in favour of a reduction of the number of members.

Mr G. Beaven proposed, in a few suitable remarks, That this meeting expresses its renewed confidence in Mr Ballance as member for the Wanganui district,

Mr J. Paul seconded in a happy manner, and alluded to the fact that Mr Ballance had been asked to contest larger and more important seats, but he had positively refused and said "No: I will stick to my old love."

Mr Barton, of Hawera, made a few remarks in support of the motion, which on being put was declared to be carried unanimously amid great enthusiasm.

At the request of Mr Paul, three hearty cheers were given for Mr Ballance and an additional cheer for Mrs Ballance.

Mr Ballance in reply said: Permit me to thank you very heartily indeed for the kind way in which you have responded to the proposal and for the honour you have done Mrs Ballance and myself, Mr Paul has referred to my returning to my first love. It would be most ungrateful on my part, if I were to be tempted away from my first love. I hope always to have the gratification and pleasure of returning to my first love, Wanganui. I hope, further, that my future conduct will be such as to merit the continued confidence of the people of Wanganui. The feeling that I have the confidence of the electors of Wanganui is the greatest reward—the greatest compensation I can receive for my services, (Cheers.) Let me propose that a hearty vote of thanks be accorded to the Mayor for his conduct in the chair this evening. The motion was carried by acclamation, and the meeting separated.

decorative feature

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Hard Times and Long Credit.

A Short Treatise

On the Present Condition of Trade

And the Baneful Influence of the Credit System.

BY DANIEL CHAMIER.

Waipawa: Printed at the Mail Office, Ruataniwha Road. 1887

Hard Times & Long Credit

When Fortune Smiles.

WHEN a country or a colony is commercially prosperous; that is to say, when men who are engaged in business pursuits have no difficulty in passing large quantities of orders through their hands, or otherwise transacting business and reaping fair profits, credit is strengthened, and each one is willing and even anxious to pass entries on the most liberal terms. Traders of good business ability enter cheerfully into liabilities because the brisk flow of profits into their hands justifies them in the belief that they can shake them off when they fall due. Farmers borrow money on security of their freeholds, because they find that land carefully improved is capable of yielding twice or even perhaps thrice as much interest as that which is the current rate on borrowed money. Banks seek for an outlet for their surplus capital by giving accommodation to those who appear to be safe customers. And capital is generally in such free and lively circulation that the world rolls merrily along, and properties rise in value, and towns and villages spring up, and progress and prosperity reigns on all sides.

Good Times Intersperse with Bad.

Were this state of things always to be depended upon to last perpetually, there would be no need for this paper; no necessity for reform. But unfortunately, times of prosperity are interspersed with those of depression; good times and bad follow each other in cycles; and the brief periods of commercial activity are too often chased away by the more lasting ones of stagnation and trouble, just as the sunlight flits across the meadow and

is followed by the gloom that the threatening thundercloud casts upon the once brilliant scene. And it is in these times of depression that men begin to ponder over the past; consider the present; and try and catch a glimpse of the future;

Depression Now Reigns.

For years past, the colony of New Zealand has been plunged in a depression both wide-spread and deep. Scarcely any single class has been quite free from its influence; whilst by far the majority have joined in one loud and long complaint against it. "Business is going to the dogs," says one; "Things are overdone in New Zealand" mutters another, whilst all agree that the openings and opportunities that used to exist in business circles are now no more.

And so thoughtful men have set themselves to the task of ascertaining the cause of all the trouble; whilst even those who are not deep thinkers try and find out for themselves some more or less likely reason and remedy for the state of affairs that things have fallen into.

The Same Complaint Everywhere.

It so happens that whilst we, in New Zealand are complaining, nearly all the other nations and colonies admit that they are in just the same condition of depression, so that our small voice, though raised to its highest pitch, is more like the echo of a universal dirge than an individual sound, having a cause and an object of its own. The bi-metallists are forcing their noble and self-evident theory before the public, with a view to shewing the fallacy of demonetising silver and the general relief which would be sustained by all kinds of traders if that metal were once more recognised as a legal tender. And the "over-competitionist" and "over-productionist" wailers sing their mournful song—in spite of all the proofs that have been brought forward to shew the falsity of those pleas,—and say that too much competition is at the bottom of all the mischief, and too many manufactories are flooding the market and swamping the normal condition of trade.

What is the True Cause.

Now, the general reading public, snatch at these tempting theories, perhaps rightly, perhaps wrongly, like drowning men at straws, and agitate on the strength of them with fierceness and determination. But so far, they have not succeeded in extricating themselves from the sea of trouble which threatens to submerge them, and indeed have rather dragged down the straws than raised themselves to the surface.

While we may admit that it is necessary for some persons to enquire into such questions as bimetallism Ac., still I feel sure that there is a cause a terrible and rapidly increasing cause, that is quite as much to blame for all the troubles and miseries of depression as the present false and artificial relations of gold to silver, although the adjustment of values in the latter respect may be a necessary reform at an early date. I refer to the system of giving long credit; the system that encourages men to put off the "evil day" to the utmost possible extent in their power; and I believe it can be shewn that to that long credit system is due a large proportion of the unsound financial position of many traders; the poverty and distress of the workers; the miserable condition of perpetual indebtedness which so many find themselves in;—in a word the depression of the day. My readers will understand that I quite recognise the necessity of adjusting the currency and of bringing about many other reforms; but I bring this question of long-credit prominently to the front and place upon it the utmost importance, because it affects the personal interests and transactions of every man and woman, and reforms, to be effectual and lasting, must begin at home.

The Way to Effect Reform.

It is quite clear that to bring about a reform of a really universal (as far as concerns this colony) nature, legislation must be the weapon upon which we must rely. Without it, there can be no hope of the pernicious system of long credit being done away with. A few determined individuals might combine and refuse to do business except on cash principles, but they would soon find out that that was paramount to closing their establishments altogether as the credit giving firms would soon secure all the trade. And even if a widely organised association were formed, similar to those which the fire insurance associations combine themselves into, there would always be Outsiders, men who would decline to be bound down to any rules whatever, no matter how fair or necessary, and these outsiders would soon be the cause of the combinations being broken up. Neither is it of the slightest use preaching to the people, who would only consider it a gross piece of presumption if their private affairs were made the subject of what they might rightly call an unwarranted attack.

Legislation, and nothing else, will abolish the practise of giving long credit; and to that we must turn our

attention. The present Statute of Limitations renders it possible for credit to be allowed for periods not exceeding six years. This length of time must be reduced. This and this alone will effect a reform.

Some Objections to my Scheme.

Now, I am aware that at first sight it will occur to many who are really sound traders or who may be business men, and who always pay their debts honorably even if a little late in the day, that a reduction in time as to the Statute of Limitations would be inconvenient to them, and would fall upon them hardly, and without provocation. And I am ready to admit that for the first few months, or perhaps even for a moderate length of time, it would cause a little scraping together of cash or debts if it were necessary to pay off all liabilities at a short notice.

The Advantages Preponderate.

But, the amendments which I propose and which I trust public opinion will soon agree are necessary to be made in the present law—these need only be brought on gradually, and persons would therefore be able to prepare for the new state of things by degrees. Once raise the condition of general business to that of short credit, and every one would be placed on an equal footing, and the new system would not be a bit more oppressive than the present one.

Figures to Prove Facts.

Let us see what are the advantages of paying cash for everything one consumes, or buys for sale again.

Interest is saved. This is an item that seldom figures in the calculations of the average man in a small business. Strange as it may seem to say so, yet it is true that fully one half of the small traders do not take into consideration the annual value of the money that is locked up in their concerns. They pay interest for every bit of the accommodation which they receive either from the merchant, or from the bank, yet they are willing to give unlimited credit to their own customers and charge nothing for that accommodation whatever. Perhaps the following may be taken as a fair sample of a country storekeeper's transactions, on the scale of £100:—He will buy £100 worth of goods from a merchant. Three months credit are allowed and he gives a bill payable at the end of that time for £100, together with the bank rate of discount, say 9 per cent. In marking the goods for sale, he uses the invoice which came with them, and adds his profits to the prices stated in it. For the sake of convenience, we will suppose that the average profit on all the goods amounts to 20 per cent. Then our typical friend will argue thus:—I paid £100 for the goods, and since I sell them at an advance of 20 per cent, my profit is £20, which is very fair. And as I turn over £2000 worth of stock every year, therefore my income is £400. But let me state this gentleman's affairs for him, and then we will see if there is anything in the short-credit system which I want to see introduced in the colony of New Zealand:—

Statement of account 'with reference to business of A.B., a country storekeeper, per £100 of turn-over.

So that, instead of our friend making an actual profit of £20 on his outlay of £100, under the circumstances above slated he really loses £2, and this without making the slightest allowance for such charges as rent for buildings, salaries, his own time, and such smaller items as freight, an occasional bankruptcy, deterioration of stock through becoming out of fashion or going bad &c &c. It may be said that 12 months is a long time to allow for accounts to be paid in, but I doubt whether it is longer than many, or perhaps 'most business men have to give. Neither do I think that 10 per cent is too much to allow for money not collectable. No doubt in some businesses the profits will exceed 20 per cent, but the figures given above will none the less show the difference which interest on capital really makes to the concern. Now, if the Statute of Limitations were reduced to 6 months, business men would see that their money was coming in pretty well at the end of the first quarter, and no debt would, excepting in exceptional cases, be allowed to run for longer than six months at the most. The majority of purchases too, would be paid for in cash, and thus the allowance for bad debts would be largely reduced, in fact it would hardly be necessary to make any allowance at all. Let us examine A. B's business under a cash system, and see what his profits are under those more favorable conditions:—

These figures may be taken as sufficiently accurate to show the difference that the item of "interest" makes in the business of the world. And it must be added that this item can never be eliminated, for whether the trader works on his own or on borrowed money, that money is still worthy of its hire, just as much as the laborer who does his eight hours work every day.

Further Advantages.

There would be fewer bankruptcies. Most people have noticed a very common trait in human character

which urges a man to purchase articles more freely when he is promised that long credit shall be given. Who has not been induced to buy something that either he does not want or cannot afford; and how many of us have never consented to purchase some article that could very well have been done without, simply because of an irresistible promise that there would be "no hurry for the money, you know?" Am I right in contending that the credit system is entirely to blame for such purchases being made? Is it not true that the thought that the money need not be forthcoming for weeks or months, induces numbers of people to enter into liabilities far beyond their means? to say "yes" when they should have said "no?"

I know that the experience of all my readers will prompt them to admit that if every purchase that is made under the sun were paid for in cash, or at any rate entered into with the knowledge that payment must be forthcoming within a short lapse of time men and women would stop to consider whether their means would permit of such an indulgence; with the result that a very large number of purchases would not be made. It may be argued that this would be a bad thing for the tradesman or merchant who would otherwise have sold these goods; and I can already fancy that these outspoken ideas will be resented in business quarters, since they have a tendency to promote caution and restrict reckless expenditure. But what benefit is there in selling goods if they are never to be paid for? Would the sound trader rather sell indiscriminately to all and every of those who condescend to take his stuff, and run a risk of a hundred to one of them never being paid? Or would he rather pass fewer entries, sell to fewer customers, and be sure of collecting certain money and reaping certain profits? The latter, assuredly, and it is the latter course that I am advocating, and which forms the heart and soul of this paper. So we are friends after all; and it is to be hoped that I shall not be again misunderstood. And it is only logical to conclude that if more caution and discrimination were exercised in the purchase of articles by the general public; and if the exercise of those faculties led men and women to habits of thrift; then everyone would learn to live within his means, and there would be no bankruptcies. Putting aside the expense that the country is put to over the official management of bankrupt estates; or if not the country, at any rate the creditors in those estates, the business world would be raised into a condition of soundness that it is at present difficult to imagine.

Condition of Commerce to-day.

Hard times, intensified a hundredfold by the pernicious system of giving long credit, if not caused by it, have plunged the business man of to-day into such a wrecking sea of unsoundness and financial demoralisation, that it almost sounds visionary to talk of a time when there shall be no more bankruptcies, and when every man will, when making purchase, leave an equal value in the shape of coin of the realm, on the counter. "The millennium will first approach." I fancy I hear a reader exclaim, and I do not deny that it may; but I only take leave to maintain that the state of things that I depict could be brought into existence at any time if the determination were only present in men to work for the reform.

The Wrong Culprit is Blamed.

Daily we see knots of idlers talking in the streets and laying the blame of all their want of work and troubles to the wealthier classes; daily we hear of reformers who have small minds and those filled to bursting with one idea, i.e., that of making all land common property; daily we meet with honest and steady workers, quite the reverse of the above, whose untiring labors fail contemptibly to win for them and their families the most meagre rest or comfort. And while they blame first this and then that, as being the cause of all the hardships of bad times and all the miseries of depression, they are blind to the baneful system of giving long credit, which, though one of the real culprits, goes free and flourishes, in ever-increasing maturity. Yes; the present laws between creditor and debtor are so flimsy and unchangeable, that it is perfectly astonishing how rational men can have let them be so for so long!

A Fundamental Question Answered.

Why should credit be given? Why does the purchaser of goods require time to pay for them in? It will be said—because he himself has engagements to meet, and a reasonable breathing time is only fair. True; but supposing those who are in his debt pay him in cash also. Then would it not be as easy for him to pay ready money as to pay many months afterwards? Certainly it would, and it is a general system of cash transactions that I am advocating. As a matter of fact, if every one were to pay on delivery of the goods purchased, there would be no harder struggles to meet liabilities than there are at the present time.

A Better Class of Traders the Result.

A better class of traders would spring into existence;—The limitation of the credit system would have a disastrous effect on those business people who occupy a position in the commercial world on false pretences. I refer to unsound traders. These are the gentlemen who give credit indiscriminately, because if they are never paid at all it is their creditors and not themselves that are effected. They have succeeded in forcing themselves into the positions which they occupy under nothing less than false pretences. Confiding merchants, whose offices are hundreds of miles away, supply them with goods, believing that their obligations will be duly met. Armed with stocks so cheaply obtained the mushroom trader immediately hangs out his sign as a vendor of cheap goods, which he assures the public are to be obtained fifty per cent under market quotations. He also confides to the community that his stay in their midst will be short, and advises them to take advantage of it while they may. Of course we all know that the gentleman will stay on just so long as he is able to sell goods, and that one reason he can undersell the legitimate shop-keepers is that he does not intend to pay for his goods, or at most, he will only pay so much in the pound. In fact it is just a repetition of the old story of the two street vendors of brooms. One boasted that he sold cheap, and admitted that he stole the sticks as well as the heads, and then put them together; whereas the other stole them ready made. The mushroom trader steals his wares from the merchants readymade, and then proceeds to dispose of them as quickly as possible. No reasonable offers are refused, according to his own admission, and it comes to this that the ready money raised in this way serves to stave off the more pressing demands of dissatisfied creditors, and it is in reality the money of other creditors that is thus made use of.

A Nice Distinction.

My readers must not confuse the this sort of trading with dishonesty. The distinction may be a nice one, but still it exists, and anyone who will study the transactions of business of this era will gradually find out that fraud is quite a different thing to smart financial manipulation. And to assist him in his task I may as well add that it is a fraud of the most culpable kind if a man suffers from repeated misfortunes and eventually finds a load of debt forcing him downwards and removing further and further the goal of freedom which he has for long struggled to attain. But it is fair trading of the most honorable nature for an individual of good address to plunge into a sea of speculations which no sound man would touch, to reassure doubting minds by a lofty eloquence that it will all come right in the end, and to avert a crash as long as possible, until at last the huge column of smart financial manipulations grows too formidable for itself and destroying its own equilibrium, topples over and falls with all the majesty of a great convulsion. I repeat that the distinction is extremely nice, though an expert can draw it after long practice.

They would Maintain Fair Prices.

And not only would a better class of traders compete with each other, if the long credit system were abolished, but goods would maintain fair prices. This is of course only comparatively speaking, for it is easy to see that shopkeepers could sell goods cheaper, if paid for them in cash, owing to the value of the interest on their money thus saved. But there would be no shoddy traders, and consequently articles of commerce would be sold only at those prices at which traders could realise legitimate profits for themselves. Business men would be cheered by brighter prospects, and at least one circle of the community would thank the legislature for abolishing the baneful system of giving long credits. No tradesman can hope to sell articles at one price, when an opposition store is offering the same goods at ten per cent less money. What is the result? Simply that all prices are cut down absolutely to that level below which it is impossible to do more than cover expenses and scrape a bare margin to allow for losses. If the losses are heavy, then the tradesman's profits are nil. If he is fortunate in collecting all or nearly all his money, then he makes a small profit. So precarious a means of livelihood is driving good men out of business and the merest up-starts are taking their places, much to the discomfort of the purchasing community.

No More "Extraordinary" Bankruptcies.

And this brings me to another most extraordinary feature of business life of the present day, which would at once be abolished if the long credit system were done away with. I refer to bankruptcies in which the assets are figured as being greater than the liabilities. To the uninitiated, it is difficult to account for the phenomenon of a man declaring his inability to meet his engagements when his means are greater than his debts. It is like saying "a munificent providence has endowed me with more than I require, yet I cannot pay your dues." Why can he not pay? Because owing to the wretched system which prevails, he cannot call in his outstanding assets, and consequently has to fall, whereas he should be in a position to pay 20s in the pound at any moment if long credits were abolished, and man paid man as liability became due.

The Effects of Limited Credit.

What would be the effects of a limitation of credits on individuals? How would a short credit system suit the majority of people of the present day? I take it that it would raise them to a position far more safe, far more sound, than that in which they now stand. It is impossible to get over this fact, viz., that if a debt is to be liquidated at all, the sooner it is paid the better. The exchange or capital value of money is closely bound up with its value in use, or daily circulation. Every moment it lies idle something is lost: the original debt is in reality increased. It may be said that the majority of people would be the gainers by not paying promptly, as they would gain the interest on their money. But what if they are creditors themselves? It must be admitted that in most cases individuals have assets as well as liabilities, so that they are not really gainers, as the amount lost on the overdue assets balances the interest gained by not paying for interest, and as private individuals are equally careless as to the daily value of money, it follows that this amount is practically discarded, and is to all intents lost to the community. Surely the times are hard enough without adding to their sting by doing away with an appreciable item of value, in the shape of the interest on money?

The Question of Monopoly.

There is another effect which the contraction of credit would have upon the commercial world and even the general public, indirectly. It would, for a time at any rate, foster monopolies. If the law between debtor and creditor were so altered as to make it impossible for debts to be recovered after a very short space of time, merchants would be extremely cautious as to whom they dealt with. In fact no transactions would take place at all, excepting with men of known integrity and means. In one sweep, then, half of those who have hitherto been doing business in a small way would be forced out of trade altogether. Now, it is as well to look at the question from all points of view, and I willingly admit that, for a time, those who found themselves able to stem the tide and still continue trading, would not fail to take advantage of the great absence of competition which the abolition of the unsound traders would bring about. The consequence would be a general rise in prices, and the public would suffer. But for how long? Until things found their level. For a brief period a few shillings or a few pounds would have been extracted from the pockets of the purchasing community, but the great equaliser, competition, would not suffer that passing moment of respite to live for long. Capital always has been and always will be seeking investment; its nature is so peculiar and unresting; so active, so searching, that idleness is to it a slow death, and to live it must be always employed. Men holding capital will see an opening for it in that very trade which they consider unsound and over-competes at the present time, and the internal strife between the traders will soon bring about a fall in prices, until the state of things, so far as the purchasing public are concerned, is just the same as it is at present. There will be only this difference:—That whereas a merchant can sell an article for a pound to-day, and has to wait six months for his money, making a nett profit perhaps of 2s; he will then be able to dispose of the same article for several shillings less, and still make his 2s. In a word, merchant, storekeeper and purchaser, will all be the better for the shortening of credit.

The Only Real Cash Traders.

Did it ever occur to the reader that publicans seldom seem to be suffering from bad times? Just steal into the bar and peep into their well-filled tills; ask them what their credit balances are at the banks, and see if they do not average up hundreds per cent greater than those of traders in goods; look at their traps and race-horses; their gaily dressed ladies; their robuscund countenances and rounded persons. Do these smack of hard times? The answer may and probably will be,—“Oh! but see what *profits* publicans make on the liquor they sell!”—and the answer is *wrong*. That is *not* the whole secret, or even the greater part of the secret of the success of the liquor-selling class of traders. The great advantage which they have over the ordinary tradesman is that they *sell for cash*. There is no long credit for them, and there are no hard times; and it might safely be said that the absence of the former is very much the cause of the absence of the latter.

Hard Times Don't Affect Publicans.

Let the argument be logically extended, and it will be seen that hard times ought to press just as heavily upon one class of traders as on another. Liquor is taxed, and very heavily too; houses in good positions are not to be had without high rents being paid for them and in every respect the traders in liquor are similarly placed as their fellow-traders in any other article of commerce. And yet, as we have said, the publicans are most certainly a more prosperous class of traders, and feel times of depression less than any others.

The Cash System Saves Them.

There can be no denying the fact that were the retailers of liquor to submit to a credit business being carried on, their profits would be docked to a degree just equal to that which all other retail tradesmen have to put up with. Competition is so keen and searching that no single trade can possibly remain for very long a more profitable one than any other. No sooner is it known that A's business is carried on with more success than B's than a dozen others force their way into the scramble, and a civil war ensues amongst the traders which ends favorably, perhaps to the purchasing public, but most disastrously to themselves, and still more so to the unfortunate creditors who of course suffer in the long run. No competition would prevent publicans from perpetuating their successful cash system, *unless some outside influence* militated in their favor. Is there any such influence which props up the liquor trade? which pampers the very branch of commerce which sober men strive daily to stamp out and destroy? Yes! there is an influence, a powerful and irresistible influence; the law of the country actually protects the liquor trade, whilst it turns a deaf ear to those who are struggling in all the turmoil and strife of legitimate business!

The Law Protects them.

Debts incurred for liquor are not recoverable in courts of law, consequently publicans are paid in cash. I want to see the same favorable legislation extended towards trading of all kinds, and the result will be something similar to that which we notice in the liquor trade. It is undoubtedly a matter for congratulation that the law does not sanction credit in regard to the retail sale of liquor. If a man addicted to drink could get drunk "on tick" there would simply be no limits to indulgence.

And even if the publicans tried to maintain the cash system, does the reader believe they would succeed? One man might announce his intention to sell for cash only; but the opposition house would give credit, especially if the proprietor had been started in business with somebody else's capital. It would not be long before all engaged in the liquor traffic would be on precisely the same footing as those in other trades; customers would walk up to the bar, take refreshment, have it debited against them and be expected to pay for it at the end of the quarter; the publicans would sit down in something like the despair that many and many a trader has done and will continue to do. The accounts will be fired at the thick hides of the moneyless customers, but no cash will pour in to fill the growing vacuum in the cash-box.

Oh! Credit! Credit!

If people would only reason with themselves they would say "What fools we are! "We flatter ourselves we are knowing traders and smart men of business, and we cry out against the hard times. But we blind ourselves to the very factors of those hard times; we permit abuses and monopolies to exist, and to be perpetuated by the sanction of the State; and though, by the removal of a small and unpretentious evil—the six years Statute of Limitations—we could hurl the terrible structure of hard times to the ground, we refuse to better ourselves and go on day by day in the same old groove of long credits, bankruptcies, social sufferings and debt, until the financial condition of society will soon be rotten and disgraceful!"

Accommodation Bills.

There is another kind of credit which is just as pernicious as, or even more so than what is considered the legitimate credit in trade. I refer to the use of Accommodation Bills. It may be that no one will plead guilty to having created this kind of credit, but we all know that hundreds of traders find temporary shelter from the storm of trouble in the haven which the Accommodation Bill provides. Herbert Spencer calls the manufacturer of an Accommodation Bill a forger, and indeed, when his action is examined it is impossible to shield him from that accusation. Practically, an Accommodation Bill is a forgery. It is an error to suppose that forgery is limited to the production of documents that are *physically* false—that contain signatures or other symbols which are not what they appear to be; forgery, properly understood, equally includes the production of documents that are *morally* false. "What constitutes the crime committed in forging a banknote? Not the mere mechanical imitation. This is but a means to the end; and taken alone, is no crime at all. The crime consists in deluding others into the acceptance of what seems to be a representative of so much money, but which actually represents nothing. It matters not whether the delusion is effected by copying the forms of the letters and figures, as in a forged bank note, or by copying the form of expression, as in an Accommodation Bill. In either case a semblance of value is given to that which actually has no value; and it is in giving false appearance of value that crime consists. When A and B agree, the one to draw, and the other to accept a bill of £1,000, for

"value received;" while in truth there has been no sale of goods between them, or no value received; the transaction is not simply an embodied lie, but it becomes a living and active lie. Whoever discounts the bill does so in the belief that B, having become possessed of £1000 worth of goods, will, when the bill falls due, have either the £1000 worth of goods, or some equivalent with which to meet it. Did he know that there were no such goods in the hands of either A or B, and no other property available for liquidating the bill; he would not discount it—he would not lend money to a man of straw without security.

Their Baneful Influence on Trade.

Herbert Spencer's remarks as to the tendency of artificially obtained credit to lower prices and ruin legitimate traders are so trite and so pertinent to the subject of this paper that I cannot refrain from appending them:—"Forgers of credit are habitually instrumental in lowering prices below their natural level. To meet emergencies, they are obliged, every now and then, to sell goods at a loss; the alternative being immediate stoppage. Though with each concern this is but an occasional occurrence, yet, taking the whole number of them connected with any business, it results that there are at all times some who are making sacrifices—at all times some who are unnaturally depressing the market. In short, the capital fraudulently obtained from some traders, is, in part, dissipated in rendering the business of other traders deficiently remunerative; often to their serious embarrassment."

Only a Matter of Degree.

The penetrating mind of this same writer is led to the conclusion that all those who make use of credit, even to the smallest degree, must be included in the list of transgressors against nature's laws, proportionately of course as they sin—"If however, the whole truth must be said, the condemnation visited on these commercial vampires is not to be wholly confined to them; but is in some degree deserved by a much more numerous class. Between the penniless schemer, who obtains the use of capital by false pretences and the upright trader who never contracts liabilities greater than his estate will liquidate, there lie all gradations. From businesses carried on entirely with other people's capital obtained by forgery, we pass on to businesses in which there is a real capital of one-tenth, and a credit capital of nine-tenths; to other businesses in which the ratio of real to fictitious capital is somewhat greater; and so on, until we reach the very-extensive class of men who trade but a little beyond their means. By insensible steps we advance from the one extreme to the other; and these most pardonable transgressors cannot be wholly absolved from the criminality which so clearly attaches to the rest.

The Real aim of Credit Seekers.

"To get more credit than would be given were the state of the business fully known, is in all cases the aim; and the cases in which this credit is partially unwarranted, differ only in degree from those in which it is wholly unwarranted. As most are beginning to see, the prevalence of this system has not a little to do with our commercial disasters. Speaking broadly, the tendency is for every trader to hypothecate the capital of other traders, as well as his own. And when A has borrowed on the strength of B's credit; B on the strength of C's; and C, on the strength of A's—when, throughout the trading world, each has made arrangements which he can meet only by direct or indirect aid—when everybody is wanting help from some one else, to save him from falling; a crash is certain. The punishment of a general unconscientiousness may be postponed but it is sure to come eventually."

The Law must be Altered.

To bring these remarks to a conclusion, I may repeat what has been before alluded to, viz., that unless the law of the land is so altered as to assist the community in doing away with the credit system, it is vain to hope that any improvement will be brought about. To live in the commercial world and withstand the most ordinary competition, it is imperative for each man to adapt himself to the customs of the majority. No simple trader, or even a band of traders, could possibly limit the term of credit. The cooperation of all the trading fraternity must be invoked or the project must fall to the ground.

And how can unanimous action be relied upon? Only by legislation. If the limit of credit between debtor and creditor be reduced to six months, instead of being allowed to stand at as many years, then settlements would be made promptly, and hundreds and hundreds of people would be saved from that dangerous practice of purchasing articles with the intention of not paying for them until some indistinct date in the far off future.

Conclusion.

It cannot be expected that a single pen, unaided, is powerful enough to effect so great a reform as the one which constitutes the subject of this paper. But all reforms have small beginnings, and I have faith enough to believe that these remarks will set a certain circle of readers thinking, with the result that perhaps a first step in the desired direction will soon be taken.

Let commercial men consider the question in this way:—It is only a question of degree; accounts may be paid for either at once or not at all. These are the widest extremes that it is possible to imagine. I maintain that it is better to liquidate them at the moment they are incurred than to allow them to run on and increase and become so old and forgotten that they stand a chance of never being paid at all. This is the text of my address. I invite the serious attention of men who occupy public positions in the colony to it, feeling sure that a reform of some kind is urgently needed, and that this is the best and simplest way of bringing it about.

decorative feature

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The East Coast Settlement Bill 1880.

By *W. L. Rees*,

Napier.

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The East Coast Settlement Bill 1880.

A Bill, having the above title, will be introduced into the House of Representatives when Parliament meets in May. It is a private Bill, dealing with very large private interests; but it will also affect very greatly the public well-being of the whole colony. I therefore venture to explain its meaning. I do so for the purpose of soliciting public scrutiny; and, I hope, for an expression of public opinion upon the merits of a scheme, which if carried out, will mark the point of a new departure in the question of dealing with Native Lands.

Between the Wairoa River and the East Cape, upon the East Coast of the North Island of New Zealand, lies a district of great fertility, possessing natural advantages, not exceeded in any part of the colony. The soil is rich and well watered, the climate genial, the means of access convenient. Along the course of the sea frontage of this region are at least three excellent natural harbours, at Mahia, Gisborne, and Tologa Bay. There, also, four or five large rivers find their outlet, to the sea. In that wide area forming parts of Cook and Wairoa Counties, and comprising nearly two millions of acres of land, there are at present only some four or five thousand Europeans residing; nor until some change in the tenure of land takes place, is it probable that this number will be largely increased. This is not owing to natural circumstances, nor, as I have said, to a sterile soil. It is due to the complicated condition of landed tenure. The portion of the North Island contained within the limits above-mentioned is rich enough to support the whole present population of the colony. Perhaps one hundred and fifty thousand are owned by Europeans in fee simple. The title to portions of this land, however, is disputed by the Natives, or is so intermixed with land still belonging to them, owing to want of subdivision, that it is comparatively valueless. Perhaps five hundred thousand acres are owned by the Government in different blocks, but those lands are at the present for the most part useless, as roads and bridges are required to render them available for profitable human settlement. The remainder, upwards of thirteen hundred thousand acres, is Maori land, of which the greater part has passed the Native Lands Court under some act of the Assembly, and is now held by the Natives, not under their old tribal and hereditary custom, but from the Crown. That which is yet really Native land, and held as such, can easily be made to undergo the same process and thus become accessible for settlement. This one million three hundred thousand acres of New Zealand soil, in every way fit to support and enrich a numerous population, is now almost entirely a barren waste. It can, however, be settled without the expenditure of any public money, the bestowal of any public favor, or the granting of any monopoly.

Before explaining the plan of the proposed measure, it is necessary to shew the difficulties which now oppose the progress and development of the East Coast. Lands held by the Natives in that district under the Crown, are generally owned in large blocks and by very numerous bodies of proprietors. It is not unusual to find two, or even three hundred names in a title to a single estate. As a matter of course, among these are many married women and children. It is impossible that lands so held can be cut up for ordinary settlement, or small holdings. Even the preliminary step of surveying for sub-division would always be opposed by some of the Native owners; but if the lands were once "cut up" (which, however, is beyond possibility), then the expense

and trouble of obtaining so many signatures from all parts of the country, and going through the long and expensive but necessary forms incidental to Native deeds, would amount to more than small pieces of the land were actually worth.

Moreover, very extensive areas of these lands are inalienable by reason of the provisions of the "Native Lands Act 1867," under which Act they passed through the Native Lands Court. They cannot be sold; they cannot be mortgaged; they cannot be leased for more than twenty-one years; neither can they be sub-divided until the expiration of any existing lease. Between Gisborne and Tologa Bay, a distance of more than thirty miles, nearly all the lands are in this position.

Through the whole district the individual blocks are, as a rule, very large. They run from one thousand to sixty thousand acres. Throughout this territory of such great extent, and inferior to no part of the Australasian Colonies, in those qualities and capabilities which attract the favorable notice of men, all growth is stayed, and all progress is paralysed. It is practically impossible to get a title to the land; and without some certainty of tenure, men will neither bestow their capital nor their labor upon the soil.

Titles are and must be imperfect, for—

- All the owners, as a rule, will not join in any one deed.
- In the ranks of the proprietors are generally to be found married women and children.
- It is impossible to cut up and sub-divide the blocks for settlement, and they are too large for individual holdings.
- Great areas of these lands cannot be sold either in the whole or in part, and these comprise some of the most valuable lands near Gisborne.

Before the East Coast can advance, such obstacles to progress must be removed. They are insurmountable.

The question at once arises—Is it possible to remove the obstacles and so throw open these lands for bona fide settlement on advantageous terms, without coercing the Native owners, and without casting upon them or the European settlers a pecuniary loss?

It is possible to do this, and also to do much more.

"The East Coast Settlement Bill," if it becomes law, will enable all Native owners of land in the district, including infants and married women, to sign for each block a deed of trust, vesting in trustees, chosen by the Native owners themselves, the whole property in the land conveyed. These trustees will be aided by a Committee, also chosen by the Maori owners of the lands to be affected; and these trustees and committees, like the directors and managers of a Joint Stock Company, will have full power, but subject to strict supervision and control, to deal with the subject matter of their trust: to cut up, to lease, to sell, to part, and to divide the lands.

It may be said—Some of the Natives will not agree to do this. What of them? The answer is not difficult—Let the shares of such Natives be set apart in the Native Land Court, and their own land given to them, under the existing laws which provide for the partition of Native lands, and still subject to present restrictions. But this, though a possible, is not a probable contingency. Generally the Native tribes, from Wairoa to Waipatu, have already consented to the plan, herein set forth, and it is at their request that the proposed Bill is being introduced. By the Bill it is proposed that committees shall have power to determine what share each hapu, each family, and if necessary each individual possesses in the common property.

Thus nearly all the difficulties would disappear, and the land could be "cut up," leased, sold, and conveyed as easily, and as cheaply as an estate held by any member of the community, under an ordinary Grant from the Crown. There still remain, however, the lands to the north-east of Gisborne, which the Act of 1867 will not permit to be sold. The Bill gives power to place such lands under trust also, and removes from them a restriction which now prevents their being dealt with.

The Native owners of these blocks, to a large extent, have consented to assign their lands to Trustees, and in truth have already in great part signed the necessary deeds. The Europeans who hold leases in this particular district (and under these restrictions,) are three in number. One holds in lease twenty-four thousand acres in Kaiti and Pouawa, another twenty-one thousand acres in Whangara, the third twenty-eight thousand acres in Paremata and Mangaheia, in all seventy-three thousand acres, running in a straight line from the post-office, in Gisborne, for thirty-five miles to the north-east. Two of these have already agreed to terms for the surrender of their leases to the trustees; the third is willing to do so if Parliament gives the trustees the necessary powers. I have before said that these lands under restrictions as to sale, are among the most valuable upon the East Coast. On the south-west, when extended, they touch the town of Gisborne. Upon Kaiti, a part of Gisborne must be built, and upon the shore of that block also a breakwater will be erected. On the north-east Paremata and Mangaheia surround Tologa Bay and the Government township of Uawa. At the present, time only a few shepherds and a few sheep occupy this tract of country.

It is certain that there are now in the colony very large numbers of persons who are willing and able to take up good land on deferred payments, wherever that land may be. Many classes of the community are concerned

in this desire. Both in the North and South there are young and active men, the sons of settlers, who, unable to procure land in the immediate vicinity of their homes, would gladly secure freeholds for themselves elsewhere. In every town and district there are not a few to whom the obtaining a piece of good land on which to settle and work out a livelihood would be a boon. Working men's clubs, too, in every centre of population, would gladly co-operate to secure for many of their members such pieces of land. Hundreds of families already in the colony, who ought in justice to be considered, can, and will avail themselves of the advantages which this proposed measure will enable the Maori trustees to offer. I have received reliable information from Belfast, which tells me that if these lands are thrown open as the promoters of this Bill desire they should be, hundreds of farmers from the North of Ireland, men of good character, of great energy, and of substantial means are willing to emigrate and make homes upon the Maori lands of the East Coast. I am also informed that a similar desire has been expressed by many of the same class around Edinburgh and Glasgow, while I hear of repeated enquiries from farmers in Lincolnshire, Gloucestershire, Somerset, and Devon.

The subject matter of the Bill may be viewed in two aspects; one as it affects the Maoris, and the other as it may affect Europeans who wish to avail themselves of the facilities offered for the acquisition of Native lands.

As affecting the Maori owners, the trustees will have—

- to select such lands in each block as may be necessary and convenient for the dwelling places and cultivations of the different hapus and families interested in the particular property.
- to make such reserves as may be deemed advisable for schools and charitable or other like purposes; for roads, for townships, and for recreation and pleasure; and
- to divide the nett proceeds arising from each block in the fairest and justest manner possible, subject to the general charges arising from costs of schools, hostelrys, building and repair of houses, fencing, etc., etc.

As affecting Europeans, the objects to be accomplished are—

- To cut up the lands for lease and sale in suitable areas and positions.
- To offer these lands for sale or lease upon such terms as to classification, price, times of payment, amount of interest or rent, and otherwise, upon such conditions as may attract settlers by their liberal nature, and yet yield a reasonable revenue to the native proprietors and vendors. It is easy to perceive that the trustees will be able to offer the land on very easy and liberal terms.
- To devote a reasonable and proper portion of the returns from the lands to the prosecution of useful works—*i.e.* harbours, roads, and bridges. This Bill provides for works of this kind to be constructed.
- To choose suitable sites for special settlements for farmers and others from the colony and from the United Kingdom.

These, briefly, are the leading objects of the "East Coast Settlement Bill."

In the proposed measure, power is asked to borrow money upon the security of the lands, or special portions thereof, always excluding reserves, for the purposes following:—

- To pay off mortgages and encumbrances now existing.
- To pay all debts due by the Maori owners of these lands.
- To construct necessary or useful public works.

The trustees are to be incorporated, and though possessing large powers, are placed under efficient control; all their transactions are to be patent and open to those concerned; and provision is made for the audit of their books and accounts.

It is not possible in a short paper such as this, to point out all the advantages which will result to individuals and to the community from the successful accomplishment of the scheme proposed.

To those Europeans already settled upon the East Coast it means the realisation of hopes which have buoyed them up through years of war, toil, and privation. To the district it means a speedy advance in prosperity, while to the colony it means an accession to population and to wealth.

If these proposals are given effect to by act of the Legislature, it is confidently believed that the beginning of the end of Native difficulty will have been discovered. Nearly all Native troubles have arisen in connection with the possession and the disposal of Native lands. To a law so easily understood, and arriving at such worthy objects as those proposed, I believe all the tribes will give their assent.

By the Bill all interests are conserved; existing rights are respected. Every Native will be a sharer in the benefits arising from the occupation, the leasing, or the sale of his ancestral lands, Each individual of the Native race interested will feel that he has committed the care of his land to fit persons, and that he is safe.

The Modus Operandi

of Judgment Without Trial,

Or, *How I Lost My Judgeship,*

by Captain John Alexander Wilson, J.P.,

LATE A JUDGE OF THE NATIVE LAND COURT OF NEW ZEALAND.

"It is not the custom of the Romans to give up any man, before that the accused have the accusers face to face, and have had opportunity to make his defence concerning the matter laid against him."—FESTUS.

"No man ought to be put from his livelihood without answer."—COKE.

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How I Lost My Judgeship.

THE following notes and memoranda furnish an historical summary of a remarkable case (not quite unique in New Zealand unfortunately) in which certain unconstitutional and barbarous practices prevailing before our liberties were gained, have, after the lapse of centuries, been revived and insidiously interwoven with modern procedure to the detriment of free institutions.

In 1878 I received a Commission as a Judge of the Native Land Court of New Zealand. On that occasion Mr Chief Judge Fenton, of the Native Land Court, while urging Ministers to favor a gentleman of his own recommendation, violently opposed my appointment without any assigned reason, under threat of resignation. The Government, however, was not to be intimidated, nor did it sufficiently appreciate the danger of the impending resignation, as my appointment was made notwithstanding the utmost effort of the Chief Judge, who implored the Colonial Secretary, almost as a matter of personal favor, to prevent it. Judge Fenton did not carry out his threatened intention, probably because, unlike two other resignations to a subsequent Cabinet, it might have been accepted.

It had been my unwelcome task, not long before my appointment to the Judgeship, officially to report as Land Purchase Officer for the East Coast certain unusual phases of action in, and in connection with, the Native Land Court, as they affected unfavourably the extensive and valuable purchases that I had made on behalf of the public in that district. (Vide Report, Appendix A.)

This report offended the Government of the day, of which the present may be deemed a continuation, and they refused to produce it in Parliament when challenged by the Opposition to do so, their own followers in the Assembly being responsible for the leakage of its contents. They refused because it stated that certain persons (whom it may be observed were oddly enough partisans of the Government in and out of Parliament) were advantaged, and the public interest disadvantaged, by the unprecedented action of the Native Land Court in the East Coast District during 1875-76, the years under report.

But not only were the Government offended, as after the presentation of my report I experienced the most bitter hostility from the local judge of the Native Land Court, who was countenanced, it was said, by the Chief Judge in the struggle against me. Eventually a Select Committee of the Legislative Council, sitting from the 27th August to the 9th September, 1877, inquired into the whole matter, and condemned certain actions of the judge *reported by me* as "a wholly inexcusable proceeding, and that the strong censure of it which was expressed by the Government was clearly deserved by Judge——." Of myself the Committee reported: "Mr Wilson had been employed in various ways by Government; he had, in your Committee's opinion, acted at Poverty Bay with the evident desire to serve the public interest, and has been described by the permanent head of his Department (Mr Under-Secretary Clarke) as a zealous and hard working public servant." (Vide Report of J. A. Wilson Removal Committee, Parliamentary Proceedings, Legislative Council, 1877.)

Entering the Land Court Department with these surroundings, I carefully endeavoured, in the interest of the public, to work harmoniously with the Chief Judge in all matters pertaining to the administration of the Court. This may be seen by my correspondence, and the character and tone of my letters, telegrams and memoranda, all our communications having necessarily been in writing, as I was stationed away from the Head Office throughout the period of my Judgeship. I adopted this course of conduct for my own safety in a Department in which, the law notwithstanding, meetings of the Bench for the regulation of procedure were obsolete, and the dictum of the Chief Judge had become practically absolute. (Vide correspondence, Appendix B.) I would not, I determined, permit myself to be goaded into resistance no matter what provocations I received, and they were many, or what indignities I bore. (Vide Appendix C.) On two occasions, however, Judge Fenton stepped beyond the bounds of his administrative domain, and on these I declined to recognise the legality of his attempt at coercion. Once when he demanded my historical notes, and again, when I was required, without meeting of judges and assessors, as provided by the Act, without opportunity to consult my brethren, without explanation, or reply to inquiries made by me concerning them, to sign immediately by deputy certain proposed rules for the Court, half of them (the Circuit of Court System) unworkable, as they appeared to my mind, and as the result proved; the rest imposing a tariff on native surveys manifestly "*ultra vires*."

I may add, "that the former were brought into force by the Chief Judge's proclamation, and proved worse than a failure, for they became a laughing-stock to the country. As for the latter, they could not be sustained;

nor were they revived after their unsoundness had been demonstrated, and I had shewn that the Court possessed no statutory power to enable it to move in the direction proposed by Mr Chief Judge Fenton. (Vide correspondence, Appendix D.)

As may be conceived, my apparent imperturbability to annoyance veiled under the semblance of authoritative administration; my action, as the author of the story of Te Waharoa, in refusing to surrender my valuable collection of Maori historical notes to enrich without acknowledgment the work of another (vide correspondence, Appendix E.); my determination not to sign upon compulsion rules that were bad in law, and appeared not to have received the sanction of my brethren, were all viewed with disfavour. These refusals, joined to the fact that my residence at Tauranga tended to the localisation of the Native Land Court, increased the irritation of the Chief Judge, whose ambition had always been to focus an automatic Bench revolving around himself at Auckland, and to ensure which end he had obtained the abolition of the late Sir Donald McLean's district system. In addition to my judicial functions, I had to discharge duties stated, by the Minister of Justice and Native Affairs, to be of more importance than Land Court work, and unconnected with it. I was the Royal Commissioner appointed under an Act of the Legislature for the settlement of Tauranga lands; the officer charged with the settlement of native reserves in the Bay of Plenty; and difficulties re Confiscated Lands in the same district to settle. In the first of these duties—the settlement of Tauranga lands—I had been directed by the Government not to leave my district upon Land Court employment until that duty should be finished. These combined circumstances all contributed, as may be imagined, to intensify and to increase the hostile disposition of Mr Chief Judge Fenton towards myself, who so far forgot himself as to betray his animus by telegraphing to the Native Minister, "*Why don't you rid me of that man Wilson?*" adding that his days would be prematurely shortened if the riddance were not speedily effected. However, the Minister was sufficiently aware of Judge Fenton's personal feeling towards me, and neglected to respond to the passionate appeal.

In the latter part of 1879, the Government of the colony passed into other hands, and the Land Court was transferred from the Native Department to the Department of Justice, of which Mr Rolleston, an old friend of Judge Fenton's, was the Minister. Early in the following year, Mr Rolleston visited Auckland. Almost immediately after Mr Rolleston's visit, Judge Fenton resigned the Chief Judgeship, but his resignation was not accepted. He was invited to go to "Wellington, where he came to a fresh understanding with the Government, the nature of which will subsequently be shewn, and returning to Auckland, he resumed his position and his duties.

No sooner had the Chief Judge returned from Wellington than it became a matter of common rumour that I was to be deprived of my judgeship, and that judges only whom the Chief Judge approved would be retained. At this time I was absent upon a short sick leave. Overwork, and the constantly harrasing behaviour of the Chief Judge, had at length affected my health, producing for the time being a bodily condition that incapacitated me from work.

My duties, as may be easily supposed, had demanded regular clerical assistance, and for this I had constantly, but unsuccessfully applied since my appointment. The Chief Judge objected to the Land Courts contributing to the salary of a clerk, and the Native Minister was unwilling to bear the whole expense in his Department. Thus, I was more than fifteen months without a regular clerk, and during that period I was consequently obliged to work at my office until 10 p.m. four nights in the week, and this when I had been sitting in the Court all the day. In my case I had also to endure official persecution from one who understood the unenviable art, and who was in a position, moreover, to exercise it, and to whom the practice was a source of gratification. (Vide Appendix G.)

In connection with this matter, the correspondence (Appendix F.) should be read, showing how Mr Bryce, the Native Minister, ignoring all humane considerations, conceived it his duty to turn a deaf ear to me, and refused for seven weeks to reply to repeated appeals for relief, when a medical certificate, by a gentleman of well-known professional *status*, ordering rest to a civil servant, was handed to him. The certificate, which enjoined as absolutely necessary to recovery from overwork, complete rest from the mental anxiety and worry which my duties as Judge had entailed upon me, naming two or three months as the period required, was received by Mr Bryce from me, who, though a civil servant only, and subject as such to his power, was nevertheless morally as entitled to immunity from torture at his will as are the lower animals, to whom shelter is afforded by legal protection. The withholding sick leave by Mr Bryce, when he knew me to be suffering from cerebral symptoms, keeping me at my post immersed in brain work week after week, was the deliberate infliction of a very refined form of torture, which would have compelled my resignation if it were meant for that purpose, had I not had eight children to support, the youngest an infant six months old.

"While on sick leave I received the following telegram from Mr Rolleston, the Minister of Justice:—

MEMO, O.P.S.O.

"19th May, 1880.

"Judge Wilson, Auckland.

"Confidential Memo.—I want to know your opinion as to your position in Native Land Court and Tauranga Commission. It is embarrassing to the Land Court, that you should be employed upon other work, as I understand you will be during the whole year, and it does not seem right that the Native Land Court vote should bear the expense. "Would it not be advisable that you should resign the Native Land Court, and adhere to the other work.

"(Signed)

W. ROLLESTON."

This telegram, together with letters from the Chief Judge, did not give me much repose during the little sick leave that had been granted; however, I replied to Mr Rolleston, adverting to my arrangement with the Government, in the following message:—

"Auckland,

20th May, 1880.

"To Hon. W. Rolleston,

"Minister of Justice, Government Buildings.

"In reply to your confidential memo of yesterday, for which I beg to thank you, I would say that as a Judge of the Native Land Court, I have a position and permanent employ. They were not lightly earned, nor can I consent to resign them easily. But if I have been required to move to Tauranga by a previous Government to discharge various temporary duties there, outside the Native Land Court Department, to which duties in relation to Land Court work, I was directed to give priority, and if the Native Land Court Department is now embarrassed thereby, then I would most respectfully submit that the course to be pursued by Government, seeing I am paid from the Native Land Court vote, should be to recall me from Tauranga, paying expenses of my removal to Auckland, whither I was sent from, and to appoint another person in my stead to finish the several duties which I have been engaged upon at Tauranga. It is right to inform you that the report has been some time circulated here, by the persons probably who opposed my appointment, that I am about to be deprived of my judgeship. This alone would prevent me from resigning.

"J. A. WILSON.

"Judge."

In the following August I became aware that a Bill was before Parliament which might affect the Commissions of the Judges of the Native Land Court. I say *might*, because there were doubts on the subject which have been removed by subsequent legislation. On the last day of August I received from Judge Fenton the telegram (quoted in my petition to Parliament and in Appendix C): "*The new Act is assented to and your Commission annulled.*" As a matter of fact, the new Act did not come into operation until a month later, when my salary ceased forthwith, *i.e.*, four days after the Maketu Court (the last Court over which I presided) rose. When I learned that the Government considered my judgeship had ceased by the passing of the New Act, and that there was no intention to reappoint me, I visited Wellington for the purpose of obtaining an explanation, and to urge my claim to be reinstated. The Land Court being then in the Department of Justice, I interviewed Mr Rolleston, the Minister of Justice, and found him cold, reticent, and hostile. At this time Mr Rolleston had in his possession Judge Fenton's grossly false paper of secret charges and insinuations against me (vide J. 80, 2411), of the very existence of which I had no suspicion, and knew nothing until two years afterwards. I asked Mr Rolleston whether the Government considered the judgeship annulled. He replied that they did. I asked if it was intended to reappoint me. He answered that there was no such intention. I asked him what I had done, after all my services, to be so treated. Then, instead of producing the secret charges, (J. 80, 2411) as he should have done, had he had confidence in them or in himself, he said: "Your Commission has been annulled by Act of Parliament, not by the Government. "I replied, "You cannot deny that Parliament has been led by the Government to do this." Then he said, "What am I to say to a man who is in constant conflict with the Chief Judge?" I answered, "You have been misinformed. I demand an inquiry." "Oh, no," he said, "*there can be no inquiry, because your Commission is annulled.*"

Thus the annulling of my Commission by Act of Parliament was the pivot, as it were, in the *modus operandi* invented to avert inquiry and *punish me without trial*. Here I should state that, while all the judges commissions were considered annulled by the Act, all of them were quickly returned to them, excepting to myself and two others, who retired on their pensions.

But to return to our interview. Mr Rolleston seemed hardly at ease in his seat as Minister of Justice. How should he if a spark of the inherent English feeling of fair play remained in his composition? With the paper J. 80, 2111, secreted in his bureau, and an Act of Parliament in his hand to relieve him from the necessity of the trial demanded by his victim, he appeared, doubtless, to himself, as he did to me, to be the impersonation of some Neapolitan Bomba sitting in the chair that betokens and represents all the hard-earned liberties of John Bull. After this Mr Rolleston added, "All Judges of the Land Court under the New Act will be lawyers. The Chief Judge says he must have lawyers." I replied, "You cannot find men for the work in the the legal profession; the few who are competent to undertake that description of work would not renounce their business." He asked me who the few were. I told him. Then I said I have taken the opinion of counsel, and I find that the lawyers, while differing, all agree that it is doubtful whether my commission is annulled or not. He said he had taken the law officers' opinion that it was annulled, and he should act upon that. Mr Rolleston then suggested that I should ask Mr Bryce for employment in the Native Department.

I saw Mr. Rolleston on the 13th October, before any of the judges had been appointed. Our interview was short, not more than ten minutes at the outside, for he could not look me in the face, and evidently wanted to get rid of me.

This was all the satisfaction I got by a journey from Tauranga to "Wellington, made with a view to an explanation with Ministers and the clearing up of any misunderstanding, should such be found to exist. On the same day I interviewed Mr. Bryce. I still held the Royal Commission for settlement of Tauranga lands, and had the settlement of Native Reserves. I asked him respectfully what should be done in respect to my salary in view of the new attitude assumed by the Justice Department, whence I had hitherto drawn it. He replied that upon the subject of my inquiry he would take time to consider, and would communicate with me at Tauranga by letter. I was moreover directed to furnish certain detailed returns *re* Tauranga. I returned to my office, made and forwarded the returns to Mr. Bryce, and, without a clerk, was working off heavy arrears through absence at Maketu and sick leave, when I received a letter from Mr. Bryce, dated 15th November, 1880, dismissing me at the end of December following, *on the excuse*" that it is intended that the Native Land Court shall undertake the duty of dealing with the remainder of the lands under the Tauranga District Land Act, when the necessary legislation on the subject has been effected." *It is to be noted that such legislation was never attempted.* The letter goes on to say, "The Native Minister desires to express to you his satisfaction with the manner in which you have performed the duties of your office, and his appreciation of the zealous and willing assistance you have, whenever called upon, afforded in native matters in your district."

Thus my contract with the Native Minister, Mr Sheehan, was broken by Messrs Rolleston and Bryce (as shown in my petition, and in the evidence of Mr Sheehan in my case before the Public Petitions Committee), just as my written contract with the then Minister, the late Sir Donald McLean, in 1875, was broken by Mr Ormond, who succeeded Sir Donald in the Department. Mr Ormond broke the contract by dismissing me without cause. The report of the Select Committee of the Legislative Council shows that "they had no difficulty in coming to the conclusion that the inquiry' before the Royal Commission had not accounted sufficiently for the dismissal of Mr. "Wilson, as communicated to him on. the 18th December, 1876." This action by Mr Ormond cost me upwards of £1000, a claim which I withdrew in consideration of the judgeship given to me by Mr Sheehan in 1878, he being Native Minister at that time! Mr Sheehan states in his evidence before the Public Petitions Committee of the House of Representatives, July 6, 1882, the following:—

Chairman—The petitioner (Judge Wilson) states that he was appointed a Judge of the Native Land Court by you in 1878. Is that the fact?

Yes.

And he says that there was a verbal agreement made between you, as Minister of Justice and himself, to the effect that, in consideration of his receiving this appointment, he would forego certain claims which he had against the Government to the amount of £1050 6s 10d?

Yes, I told Mr Wilson that if he accepted this appointment which I offered him he would have to drop all his claims against the Government.

Do you think, then, that in taking the judgeship on those terms he gave up his claims against the Government finally?

Yes, I considered in my own mind that his claims were wiped out in consideration of his receiving this appointment.

Was there any agreement to the effect that, if the petitioner lost his situation as a Judge, he should revive his claims?

Not as far as I can recollect.

Was his appointment different to that of any other Civil Servant?

Yes, I think Judges are specially dealt with in reference to their appointments.

I wish to ascertain whether, in the written appointment of Mr. Wilson, there was any special condition made?

No, but the tendency has been to regard these Native Land Court Judges as if they were Supreme Court Judges, so far as their tenure of office is concerned.

You consider that a Judge of the Native Land Court can only be removed for misconduct or in consequence of there being a necessity for reducing the number of Judges?

Yes, but in this case Mr. Wilson was removed, and a number of other Judges were appointed directly afterwards, and *I consider that was a breach of the conditions on which he accepted office as a Judge.*

Was there a special appointment made in this case?

Yes, there was a district around Tauranga, which was taken in 1864, and it remained in 1878 almost in the same state that it was in 1864. The reserves were unsettled and undefined, and a block of country almost as large as from Opunake to New Plymouth was consequently lying idle. I placed Mr. Wilson there and instructed him to get the whole thing settled up within 12 months. I also made him Native Land Court Judge. Between myself and the Chief Judge there was a difference of opinion as to whether a Judge should constantly occupy the same district, or whether he should be shifted about. I held that a Judge should always remain in his own district, because by so doing he gained a great deal of information that was of great value to him in the settlement of cases, while Mr. Fenton's theory was that it was far better to change the Judge from district to district. Mr. Wilson was not long in office before he received instructions to attend another Court, but I countermanded that order, and wired to the Chief Judge to the effect that Mr. Wilson was to stay where he was. I attribute Mr. Wilson's dismissal to the fact that this disagreement existed between Mr. Fenton and myself.

Then it originated in a difference of opinion between yourself and Mr. Fenton.

Yes, I have no doubt of it. . . . Mr. Wilson was not removed for the purpose of reducing the number of Judges, because three or four new ones were appointed, and I may say that I consider Mr. Wilson was not removed for any offence of his own, but for an offence of mine.

Mr. Turnbull—While you were in office had you every reason to be satisfied with Mr. Wilson?

Yes, he was an excellent officer, and his work was exceedingly well done; and I am certain that if he had remained in office we should have had the whole of that confiscated land at Tauranga settled by this time.

Mr. McKenzie—You would not think it honorable, after inducing Mr. Wilson to give up his claim, to immediately discharge him from the office of Judge?

No, he ought not to have been removed if he conducted himself properly, except in the event of its being necessary to reduce the number of Judges.

Chairman—The Act only says that the appointment shall only last during the pleasure of the Governor?

Yes, and the assumption is that so long as a man does his work properly he shall not be disturbed. I may say that all Mr. Wilson's colleagues on the Native Land Court Bench were re-appointed.

Mr Sheehan's evidence is very correct indeed in all the facts it refers to. The personal animus of the Chief Judge is not mentioned, because the ill feeling of Mr. Fenton towards myself was not shown in my petition. Afterwards, when Mr. Fenton himself introduced the question of animus into the inquiry, I wrote to the Chairman of the Public Petitions Committee requesting that Mr. Sheehan might be recalled, and that Sir George Whitmore might be asked to give evidence. Mr Sheehan had informed me that they both were able and willing to state what appears on that head in the second paragraph of these notes.

During the months of October, November, and December, 1880, I sent my salary abstracts, as usual, to Wellington, trusting that in passing the same any alteration in them due to change of arrangement as to Department, &c., would, as is proper, be made there. Those thrice-made applications for my wages, while working for the public, have never been answered or noticed in any way to the present day, and as far as this goes, I see no mode of obtaining remuneration other than suing for it in the Supreme Court, a course to which no ex-Civil Servant should be driven.

Two months after Mr. Rolleston had informed me that I was not to be re-appointed, he demanded the seal that by law I held as a Judge. I had hoped that he would have permitted my case to be referred to Parliament for consideration—*I cannot say reconsideration*—and the correspondence by wire took place, as it appears in Appendix G, but I surrendered the seal under protest, which, as the law then stood, I believe every lawyer would consider to be a proper proceeding.

In January, 1881, after I had ceased to be Commissioner, and after I had surrendered the property of the Government in my possession to the gentleman appointed to receive it, including a complete record of the titles recommended, and after the Minister had received all reports and correspondence, a demand was made upon me, by letters in triplicate, for my notes as Commissioner. These were my private property, as the Government

knew. The notes were useless to me, and had the Government acted justly towards me, they should have been welcome to them. As it was, I left their letters unanswered until they should pay me my salary. Of my three predecessors, none had been asked for their notes by Government on retiring from office; indeed, two of them never made any, *and none made even notes of evidence.*

Here an interesting form of the *modus operandi* exhibited itself. It had been determined, no matter by whom, or where, to carry on the war' against me into the Commissioner's domain. To this end, from the 24th February to 31st December, 1880, ten and a half months, many marginal plans and descriptions of land for my certificates of title or recommendations were withheld without explanation, save that "there were reasons for delay." The following wire from myself to the Under-Secretary at "Wellington, to which no reply was accorded, shews this:—

"Tauranga,

27 Sept., '80.

"T. W. Lewis, Esq., Under-Secretary, Govt. Buildings.

"Great delay is experienced in obtaining plans upon the margins of certificates for Tauranga lands from the office of Chief Surveyor, Auckland. Waikato No. 1 has been detained seven months in one or other of the survey offices, and sixteen other blocks have been delayed from two to three and four months each. "Would you kindly arrange with the Surveyor-General, that these plans may be supplied to this Department within a reasonable time after requisition is made for them, as the titles to the blocks are being unnecessarily delayed. I have asked for them repeatedly."

"J. A. WILSON,
"Comr. T.D.L."

Thus, after I had made known verbally the names of the grantees in some cases to be recommended, the return of the recommendations to the Governor was stopped, and I was compelled to resign office without making them, the withholding the plans being simply sufficient to defeat me, so helplessly was I placed in the matter. It was an old trick in another form that had been played upon me at Gisborne (but on this occasion it recoiled upon its authors, and their friends, financially to a tune that had been little expected, many of whom had to pay and look pleasant for having their blocks fixed up afresh), and all to deprive me of the credit of my own labour, and because the Government was deaf to applications for three months' salary I had earned.

So sudden and unexpected was the action of the Government, and so unprepared was I, that I was obliged to be absent from the colony at the next session of Parliament. The following year I visited Wellington, when Mr. Sheehan kindly presented a petition for me on the 1st June, 1882.

To the Honorable the Speaker and Members of the House of Representatives.

THE PETITION of John Alexander Wilson, late a presiding Judge of the Native Land Court, and the late Royal Commissioner appointed under the "Tauranga Districts Land Act, 1867."

HUMBLY SHEWETH:

That contrary to equity, good usage, and to the provisions of the Statutes affecting the Civil Service, under which your Petitioner was engaged, your Petitioner without reason alleged, or complaint, so far as he is aware, of any kind, has been deprived of his position and employment as a Judge of the Native Land Court, while performing his duties as such, and that others less qualified have been placed in your Petitioner's room.

Your Petitioner would humbly show that he has served the public zealously, faithfully, and efficiently. Early in 1866 your petitioner was appointed by the Hon. Mr. Whitaker Special Commissioner for the settlement of Native Land Claims in the Opotiki District. In 1867, under the administration of the Hon. Mr Richmond, your Petitioner was gazetted Crown Agent for the Confiscated Bay of Plenty District. In 1868-9 your Petitioner was appointed General Agent for Northern Districts, also acting Civil Commissioner at Tauranga during the administration of the Hon. Dr. Pollen. That your Petitioner's duties throughout these years, including the settlement of 440,000 acres of confiscated land, entailed larger responsibilities than usual, the same being due to the condition of continual warfare of the country where your Petitioner labored.

In the latter part of 1869 a minute was made to the Paymaster at Auckland re your Petitioner's salary, on which the Hon. Dr. Pollen wrote of your Petitioner to the Hon. Colonial Secretary, saying: "Mr. Wilson has been employed by the Government in positions of trust and importance, especially as Crown Agent in the settlement of Compensation Claims, and the location of natives on confiscated lands in the Bay of Plenty District, and has discharged the duties confided to him with intelligence and care, and to the entire satisfaction of the Government. Under these circumstances I cannot doubt that Mr. Batkin's direction to the Paymaster, which amounts in fact to an unceremonious dismissal from office of a gentleman who has rendered valuable

service to the public, was given inadvertently and without full information as to the terms of his engagement."

In 1871 the late Sir Donald McLean explained and rectified the error, and appointed your Petitioner to settle outstanding land claims in the Bay of Plenty.

In 1873 your Petitioner was further directed by the same Minister to initiate land purchase operations upon the East Coast.

In 1875 your Petitioner was appointed by Sir Donald McLean, Land Purchase Officer for the East Coast, where in two years and a half your Petitioner, though violently opposed by private parties interested, purchased and leased upwards of 700,000 acres for the public of native land, of which 418,322 acres were surveyed by your Petitioner's direction, and upwards of 140,000 acres had passed the Court with titles assured to the Crown.

In December, 1876, your Petitioner was suddenly dismissed by the Hon. Mr. Ormond. Upon this a Select Committee was appointed by the Honorable Legislative Council, to inquire into the removal of your Petitioner. The Committee reported, after sitting seven weeks, that "they had no difficulty in coming to the conclusion that the inquiry before the Royal Commission had not accounted sufficiently for the dismissal of Mr. Wilson, as communicated to him on the 18th December, 1876. Mr. Wilson had been employed in various ways by Government, had, in your Committee's opinion, acted at Poverty Bay with the evident desire to serve the public interest, and had been described by the permanent head of his department as a zealous and hardworking public servant . . . It seemed hard measure to a public servant to dismiss him summarily, as if he had been guilty of some gross misconduct." At this dismissal your Petitioner claimed £1,111 6s. 10d., commission and balance of salary, but no notice was taken of his claim.

In 1878 your Petitioner was appointed a Judge of the Native Land Court, the Hon. Mr. Sheehan, being Native Minister, and shortly after he was gazetted Commissioner for Tauranga District Lands. The understanding between your Petitioner and the Hon. Native Minister on that occasion was the following:—Your Petitioner to perform the two offices of Judge and Commissioner for one salary. To move from Auckland at his own cost, and to reside at Tauranga. Not to be sent upon Native Land Court duty beyond the Bay of Plenty District until after the settlement of Tauranga District Lands, to which he was to devote his chief attention, should be completed. To withdraw his money claim. All which conditions your Petitioner performed in consideration of the permanent position and employment received by him.

And further at the same arrangement, your Petitioner, at the request of the Minister (to satisfy the inhabitants of Tauranga), consented to remove a manufactory to Tauranga from the site which had been selected for it at Auckland. That your Petitioner would not have incurred the expense of the above removals, amounting to £500, had he not had every assurance of the permanent character of the employment and position assigned to him.

Your Petitioner as Judge of the Native Land Court at Tauranga, Maketu, and Opotiki during two years of duty, ordered 30 memorials of ownership; 43 succession orders; cases adjourned, 79; cases dismissed and withdrawn, 189; total 341 cases disposed of in Land Courts at Bay of Plenty. Your Petitioner made also upwards of 80 recommendations for trusteeships.

As Commissioner for Tauranga District Lands (in this period), your Petitioner has given decisions, 36; cases dismissed, 28; total, 67 cases disposed of; and that some 15 of your Petitioner's recommendations are not in the hands of the Government, is not your Petitioner's fault.

As Judge, your Petitioner has, within the same time, held a Court at Wellington, where 46 claims were disposed of upon a list of 81 cases.

Altogether, in two years, during two-thirds of which time your Petitioner had not the assistance of a single clerk even allowed to him, your Petitioner, as Judge and as Commissioner, finally disposed of 372 claims out of 486 brought before him. In the Bay of Plenty, your Petitioner's decisions cover 76,933 acres 1 rood 10 perches. For these duties, your Petitioner would humbly state, the public owes him three months' salary, and his thrice-made applications for the same have not been answered.

Your Petitioner was moreover charged with the settlement of Native Reserves in the Bay of Plenty, and made recommendations in respect to 140 lots at Matata and other places. This duty having been likewise performed during the period named, which does not include three months your Petitioner was on sick leave from overwork, nor the time your Petitioner was on duty at Galatea, Maketu, and other places prior to the 14th August, 1878.

When your Petitioner was appointed to his district, he found the prospect of making rapid work most unpromising. The Natives were generally hostile to Land Courts and Land Commissioners.

The first Land Court your Petitioner entered (to relieve Judge Heale, who was unable longer physically to bear the strain) he found the Court filled with men stripped and armed for fight, with revolvers, tomahawks, spears, and every kind of Native weapon, six spearmen held the door and the Sergeant of Police reported his men wounded in trying to enter. The Court was informed that blood would be shed if it proceeded with the business before it, and the Judges were thereupon turned out of doors. This state of affairs was changed by your

Petitioner, and the Natives throughout his district became anxious to have Land Courts. Operations, however, were retarded at first by such a condition of the Native mind, some Courts being opened to empty benches.

Another cause that subsequently hindered your Petitioner was the want, for more than twelve months, of any clerical assistance.

But the matter that distressed and perplexed your Petitioner was the inimical character of the administration of the Chief Judge in respect to your Petitioner, felt in various ways, and for which your Petitioner had given no cause, as the records show; all your Petitioner's communications having been necessarily in writing, as he was stationed at Tauranga, away from the Head Offices at Auckland and Wellington.

Sitting in Courts, the judicial action of your Petitioner has been in accordance with the law, and with Native custom. He has conducted them diligently—sometimes in the open air in the depth of winter, for want of accommodation, and has invariably brought the same to a successful issue.

Out of Court your Petitioner, in manner provided by law, has acted as a member of a constitutional Bench of Judges, and has been the means, when the same was endangered, of upholding and preserving intact the intention of the Legislature as expressed in the first portion of the preamble to "The Native Land Act, 1873." Your Petitioner submits that the correspondence by letter and telegram, from the 10th June to the 5th July, 1879, between the Chief Judge and himself, re certain proposed new rules for the Native Land Court shows this.

Your Petitioner holds upwards of twenty letters and telegrams of thanks, confidence, or approval, received over a period of fifteen years, from seven of the eight Ministers he has had the honor to serve.

Your Petitioner trusts he has humbly shown that he has served the public zealously, faithfully, and efficiently; that he has not unfrequently performed his functions in the presence of various kinds of difficulties in war and in peace; that he has invariably adhered to the interests of the public, to his post, and to his work. He even ignored his own health in the cause.

Your Petitioner would say that, in addition to the old Judges of the Native Land Court, the following new Judges have been appointed since your Petitioner was dismissed, viz., Judges Macdonald, O'Brien, Puckey, Williams, Brookfield, Deighton, and Mair.

Your Petitioner, while sitting in Court at Maketu hearing an important case *re* Paengaroa North, the interests affected being of the value of upwards of £10,000, involving also the prestige by arms of the Arawa people, and the intertribal claims, intensified by jealousy, of each hapu of the same, received the following telegram from the Chief Judge:—

"Jas. Wilson, Esq.

"The new Act is assented to and your commission annulled. Mr. Munro or I will come and take up the case. Please leave all papers with the clerk.

(Signed)

*"F. D. FENTON,
"Chief Judge."*

On this your Petitioner announced to the natives in Court that a message had been just received from the Chief Judge, stating that the New Act was assented to, and that either himself or Judge Munro would come to finish the case.

Mita Hikairo addressed the Court, and said "This is the first time that a Court has been quietly conducted in the Arawa district, and everything is going on satisfactorily, and the natives praised the way things were being conducted. A great many of the Arawa chiefs had asked the Chief Judge to postpone the sitting of the Court, giving their reasons for the request. As this request was not acceded to, the Arawa people came, and there was never such an assembly of chiefs at a Native Land Court before. This Paengaroa was one of the very special cases in which they all took an interest, because it is not merely land, but the *mana* of the Arawa which is at stake; and it was their great desire that this case should terminate satisfactorily to all the hapus of the Arawa, and now just as the case is coming to an end it is abruptly stopped, and will not be finished. Thus a great evil is inflicted upon us."

The Judge "reminded Hikairo that Chief Judge Fenton had said that another Judge would be sent to finish the case."

Hikairo.—"Nothing will be done for another twelve months."

Heneare te Pukuatua.—"I praise the Judge and the Assessor who have conducted this Court in so excellent a manner. We wish that this Court should hear not this case only, but all our cases. Oh! Judge and Assessor, you have been very patient with us, notwithstanding many questions have been asked which have delayed the

Court. I cannot sufficiently admire your conducting of this case. I wish this Judge and this Assessor to finish the case."

Major Te Pokiha.—"This has been a noble Court—Kooti Rangatira. Had the Court sat on, and this case been decided against me, I would have accepted the judgment peaceably."

Perenara Tamahiki.—"I praise this Court, all the hapus have praised this Court, because it has been conducted properly. The calamity that has befallen us this day is as if we had lost a battle or a pa had been taken from us. If the Chief Judge appoints the present Judge and Assessor to finish this case, we shall be satisfied."

Rota te Wharehuia.—"I am very sorry that the Court is to close to-day, as I am afraid of the nest Judge and Assessor. I agree with Major Te Pokiha's remarks respecting the Judge and the Assessor."

Matene Tahikaraparua.—"I have supported the Land Courts a long time, I will support them now no longer. This Court has been stopped. This shall be the last of them. We will have no more Courts."

The Judge told Matene that a telegram had just been received by the Clerk, which he would not permit the Clerk to read, because it should have been sent to himself so long as he was the presiding Judge, and because the Clerk should not communicate with the Natives without the consent of the Judge. Telegram to the Clerk read in Court by the Judge:—

"Please tell the Natives that I or another Judge will be down by next steamer to finish Paengaroa."

(Signed)

"F. D. FENTON,

"Chief Judge."

Court adjourned sine die.

This scene occurred one month before the new Act came into operation. The action of the Chief Judge, therefore, who was doubtless well aware when the new Act would become law, having but just returned from Wellington after the passing of it, would have prevented your Petitioner's judgment, which afterwards appeared, dividing Paengaroa among seventeen tribes, and would have stopped your Petitioner's Court—and an adjourned Court—to which he had refused funds from the day it opened to the day it closed, thereby running your Petitioner's Court into a debt of £175. Your Petitioner's salary was stopped four days after he returned from the Court.

Your Petitioner humbly reminds your Honourable House, that in December, 1876, he suffered heavy loss and damage at the hands of the Government, for which he has never been compensated.

Your Petitioner submits that in 1878, he was put to heavy expenses, upon the faith of an understanding which has been broken by the authorities.

Your Petitioner's summary dismissal as a Judge without accusation or inquiry, by a line of action secretly carried out, unknown to him until ripe, and then, as if he had been guilty of some great offence, driving him from the Bench, with every humiliating surrounding, has in all respects seriously injured your Petitioner.

Wherefore your Petitioner humbly prays that your Honourable House will cause full inquiry into his case, and such relief to be afforded him as may seem meet. And your Petitioner as in duty bound, will ever pray.
J. A. Wilson.

I was kept thirteen weeks in Wellington waiting on the Public Petitions Committee, which was occupied with my petition five hours on the 6th, 11th, and 13th of July. The report of the Committee was held back until nearly the end of the session, the effect being to prevent any opportunity of discussion in the Assembly on its nature or its merits. I apprehend such tactics were due to a feeling in the mind of the Committee that it was expedient to support the Government. It was by great effort, moreover, that I obtained the placing of the evidence upon the table of the House of Representatives a day or two before the prorogation. Even then a few papers were withheld, among them the telegram, "Why don't you rid me of that man Wilson." Among the papers was the following letter by Mr. Under-Secretary Lewis, in which he errs entirely, in writing of the Commission as if it were a Court of Record. And here let me say that although the Government could produce at pleasure from the colonial workshop a law to crush an individual who, in the language of Mr. Under-Secretary Lewis, "is a gentleman of great ability and considerable knowledge and experience in native matters, who always manifested zeal combined with unusual industry, and capacity," and "invariably rendered willing and valuable assistance in any matter referred to him;" and one who, according to the Hon. Dr. Pollen, "had been employed by the Government in positions of trust and importance . . . and had discharged the duties confided to him with intelligence and care, and to the entire satisfaction of the Government;" although, I say, they could and did prove themselves capable, like the counsellors of an ancient Persian King, of obtaining and applying a law to the destruction of a public servant, they yet were not able to overcome that law of nature which commands the worm to turn, in obedience to which, not withstanding all their power, I withheld

memoranda that did not belong to them, and which they had no claim to demand.

[No. 551]

"Native Office," "Wellington,

19th June, 1882.

"The Chairman Public Petitions Committee,

"House of Representatives.

"Sir,—

In accordance with your letter of the 14th instant, No. 46/82 which has been referred to me, I beg to furnish the following report upon the petition of Mr. J. A. Wilson, late Judge Native Land Court and Royal Commissioner under the Tauranga District Lands Acts.

"Generally I believe the statements made by the Petitioner as to the services rendered by him in various capacities to be correct.

"As an officer of the Native Department, Mr. Wilson, who is a gentleman of great ability and considerable knowledge and experience in Native matters, always manifested zeal combined with unusual industry and capacity for work. So far as my experience goes, he invariably rendered willing and valuable assistance in any matter referred to him during his period of service, although since his retirement this Department has been much inconvenienced by his tacit refusal to give up to his successor as Royal Commissioner minute books and other documents relating to the Commission, though repeatedly asked by letter to do so.

"In the latter part of 1880 the Native Land Court was transferred from the Native Department to the Justice Department, and it was during this period that Mr. Wilson ceased to hold office as Judge. His appointment, with those of the other Judges, lapsed in consequence of the passing of the Native Land Act of 1880, and he was not appointed under the new Act. I am unable to offer any report as to the reason he was not appointed.

"As Commissioner of Tauranga District Lands, Mr. Wilson was in the Native Department; but there was no salary attached to that appointment, which had always been held in conjunction with other offices.

"When Mr. Wilson ceased to be Judge, it rendered fresh arrangements necessary for continuing the Commission, and it was the intention of the Government that the Native Land Court should be enabled by legislation to deal with the remainder of the lands. Mr Wilson was written to accordingly, by direction of the Native Minister. He was at the same time requested to forward the formal resignation of his commission, and to hand over the records and public property in his charge to Mr Brabant, who had previously held the appointment of Commissioner, and who still performs the duties, without salary, in conjunction with his offices of Resident Magistrate and Native Agent, Tauranga.

"Mr. Wilson in due course forwarded his resignation, but has sent in no claim for the compensation for loss of office, to which he is entitled.

"I forward herewith a copy of the letter, addressed to Mr. Wilson, dispensing with his services as Royal Commissioner.

"I have the honour to be, Sir,

"Your most obedient servant,

(Signed)

"T. W. LEWIS,

"Under-Secretary."

[No. 82/2212.]

Copy of Telegram from the Hon. J. Sheehan, Wellington, to Chief Judge Fenton, Auckland. "Government Buildings, 28th October, 1878.

"Chief Judge Fenton, Auckland.

"Wilson will leave for Tauranga on Wednesday. Would suggest Halse take his place for cases to be heard in Wellington.

"Better leave Symonds finish cases at Tauranga, if possible. Wilson will have lots of work with Tauranga

District Lands.

(Signed)

"JOHN SHEEHAN."

In his evidence before the Public Petitions Committee, 13th July, 1883, Judge Fenton said: "Here is a Return prepared last year by the Registrar of the Courts assigned to Mr Wilson" (Return put in); and in answer to myself, he said: "I am sure that the Return by the Registrar is true."

Again, the following appears in his evidence:—

Chairman—"When Mr Wilson's commission was cancelled by the Act, he was not re-appointed?"

"No."

"Do you know the reason why?"

"I think the principal reason was my very strong remonstrances."

"To whom?"

"The Government."

"Against his being re-appointed?"

"Yes; I asked the Government before to remove him from my department because he was of no use to me, because he always pleaded duties connected with the Tauranga Land Act. I said if that is so, let him be handed over to the Tauranga Land Act, because the last four courts I had assigned to him—Galeatea, Tauranga, Uawa, and Ohinemuri—he did not attend at all. I speak from the Return."

This brings us to the document, J. 80/2411, frequently referred to in these notes—a paper without a title or a name in it to point its signification—a secret thing that might be affirmed to mean nothing or everything so far as its actual contents go, but signed by the Chief Clerk to give it weight, and prepared and used as an accusation against me. The number, J. 80/2411, is upon the back of the paper in very small figures. The numerals in the margin I have placed there for reference in answering the document.

I first saw and heard of this accusation on the 13th July, 1882, two years nearly after my dismissal.

(Signed)

S. J. Dickey,

Chief Clerk N. L. Court.

My reply to J. 80/2411.

"Galatea, 19th June, 1878. Merely adjourned cases to Opotiki."

Galatea Court was adjourned under written instructions from the Chief Judge because Galatea Court clashed with the Court then sitting at Opotiki. Vide following letter:—

"Native Land Court, Auckland,

June 10th, 1878.

"Sir,—

In the absence of the Chief Judge, I am directed to inform you that you have been appointed a Judge of the Court, and to request that you will be good enough to proceed at once to Galatea, Bay of Plenty, and open the Court advertised to sit there on the 19th inst., and adjourn the cases to Opotiki for hearing by Judge Heale.

(Signed)

"A. J. DICKEY,

"Chief Clerk.

"Judge Wilson, Tauranga."

See also telegram from myself to Judge Fenton.

24th June, 1878.

"The Galatea Court was adjourned according to direction on the 19th to Opotiki, 28th inst., Judge Halse having named a day at my request. It was necessary to adjourn from Galatea in any case, as it is not possible for a Court to exist there. Food and shelter are unprocurable for money, and the Assessor and myself were

compelled to accept hospitality kindly proffered by a party who, however, had an interest in the issue of the Court.

"J. A. WILSON, Judge."

Thus, I am secretly accused by Judge Fenton of obeying his own written instructions. Could anything be more calculated to injure an innocent person?

2. Here Maketu Court, presided over by me from 5th August to 12th August inclusive, is omitted altogether. At this court I took 1,700 names for Judge Heale. Heard and decided against Chaytor's case *re* Waitahanui—two days—and commenced Rau o te Huia case.

This Court was adjourned in accordance with instructions received from Judge Fenton. See the following telegram:—

31st July, 1878.

"Judge Wilson, Tauranga.

"Please relieve Heale at Maketu, as soon as possible. He is knocked up. You can adjourn such claims as from your previous engagements, you prefer not to hear.

(Signed)

"F. D. FENTON,

"Chief Judge."

See also a telegram from Judge Heale to myself, showing the arduous nature of my duty.

"Maketu,

2nd August, 1878.

"Judge Wilson, Tauranga.

"I must in any case stay till Monday, the excitement and violence are so great, that I cannot run away.

(Signed)

"THEO. HEALE."

This is the Court out of which Judge Heale and myself were ejected on the 5th August by the violence of the natives, Chief Judge Fenton being unable to do more than reply when informed of the circumstance:—

"Messrs Heale and Wilson, Judges Native Land Court, "Maketu.

"You are on the spot and can judge best. Do absolutely what you think should be done.

"F. D. FENTON,

"Chief Judge."

This Court had sat four months in opposition to the wish of the natives, whose further riot was averted by conciliation. Why has this Maketu Court been omitted from J. 80/2411? On the 5th August I entered it, following Judge Heale as my senior, and the same day I wired to the Native Minister: "In the Court to-day Te Pokiha declared the prosecution of business would produce bloodshed. The Court-house was full of his tribe, all men armed with newly-pointed spears, hatchets, and Maori weapons, while a guard armed with spears kept the Court-house door, and prevented other hapu's and their spokesmen from delivering to the Court the names for certain certificates. The violence of Te Pokiha is extreme and organised withal."

I had to pay £7 for repairs to doors, windows, and furniture, broken during the disturbances in the Court before I relieved Judge Heale. On the 13th August I wired to Judge Fenton: "The Court at Maketu was adjourned yesterday afternoon; the natives were most orderly.

Having, therefore, performed much difficult work at this Court, and having changed the natives from armed rioters to a condition "most orderly," why does the Chief Judge, who knew these things to be true, omit this Court from a document that pretends to show my work at that time?

3. Tauranga, August 14 to November 13—92 days—1 certificate ordered (*appealed, against and rehearing ordered*).

The Maketu Court closed on the afternoon of the 12th. The Tauranga Court opened on the morning of the 14th. No time was lost. I presided at Tauranga 21 days. *Not 92 days* as stated by Judge Fenton in his return and before the Public Petitions Committee. The days I sat were from 14th to 21st August, from 23rd August to 9th

September inclusive; also, 19th September. Total, 21 days, excluding Sundays. The Commissioner's Court sat at Tauranga on 22nd August, and from 10th to 18th September inclusive; also, from 25th September to 7th October inclusive. On the 13th October I was summoned to "Wellington to give evidence before the Native Affairs Committee *re* Government purchase of blocks Parengahua, Ngatawakawaka and Matatuotonga. I returned to Tauranga in the beginning of November.

Meanwhile, Judge Symonds held a Native Land Court at Tauranga for Te Puke block, *the whole period of which is included within these 92 days*, viz., from 15th October to 13th November inclusive. The minute books of the Native Land Court for Wellington and Tauranga, and the Assessors Leaf, and Peti, who sat with Judge Symonds and myself, one at Tauranga, the other at Wellington (for as will be seen immediately, I held a Court while at Wellington) can prove the false character of this item in No. 80/2411. The Court Judge Symonds held was proclaimed in "Gazette" No. 32, page 139, 1878. The steamer that brought Judge Symonds to Tauranga took me on to Wellington with my staff.

At this Tauranga Court, Rau o te Huia, begun at Maketu, was finished, and the certificate ordered. Succession orders, 13; withdrawn, 2; adjourned on application, 4; dismissed because already adjudicated, 1; dismissed, no surveys, no jurisdiction, 29. Total in 21 days, 54 cases, being all upon a list of which it is noteworthy, as showing how the same had been arranged for me as the presiding judge, that it contained about a dozen blocks for adjudication, *not one that was native land within the jurisdiction of the Court*. Judge Fenton knew when he presented the return 80/2411 under remark to Government that Judge Symonds had presided at Tauranga, and that I was presiding at Wellington within the 92 days, but he concealed this, as I shall presently shew, by omitting the date of the opening of Wellington Court in the next item. See also Mr Sheehan's telegram to Judge Fenton, Auckland.

"Government Buildings,

"28th October, 1878.

"Wilson will leave for Tauranga on Wednesday, &c., &c."

He also knew that I was sitting in the Commissioner's Court within the 92 days. See telegram 11th September, 1878.

"JUDGE WILSON TO CHIEF JUDGE FENTON.

"*Re* your telegram yesterday will reply at length in writing. *Meanwhile I will try Mr. Willcocks as an interpreter in the Commission Court now sitting every day.*"

Again letter 14th September.

"JUDGE WILSON TO JUDGE FENTON.

"*I wish to keep Mr. Willcocks and Mr. Wilson, one as clerk, the other as interpreter and clerk out of session. By such arrangement I could continue my efforts without stoppage. The Native Land Court and Tauranga District Commission Court would each be in efficient working order. Any other condition is, of course, useless.*"

The receipt of this was acknowledged.

This Tauranga Land Court, of 14th August, 1878, had no surveyed blocks of Native Land notified for hearing. All the blocks advertised to be taken were within the confiscated territory. Either of these conditions, as the law stood, was sufficient to debar the Court from adjudication. The same, with one exception, Whangaparaoa, was the case with all the blocks gazetted for the Opotiki Court of August, 1879. The authors of J. 80/2411 arranged the lists of these two Courts; gazetted them in an unbearable state; and then made it a charge against their victim that the cases had not been heard; whereas had he heard them he would have been accused of habitually breaking the law while sitting in Court professing to administer it. However, I had adjourned a case from Maketu, which I finished at Tauranga, occupying about 7 of the 21 days I sat there. The rest of the time was taken up with overcoming difficulties interposed by some of the natives who were obstructive; in adjudicating succession cases, some of them very complicated, *re* title, through the action of Government since the confiscation of the Tauranga district. Tahawai 13 and 14, took two days. See remarks of the Court in dismissing the case, showing the legal title and the equitable title to be vested in different parties; and partly, perhaps, in overcoming my own inexperience as a Judge, for I was not permitted to have a colleague, as is the custom when a Judge of the Native Land Court is sitting in session for the first time. Although absent 3 weeks on the "Wellington trip, yet I am placed by Judge Fenton in his return as being at Tauranga during that time doing nothing, and this when he was exchanging telegrams with me at Wellington *re* the employment of an interpreter at the Wellington Court, when he had directed me to hold the Court there, and I had reported to him the cases disposed of at that Court; when, moreover, Judge Symonds was at Tauranga by his direction holding Te Puke Court. The return suppresses the greater portion of my work performed in 21 days, not 92 days, as erroneously stated. It does not show that the list of cases gazetted had been disposed of as far as was possible, notwithstanding that when the return was compiled all particulars were at his hand in the minute book of the Court. It debits me with the whole time—30 days—occupied by Judge Symonds' Court at

Tauranga, I being absent before the Parliamentary Committee; and debits me with 31 days of the 92 days, during which I was in the Commissioner's Court, or doing duty pertaining thereto, when no Native Land Court was sitting at Tauranga at all. And all this falsehood is officially perpetrated to my injury by a functionary, the very essence of whose high office is to act truthfully and justly.

In accordance with the tenor and object of J. 80/2411, marked stress is laid upon ("*appealed against and rehearing ordered*"). The memorandum following will shew whether a rehearing should have been granted. It is in reply to Judge Fenton's usual minute referring the petition of appeal to the presiding Judge.

"The hearing of Rau o te Huia occupied eleven days. There were six counter claimants, of whom the representatives of Ngatikereru are to be considered as one. Before the case came before me, Te Rau o te Hum had been overlapped by Kaikokopu, Paengaroa, and "Waitepuia, from each of which it had been cut off and eliminated at the hearing by the presiding Judge as an element of discord. The Ngatikereru claim and survey of Waitepuia overlapped Te Rau o te Huia largely. This overlap is the land in respect of which the two Ngatikereru petitions now under remark have been sent to you. "When Judge Heale heard Waitepuia at Maketu, he took the inquiry to include the 'overlap,' but he excluded the 'overlap' from his judgment in as far as making an award was concerned. His judgment contains the following passage: 'The only piece in dispute is the southern portion which is included in Te Rau o te Huia claim. About this piece the most contradictory evidence has been given; one party asserting that they had potato cultivations in several parts of it between the years 1862 and 1868, while the other asserts that there were never any cultivations upon it. As many persons present were living in Maketu at that time, and as the land was very near the road to the lakes, it seems to the Court if there had been cultivations there would certainly have been other evidence of their existence than that of the party himself who claims the land. The Court therefore is quite unable to affirm that this piece belongs to, or has been cultivated by Ngatikereru, and it can only give judgment for the northern piece.'" In this condition, and as an apple of discord, the land came into my Court. One of the first points raised by the claimants, Aporo and others, was that Ngatikereru were already out of Court by virtue of Judge Heale's decision in Waitepuia. To this I ruled that Rau o te Huia was before the Court '*de novo*.' After a very patient hearing, my Court arrived at the following conclusion *re* the Ngatikereru claim to Te Rau o te Huia, viz.: "The Court is of opinion that the Ngatikereru claimants have failed to establish a right to any portion of Rau o te Huia whether by possession, cultivation, or other mark and exercise of ownership." There was no difference of opinion between the Assessor and myself on this matter, nor were we at all doubtful, the evidence, both European and Native, being sufficient and clear. From the foregoing it will be seen that the Ngatikereru claim to Rau o te Huia has been twice heard with one result. . . —J. A. WILSON.

This is the claim that was recommended to the Governor for rehearing by Judge Fenton (no other was sent to me for remark as presiding Judge), on approval of which, instead of sending another judge, I was directed to re-hear my own decision, my mind being influenced by the impression created at the recent trial.

4. "Wellington (Porirua and Circuit)—3 days. *Do not know; he made no return. All uncertain.*

The date of the commencement of the Wellington Court, has been omitted from the return J. 80/2411. *Its insertion from the minutes of the Court, in the possession of Judge Fenton, or from the Gazette, No. 90, 1878, proclaiming the court also in his possession, would have shown the error of the date of the ending of my Court at Tauranga in the previous item.* The statement in the return, "Do not know, &c.," is not true, as can be seen from the Chief Judge's letter to me, 7th July 1879, viz:—

"In reply to your memorandum of 11th June ultimo, on the subject of the several succession claims heard and adjudicated by you at the late sitting of the Native Land Court at "Wellington, I have now the honour to forward to you (in separate packet) the papers connected with respective claims together with drafts of orders (in duplicate) and of the recommendations for the appointment of trustees (also in duplicate) which were directed by the Court to be made in each case, according to the enclosed schedule." . . "I forward also along with the papers referred to the minute book of the proceedings of the "Wellington Court." . . .

(Signed)

"F. D. FENTON,

"Chief Judge."

Then follows in the same letter the "Schedule of Orders and Recommendations of Appointment of Trustees forwarded to Judge "Wilson for signature and return," viz., 13 succession orders, and 2 recommendations, beginning with Pipitea No. 2, and ending with Wellington City No. 607.

Here, then, in his own letter, of 7th July, 1879, is the clearest proof that Chief Judge Fenton did know what cases I had heard at Wellington; and that he had had the minute book in his possession, shewing him what had been done at that Court. This minute book had been written by Mr Gray, one of the most experienced clerks in the Native Land Court Office, and contained all the dates, the minutes of evidence, and the orders made. From this minute book all the orders under seal were correctly made out and sent to me for signature; and yet after

this letter of the 7th July, 1879, incredible as it may seem, the Chief Judge handed to the Government a paper, which he calls a return, J. 80/2411, in which the date of the opening of Wellington Court is left blank, not even the month being given. Why? because the Court opened about 16th October, 1878. (*Vide* Gazette No. 90, p. 1291, 1878) and the minute book of the Court.

The insertion of this date, as I have already said, would have falsified the statement that I had held a Court at Tauranga from the 14th August to the 13th November, 92 days. To cover this omission, the Chief Judge says he has not got the information shown by his own letter.

I may as well, however, give a memorandum, shewing that I did send him the information by letter; and I may also add that he had had it at first, and from me by telegram from Wellington, in October, 1878.

MEMORANDUM 35.

"Tauranga,

23rd July, 1879.

"Mr Dickey.

"Please receive this mail a parcel containing the following Orders and Recommendations of appointment of Trustees, the same being duly examined and signed by myself as the presiding Judge at Wellington, when these cases were heard.

"J. A. WILSON, Judge."

Then follows the schedule of the above papers.

At Wellington I dismissed 21 cases, having no jurisdiction; dismissed for no appearance, no surveys, &c., 12 cases; succession orders, 13: total, 46 cases disposed of in 4 days, all of which work is suppressed in the return J. 80/2411.

To "*Porirua and Circuit*" I was never directed to go. Of this I know nothing whatever, nor how it came to be inserted, as it was, in J. 80/2411 in another handwriting and in pencil.

The words "He made no return," are meant to show that I omitted a portion of my duty, and thus to add weight to the charge. The implication is, however, as false as the rest of the document under remark. Three successive Judges presided over this "Wellington Court, of whom I was the first. It was the duty of the last presiding Judge to have the return made up at the end of the session, and I have no doubt that the return in question was made up from the books by the clerk of the Court when the business was finished, and that Judge Halse signed it.

5. Waiomatatini, July 25, 1879. Did not attend.

This Court was out of my district. I could not go there without a breach of the agreement with the Government under which I had been engaged. See my petition to Parliament; also, Mr Sheehan's evidence before the Public Petitions Committee. I sat in the Tauranga Land Court from 15th July to 8th August, 1879, upon the following lands:—Rangiwhakaoma Nos. 1, 2, 3, 4, 5, 6 and 7; Matapihi No. 3, and Kaitemako. I informed Judge Fenton by wire, 11th July, that I was unable to attend at Waiomatatini, and that I had a Court advertised to open 15th July.

I believe Judge Heale was first directed to preside at Waiomatatini, but he declined; then Judge Symonds was sent, but he turned back on the road at Tologa. Then I was ordered to go. I, however, could not go, for the reasons above mentioned. Finally, Judge Young was sent, and returning shortly after, he died of exposure and inflammation. There is no doubt that Waiomatatini was not then a fit place to send a Court to in the winter.

6. Opotiki August 13th to August 20th, 8 days—1 memorial ordered, 16 cases dismissed, 1 case adjourned (*unopposed*)

Opotiki Court sat from 16th to 20th August, 4 days. Work done—1 memorial, 13 succession orders, 2 succession cases withdrawn. Besides this, there were 5 blocks for hearing upon the list, of which I give particulars; viz.: Te Ruatiawa, *land at Kaipara*, adjourned by me to Kaipara for investigation. Otaiharuru, land held under Crown grant title, in confiscated block at Whakatane, dismissed, no jurisdiction. Hikutaia, held under Crown grant in confiscated block at Opotiki, dismissed, no jurisdiction. Opotiki No 2. (dismissed), no survey, no jurisdiction over a large portion of the block; no appearance. Otarapata, no survey; dismissed, for, as the law then stood, unsurveyed land could not be adjudicated. Succession cases, no appearance; dismissed, 9; total, 31 cases being upon the list. What more could I do at that Court? It surely was not my fault that I had been sent to Opotiki to hear claims over which the Court had no jurisdiction, which, had the jurisdiction existed, could not have been heard for want of surveys. All this it was the Chief Judge's business to know from the Deputy Inspector of Surveys before putting the public to the expense of holding a Court. Yet I was sent to

hold this Court, so arranged, and then made to suffer by an injurious representation secretly tendered to the Minister of Justice by the very person who so arranged the Court that I could not do more than award one unopposed case. "Who could be safe when the administration of the Native Land Court assumed this form? So anxious is the Chief Judge in his document, J. 80/2411, to find fault that the word ("*unopposed*") is actually underlined in red ink, as if I were to blame because a case was unopposed. However, the public was the gainer, as I was able sooner to turn to the subdivision of Opape Reserve. But the arrangement of the cases for my Court at Opotiki, in August, 1879, is equally remarkable in the omission of cases that were awaiting adjudication there at that time, such as the rehearing of Te Waimana, and others.

In Appendix C., it will be seen that to work harmoniously with Judge Fenton I postponed two Commission Courts at Tauranga in order that I might take this Opotiki Court. It will also be seen in the same Appendix how the Chief Judge refused, without cause or reason assigned, to recommend the payment of the expenses of the said Court, and therefore need not repeat these matters here.

Re dismissed cases, the following "Circular," with which I entirely agree, explains the reasons which prompted me to make a point of dismissing all the cases that were not in a condition fit for investigation.

11/1475. "*Native Land Court Office,*" Auckland,

October 13, 1879.

Sir,—

I have the honour to draw your attention to the very great inconvenience resulting to this Court, from the Judges not noticing my repeated suggestion that all claims brought before them in such manner, as prevents their investigation at the Court then sitting, and in respect of which there are no cogent reasons for allowing an adjournment, should be dismissed. It is difficult to imagine any case which would justify in permitting its adjournment, when there is no appearance on the part of the claimant, or when it cannot be shewn that a survey is actually in progress or reasonably repeated.

"*I have, &c.,*

(Signed)

"F. D. FENTON,

"Chief Judge."

"To J. A. "Wilson, Esq., Judge Native Land Court, Tauranga."

Re Opotiki Court, J. 80/2411, suppresses the greater part of my work, and the fact that I had completed the list.

7. "Tauranga, 29th October, to 20th December, 58 days—4 cases dismissed, 7 cases adjourned."

The statement above is absolutely untrue. The following is the correct one. Order for memorial *re* Rangiuru in favor of 242 natives. The memorial made upon this order was wrongly appropriated by Chief Judge Fenton to himself and Judge Symonds as having been heard and decided by them, at a Court begun and holden and ended at Tauranga on 4th February, 1880. (*Vide* N. Z. Gazette, April 1, 1880, p. 423.) Thus I was deprived of the credit of my own labour in having heard and decided a case that had occupied me four weeks, during which eight parties claimed a property valued at from £25,000 to £30,000, and in which six of the parties were cast. I also made 8 succession orders, and adjourned on the application of the Crown Agent 8; dismissed for no surveys, and no jurisdiction, &c., 22; total cases disposed of, 39, being all the cases on the list.

See the minute book of proceedings in possession of Chief Judge.

In J. 80/2411 part of my work performed and finished in this Tauranga Court is deliberately suppressed. In the "New Zealand Gazette," of April 18, 1880, this suppressed portion of my labour is appropriated by the Chief Judge to the credit of himself and of another Judge. Having robbed me in this way in the latter document, he secretly, with a view to my removal, accuses me in the former of not having done the work. There are at least 2,000 persons in the Bay of Plenty and the Lake district who can bear witness that I, and not Judge Fenton, heard and awarded Rangiuru at the hearing at Tauranga in 1879, and the proceedings in the office of the Native Land Court, Auckland, show this to be the truth.

8. Galatea, December 3, 1879. "Did not attend."

I was presiding at Tauranga hearing Rangiuru case, and unable to preside in two concurrent Courts, situated 85 miles apart. In reply to this charge the Chief Judge knowingly required me to perform an impossibility, and then reported me to the Minister because I could not accomplish it. See my reply by wire to Chief Clerk, 12th November, 1879:—

"*This Court will not be over by the 26th. It will be a very long Court I fear.*

"J. A. WILSON, Judge."

See also my telegram to Native Minister, November 30, 1879, in reply to his wire: "It has been reported you have declined to hold a Court at Galatea."

Moreover, I received the following:—

"Native Land Court Office," Auckland,

14th November, 1879.

"Sir,—

I have the honour to forward for your information copy of a letter received by me from Hon. Native Minister as to authority being given to supply those natives with food who have come a long distance to attend the Tauranga Court, for the adjudication of their claims to land situated in another district.

"I have, &c.,

(Signed)

"F. D. FENTON,

" Chief Judge.

"To J. A. Wilson, Esq., Judge, N. L. Court, Tauranga."

On the 28th of the same month, I was ordered to go to Galatea to open a Court on 3rd December. To do this I should have had to close the Tauranga Court on the 29th November, the day I received the letter of the 28th.

I could not take the responsibility of sending many natives back who had "come a long distance" from their homes, relying in good faith upon the Court performing the part professed in the proclamation convening it. At that time I was in the middle of the Rangiuru case, which involved many thousands of pounds worth of property, lasted several weeks and brought many scores of claimants and witnesses together, by whom I should have been justly considered little less than insane had I notified at noon on the 29th that the Court would rise that day, as I had to go to Galatea the next morning. Such a course was not reasonable, and as the responsibility rested with myself as the presiding Judge, and not with the Chief Judge, who had no power to close a Court other than such as might be presided over by himself, I acted in the way that seemed the best, and that was within my own functions. Here I may add, that Judge Symonds, who, at that time, was at Rotorua without a Court, and half the distance from Galatea that Tauranga is, might have been sent. He had just returned with his staff from an unsuccessful attempt to hold a Court at Taupo. (The fault was not with Judge Symonds, but with the Chief Judge in sending him to Taupo, when it was known before hand that a Court could not be held). Judge Symonds was permitted to return with his staff to Tauranga, and then was ordered back to Galatea. He did not go there, but stopped short at Te Teko, having heard that Galatea was without necessary food and accommodation. At Te Teko no case was heard, the natives refusing to have their lands adjudicated upon. Thus valuable time, and travelling expenses, amounting to upwards of £200, and salaries to an equal amount, were thrown away by faulty administration. However, it forms no part of my plan to multiply cases of this kind, but this one is mentioned as it comes within the sphere of bungling connected with the Courts named in J. 80/2111, now under consideration.

9. Tauranga, 4th February 1880. "Did not attend."

I was not directed to hold this Court by the Chief Judge. It was my own adjourned Court, which I was precluded from holding by illness. Judge Fenton had seen before this date Dr. Haines' certificate ordering me sick leave and rest, and he saw me ill at Tauranga on the 4th February, 1880. (Vide Appendix F.)

10. Uawa, 14th January, 1880. "Did not attend."

Uawa is out of my district. Moreover, I was ill and could not have gone there in any case. (Vide Appendix F.) Overwork, coupled with the persecutions and menacing attitude of the Chief Judge towards myself, had knocked me up. (See the following wire):—

"Tauranga,

7th January, 1880.

"To Chief Judge Fenton, Auckland.

"I cannot take Uawa Court. In October last I was ordered by Dr. Grinders, of Tauranga, to leave here for a time and take rest. I did not do so, because I desired to advance the public business. I am now ordered by Dr. Haines, of Auckland, to take a complete rest, the same being necessary to recovery from brain exhaustion. I

have not ventured to disregard Dr. Haines' order, but have forwarded his certificate to the Hon. the Native Minister with a request for leave for three months.

"J. A. WILSON."

For medical certificate so forwarded to Mr Bryce, 6th January, 1880, see Appendix F.

"When Judge Fenton found I was knocked up, he came to Tauranga on the 4th February, and asked me to resign. I declined to do so. Judge Heale had just received twelve months' sick leave for the same malady as mine, and another Judge in another Court nine month's sick leave, each on full pay.

"With this knowledge of my illness conveyed to him by wire, and confirmed by a personal interview, coupled with the fact that it was on account of my indisposition the Chief Judge, with Judge Symonds, had gone to Tauranga on the 4th of February, and had opened my adjourned Court, and formally adjourned the whole thing to another time else-where; it was, I say, with this knowledge fresh in his mind that he represents me in the return J. 80/2411 as fit for duty and "not attending" to it.

Here my Maketu court of the 1st June, 1880, is entirely omitted from the "Return" J 80/2411.

This Court sat by the written instructions of Judge Fenton on 1st June, 1880. It continued, exclusive of adjournments (due to sickness of the Assessor and the clashing of the Court with the Cambridge Court) until the 26th September. The sitting days were about 86. The work accomplished was: Orders of memorial, 27; orders of succession, 9; *dismissed because already adjudicated at 'previous Land Courts*, 10; dismissed, no surveys, no jurisdiction, no appearance, duplicates claims, claimants deceased, &c., 92; adjourned in consequence of passing of Act of 1880, 66: total claims disposed of, being all upon the list, 202. Why has this Court, and this work been omitted from Judge Fenton's clandestine return?

11. Ohinemuri, June 2. "Will not attend."

I was sitting at Maketu on the 1st June, in conformity with Judge Fenton's written instruction, and could not sit at Ohinemuri at the same time. Ohinemuri is 75 miles from Maketu. It was also out of my district. (See Appendix C.) I was directed to go to Maketu instead of to Ohinemuri, and went accordingly, and then I am reported for not presiding at the latter place. All mention of Maketu, and the work I did there, are entirely omitted. Yet Judge Fenton knew what I was doing at Maketu, for on the 9th June I wired him: "11 cases have passed, 2 of which were disputed. The list has been reduced with much labour from 192 to 106 claims." I was in constant communication with the authors of J. 80/2411, while holding this Court, but it did not suit them to prepare a truthful report, their object being to make it as unfavorable as possible.

Such was Judge Fenton's secret accusation J. 80/2411, a document as malicious as it was untruthful, in which, under shelter of privilege, nothing was too gross for insertion; no omission, no suppression, no misrepresentation, no falsification considered as being unfit for use. It was tendered to the Minister of Justice by one, the essence of whose function "is justice," who was paid to discharge that function; and yet the Minister of Justice, acted secretly upon the secret accusations, while concealing their existence from the maligned. We have seen by his evidence before the Public Petitions Committee, that Judge Fenton grounded his complaint against me to Ministers, upon the "return" J. 80/2411. But Mr Rolleston took an entirely different course before the Committee. He relied upon the assertion made by himself without *any* proof, that I had not worked harmoniously with Judge Fenton. This accusation I was not permitted by the Committee to hear, and therefore could not answer; neither was I allowed by the Committee to see Mr Rolleston's evidence. However, after the papers were laid upon the table of the House, I found, that when asked to state the inharmonious acts alleged, Mr Rolleston was quite unable to do so—and this for the best possible reason, viz., there was no foundation for the statement he made. He was asked whether he could inform the Committee who was in fault: "Whether the Chief Judge was in fault at all or not?" He replied, "I cannot say, I never went into that." And yet he has acted as though I had been accused, tried and condemned. Again he is asked, "Is it not usual when there are differences between a chief officer and a subordinate, for the Government to interfere and settle them? He answered: "These differences had merely to do with the question of amount on some vouchers, I think." (All the documents *re* these vouchers are contained in Appendix C.) These differences may be thus stated:—1st. For £12 travelling expenses, stopped by the Chief Judge, but ordered to be paid to me by the Native Minister, without complaint or representation on my part. 2nd. Salaries of clerk and interpreter to Opotiki Court, refused by the Chief Judge, but paid by Government who called for a report *re* same from myself. 3rd. Refusal by the Chief Judge of all funds for the Maketu Court in July, 1880, upon which I memorialised the Minister of Justice, as it was my duty to do. These were nice differences certainly, upon which to obtain an Act of Parliament, which should have the effect of depriving me of office. I was as the lamb below the stream, in the presence of the wolf, with this difference, that the lamb had the opportunity which I had not, of hearing and replying to his accuser.

Again Mr. Rolleston is asked, "But are we not to understand that if there was any conflict of opinion between the Chief Judge and Mr. Wilson, the effect of which would be detrimental to the public service, the

Government would enquire into it and decide who was right and who was wrong?" And he answers, "Undoubtedly, if an appeal was made to them to do so." This was mockery on the part of Mr. Rolleston, for he and his friend, Mr. Fenton, wrongfully kept me in complete ignorance of their conspiracy against me. It formed no part of their plan to have an inquiry which would have spoiled their device. Had there been but the slightest chance of an inquiry resulting as they desired, it would have been instituted speedily enough; and had I but known what was going on, I should have demanded an inquiry, and petitioned the Assembly to restrain Ministers from altering the law pending inquiry, as there is nothing in the Act of 1880 that could not have been effected in the usual form of an Amendment Act. Details regarding surveys, and minor matters, should have been provided by an Amendment Act, and not by the sweeping away of the Bench and the repeal of all previous Acts.

Again Mr. Rolleston is asked by the Committee, "It appears that Judge Wilson did not follow out the orders of the Chief Judge, because he was instructed differently by the Native Minister, and the Chief Judge felt himself aggrieved and recommended that he was an impracticable man?" "It is new to me that there was a disagreement and a conflict of orders, but I knew there had been differences of opinion between Mr. Wilson and Mr. Fenton." (Such as refusing to surrender private property in the shape of historical notes.) "How far that affected Mr. Fenton's objections I cannot say, but in the meantime differences had arisen in which Mr. Wilson absolutely refused to comply with my orders. Those orders were legal. I had the solicitor's opinion on them. I would certainly decline to appoint a man who refused to obey legal orders given him, but I do not feel that I am called upon to give any reason for not appointing a particular man when those who were appointed were efficient."

"Did you consider Mr. O'Brien a more suitable person for the office than Mr. Wilson?"

"I did not say that."

"More pliable, I suppose? "

"Well, less impracticable. The question of pliability does not come in. The Government does not interfere with the Judges."

Now, this last assertion is made by the man who, as Minister of Justice, received and acted upon the return, J. 80/2411; one, moreover, who obtained an Act of Parliament which should have the effect of expelling me from the Bench, without trial, without accusation, by putting another in my place, and wrongfully depriving me, without enquiry, of the means of living; which means of living I had *paid for by the surrender of a just and equitable money claim of upwards of £1000.*

Again, was not Judge Halse interfered with by Government in 1880, in spite of the petitions of Europeans and natives at Poverty Bay?

Mr Rolleston says: "I absolutely refused to comply with his orders (to surrender the seal of the Court), which orders were legal." Now, if I was a Judge on the 14th December, the day I received Mr Rolleston's wire, asking for the seal, then he was wrong in requiring me to give it up, as the law specifically directs that each Judge shall hold a seal in his custody. If I was not a Judge, and he had informed me on the 13th October that I was not, and that he would not re-appoint me, and that he had stopped my salary in September, then how could he give me an order, and how could he assign disobedience of his "legal order" as a reason for not re-appointing me. According to his own showing, Mr. Rolleston was in a position simply to make a demand. He made a demand which I hesitated to comply with, and he to to enforce, for ten days. He took a solicitor's opinion. I obtained the advice of counsel, the doubt being due to the uncertainty of what the law was at that time; an uncertainty which was removed by an Amendment Act the following session. I begged Mr. Rolleston to be good enough to permit the question *re* the seal, *i.e.*, whether my commission had been annulled, to stand over until the beginning of the next session of Parliament, but he would not, and I then surrendered the seal under protest. Mr. Rolleston confiscates my property in my office by an interpretation of an equivocal piece of legislation of such a bungling character as to be unanimously condemned by all lawyers. He does this as the Minister of Justice, notwithstanding it was an action characterised by his predecessor, Mr. Sheehan, as "*a breach of the conditions on which I accepted office as a Judge;*" and then when I find it necessary to avoid the effects of his hostility, by seeking the best advice and following it, he, to shield himself before the Committee, because he had avoided inquiry, starts a false issue two months and a-half after he had suspended me, and endeavors to affix a stigma of disobedience on my service and character, as though I had been his servant. This is done, it will be seen, when I have no means or opportunity of knowing what he said before the Committee, or any chance of rebutting his assertions. Mr. Rolleston was no doubt very hard pushed by the Committee for having failed to make any inquiry—the evidence shews this—and he had to get out of his difficulty the best way he could, but his conduct should have been honest and truthful.

Mr. Rolleston says he removed me, or rather he uses the phrase he "did not re-appoint me," on account of some disputes about vouchers which he asserts I had with the Chief Judge. Neither in writing nor verbally did I ever dispute, object, argue, complain, or make a representation—(other than signing a printed form re services

performed for the Court)—to Judge Fenton or to anyone in his office about any voucher; if I had done so it would be on record in writing, for the reasons already given. Had I done so it might have been a reason for recouping me for money paid on public service, not for depriving me of my commission.

Of course the treatment I had received from Mr. Rolleston demanded that he should profess ignorance as to my character and my services.

Mr. Turnbull asked him, "You know Mr. Wilson's character and services?"

"I have no special knowledge of them."

"In making appointments would you look to have any special knowledge about a man's abilities?"

"I know nothing about his abilities. I have always heard of him as an able man. I was in the Native Office from 1865 to 1868, and at that time I had no connection with Mr. Wilson whatever."

Now, let the reader contrast this statement purposely made to produce an unfavourable impression upon the Committee, with but two of a *number* of official letters received by me from Mr. Under-Secretary Rolleston while he was in office. '

No. 265.

"Native Secretary's Office," Wellington,

21st May, 1868.

"Sir,—

I have the honor, by the direction of Mr. Richmond, to request you to supply to the Government a schedule of all Reserves made for friendly natives and for returned rebels in the districts in respect of which you have been acting as Crown Agent in the Province of Auckland, and also of the awards of the Compensation Court, or of lands the subject of arrangement between yourself as representing the Crown and the natives, together with such details as to extent and position as will enable them to be gazetted. I am to request you to give this matter your earnest attention.

"I have the honor to be, Sir,

"Your most obedient servant,

(Signed)

W. ROLLESTON,

"Under-Secretary.

"J. A. "Wilson, Esq., Crown Agent," Compensation Court, Opotiki."

No. 507.

"Native Secretary's Office," Wellington,

September 21st, 1869.

"Sir,—

I am directed by Mr. Richmond to inform you for your guidance in any case in which you may appear before the Compensation Courts as Crown Agent, that no compensation in money can, under any circumstances, be paid.

"I have the honor to be, Sir,

"Your obedient servant,

(Signed)

W. ROLLESTON,

"Under-Secretary.

"J. A. "Wilson, Esq.," Crown Agent, Tauranga."

For twelve months I took my instructions direct from Mr. Under-Secretary Rolleston, and my reports passed through his hands to the Minister. The block of confiscated land that I then administered was 440,000 acres. There were several hundreds of awards made in Mr Rolleston's time, and lands were apportioned to some 3,000 natives. I had to visit "Wellington on this business, where I met Mr. Rolleston frequently in relation to the same. Moreover I corresponded with him privately. I had the "entire confidence of the Government," as I have the handwriting of a Minister of that date to show. But Mr. Rolleston, as Minister of Justice, denies that he had any connection with me whatever in the Native Office, and he does this, not for truth's sake, but to screen himself from the consequences of his attempt to injure me. Such was the Minister of Justice who had determined to ruin me; such the Chief Judge whom he wished to oblige; and such the *modus operandi* of these prominent functionaries of the Justice Department of New Zealand in respect to a Judge who possessed the same power as a Judge of the Supreme Court of the colony, and against whom they were unable to lay a truthful accusation.

Parliament was dishonestly informed that in future lawyers only should preside as Judges of the Native Land Court. An Act so drawn as to be of equivocal meaning was thereby obtained. This the Government interpreted as it desired, and the commissions of the Judges were considered cancelled. Thereupon certain of the Judges who were entitled to pensions availed themselves of the opportunity to retire upon them, but the rest of the old Judges, *myself only excepted*, were all re-appointed. The appointments to Judgeships under the new Act have been in all seven laymen and four lawyers. So much for the pretext under which the legislation annulling my commission was obtained. Thus not only was Parliament deceived into doing me an injury, but the agreement made between the Native Minister, Mr. Sheehan, and myself, in 1878, was broken.

On this point Mr. Sheehan was examined by the Chairman of the Public Petitions' Committee. "You consider that a Judge of the Native Land Court can only be removed for misconduct or in consequence of there being a necessity for reducing the number of Judges?" "Yes; but in this case Mr. Wilson was removed and a number of other Judges were appointed directly afterwards, and I consider that was a breach of the conditions on which he accepted office as a Judge." Mr. Sheehan might well say "a number," for two Judges, new to the language and customs of the natives, were sent into my district to discharge the functions which I had been accustomed to perform.

Having taken my commission from me, I was refused an inquiry, because my commission had ceased. The animosity of the Government was also manifested in the desire to deprive me of my pay for three months as Commissioner, after the Government discontinued my services as a Judge. Thus was I robbed directly of £150; and £45, the 10 per cent, that for several months had been deducted from my salary, was not returned to me, as was the case with the other Civil Servants, who had their 10 per cent, returned to them when their services were discontinued to reduce the public expenditure.

Some time after my dismissal, Ministers felt themselves constrained to justify their action. This the Native Minister attempted by adding slander to the wrongs heaped upon me. He stated untruthfully that I had detained papers belonging to the Government. My Judgeship was taken away on the 30th September, 1880. My commission, by a letter dated 16th November, ceased on the 31st December of the same year. If it were true that I had detained public papers on the 31st December, how could such detention have influenced Ministers in their oppressive behaviour weeks and months previously? The libel is akin to the persecution, and was fabricated to ward off the odium attaching to the conduct of Ministers.

Prior to the passing of the Act, of 1881, amending the Native Land Court Act, 1880, I believe I was entitled to the custody of the seal. Another Judge thought the same, and even used his seal, yet I surrendered mine when demanded, because it was not my property. But the case was far different when my notes were demanded. Ministers knew they would have no chance before a jury, otherwise they would have sued for them, because the notes possessed a special historical value.

The notes were of no great value to me, but the wrongs I had suffered at the hands of Ministers, induced me to turn a deaf ear to their requests. I refused delivery because the Government vindictively retained £150 of salary that was due to me for the months of October, November and December, 1880. Mr Rolleston told the Public Petitions Committee that in keeping my notes I had taken the law into my own hands; had I really done so, Mr Rolleston would have been one of the very first to undeceive me in a court of law. But Mr Rolleston has a disagreeable and a domineering manner. The following incident in my experience bears this statement out. In the lobby of the House, during an evening sitting, I heard the following words addressed in imperious tones by one who I believe is a Secretary in the Public Service, to a submissive man:—"Mr. Rolleston says that that Committee shan't slate him, do you hear." Answer—"Yes." "Well," said the first speaker, in threatening voice, "Mr. Rolleston won't have it. That Committee shan't slate him. So now you know." Exeunt—One up the lobby,

and thence behind the chair. The meek man by the front door in the direction of the Parliamentary Committee rooms, feeling, no doubt, that unless the reporting of the said Committee's proceedings should satisfy the Minister, who "would not be slated," that his humble path in the official maze would presently become thorny.

I have shewn how Chief Judge Fenton objected to my appointment to a Judgeship; how he threatened to resign if the appointment was made; how he afterwards demanded to be "rid" of me. How he persecuted, harrassed and embarrassed me in the execution of my duty, denying to me funds necessary to the public service, and refusing repeatedly to certify to recouping moneys spent by me. How he robbed me of the credit of my work, appropriating it to himself. How he attempted to .disparage my services to the Government, and I think I have shewn that this extraordinary animosity was a monomania, which was increased by courtesy and concession. That when the Ministry changed, and those whom he was able to influence came into power, Mr Fenton brought pressure to bear and made a fresh arrangement with the Government. That immediately after that arrangement had been effected it became publicly known that I would be removed from the Bench of Judges. That the first effort in this direction was an abortive attempt of the Minister of Justice to cajole me into a gratuitous surrender of my permanent and hardly-earned position. That immediately after this failure a fictitious charge, as malicious as it was false, was secretly manufactured at the office of the Native Land Court, and that this document, *worthy of the Council of Ten*, was lodged against me by the Chief Judge. That the Minister of Justice received the same and acted upon it with a view to my removal untried from a Bench upon which I had served the public with integrity, ability, honor, and zeal. That instead of causing inquiry into Judge Fenton's allegations, contained in the document J. 80/2411, and notifying me thereof, he fortified himself with that mediæval instrument of influence, the Cabinet, and obtained, by misrepresentation, an Act from Parliament which, contrary to sound principle and the spirit of justice, was used in the hands of the Minister of Justice to supersede inquiry, and to be the means of passing judgment without trial.

Parliament was misled by the statement when the Bill was introduced, that for the future lawyers only should be Judges of the Native Land Court; that the Chief Judge had declared such a change to be necessary!; and that upon this fictitious plea the Act was passed. Yet almost ere Parliament had risen, the first appointments under it were two laymen, since which seven other laymen have been gazetted Judges of the Native Land Court.

I have shewn how vain was my personal appeal to Mr Rolleston, and his prejudicial attempt, as heartless as it was unjust, to disclaim, as a Minister giving evidence before a Parliamentary Committee, any special knowledge of my character and former services in the Department, of which he was the then Under-Secretary.

And here it is *apropos* to glance at the sequence of events. In February, 1880, I am asked by the Chief Judge to resign on the score of my health. In the following month the Chief Judge and the Minister of Justice meet, and by the end of the following April, the form of his resignation has been gone through and refused; he has visited "Wellington and come to a fresh arrangement with the Government, and immediately after his return as Chief Judge to Auckland, it becomes very publicly rumoured that under the new arrangement or understanding, I shall be deprived of my Judgeship.

Towards the end of May I am requested, or invited, by the Minister of Justice to resign on the plea that I hold another (unpaid) office. I decline respectfully on the ground that "by the Judgeship, I hold position and permanent employment; that these had not been lightly earned and could not be easily set aside; "and I ask him to relieve me of the unpaid office, if my holding it is inconvenient to the public interest, after the 2nd June. Paper J. 80/2411 is compiled at the office of the Native Land Court, Auckland, and is delivered by Chief Judge Fenton to the Minister of Justice at "Wellington. During the sitting of Parliament an Act is obtained upon the pretext that lawyers only shall be Judges; yet no sooner has Parliament risen than all the old Judges are re-gazetted, myself excepted; those who pleased to retire on pensions; and then the farce is completed by the appointment of five new lay Judges. Honour, truth, and good faith, it would seem, had fled from the precincts of the Department of Justice at Wellington that her Ministers should descend to this jugglery in order to give effect to the wish of one man by compassing the ruin of another whom they dared not to accuse. Or has that might which conquers right, now dominant in affairs pertaining to native lands, infused itself into a place where it ought not to come? Granting the Minister of Justice the benefit of the maxim regarding the end and the means, the price paid in forsaking principle, to oblige a partizan, was a heavy one. He must have been a very useful man indeed, too useful for a Judge.

In August I am informed by telegram, while hearing a case on circuit, that my Judgeship is annulled. Four days after I rise from that Bench my salary is stopped; and as if this measure of their ill-will was insufficient, Ministers, who for months had listened to Mr Fenton until they had imbibed his animosity, keep me working a quarter of a year under written instructions, and then turn me off, withholding all remuneration for the time so employed, and ignore all my claims tendered in respect thereto.

The Public Petitions Committee in 1882 recommended that a situation in the public service for which I was suitable should be offered to me. Mr Bryce, however, peremptorily refused in writing when I applied to him, without assigning any reason, to give effect to the recommendations of the Parliamentary Committee.

As a Judge I have been cruelly treated when ill by one Minister, and condemned without trial by another, although such things, one would think, are not easy of accomplishment in this enlightened age. Yet the facts remain incapable of contradiction, and I have exposed the operators and their *modus operandi* in the hope that publicity may prevent Judges and other servants of the public from receiving judgment without trial.
J. A. WILSON.

Appendix A.

Land Purchase Office, Gisborne,

June 6, 1876.

Hon. Sir D. McLean, K.C.M.G.
, Native Minister, "Wellington.
Sir,—

I have the honor to report, as Land Purchase Officer for the East Coast and Bay of Plenty District, that a number of transactions have been effected, and that the following business has been done:—

I.—FORMER NEGOTIATIONS COMPLETED.

I regret that under this head there should be nothing to record. This arises from no fault or shortcoming in my department. The lands have been negotiated, deposits paid, agreements signed. Their surveys have been executed, and applications in writing by the Natives to the Native Land Court (in too many instances repeatedly) to have their claims heard.

Moreover, on the 25th of October last, I requested that the Native Land Court might be moved to commence to take cases in the middle of February last, in which the Land Purchase Department is interested in this district, "as my plans would then be ripe for passing 23 Block through the Court, containing 270,000 acres."

Yet notwithstanding this, I regret to state that excepting certain lands to be hereafter mentioned (where private parties have interfered to obstruct my operations, and where the unprecedented proceedings of the Judge and District Officer have militated seriously against them), that not a single block has passed the Court, nor has a case been called.

This statement applies equally to all blocks included in former negotiations, and in negotiations entered into during the current year.

I should say that at my request the Natives have applied to the Court to have their claims investigated to 259,670 acres. The whole of the said lands have been negotiate! and surveyed at the expense of the Government, while the tracings of the plans of 214,170 acres of them are in my office. The balance of their area, 45,500 acres is estimated, because although the surveys are finished upon the ground, the plans have not yet been sent in.

Of these lands none have been heard.

II.—FRESH BLOCKS PURCHASED.

During the year under report I have purchased fifteen new Blocks, containing a total of 101,037 acres at an average price of 1s. 10d. per acre. The surveys of all these Blocks except three are completed. The Blocks are scattered throughout the district, are a good average quality, and may be considered to be desirable acquisitions.

III.—LEASED LANDS PURCHASED.

Under this head I have to report that 142,709 acres of leased lands have been converted by purchase during the past year. They have been bought at an average cost of 1s. 8¼d. per acre, and 68,652 acres having passed the Native Land Court in previous years, are now held by Crown title.

IV.—FRESH BLOCKS LEASED.

No fresh leases have been made because I have found myself able to purchase, and have, therefore, invariably refused to lease.

V.—MONEYS PAID.

From the foregoing it appears that the purchases during the past year are 243,746 acres. The payments

made on these are:—

VI.—AREAS.

Excluding transactions completed previously.

The surveys performed showed that the areas of the lands had been slightly under-estimated; 226,000 acres estimated were found by survey to contain 230,926 acres.

VII.—The total area I have purchased and leased in this district, the same having been surveyed, or about to be surveyed during the ensuing summer, is 594,882 acres.

VIII.—Opposition and intrigues of Europeans who have interfered with my negotiations.

This has formed the most prominent feature of the conditions against which I have deemed it my duty to contend.

I had to advert to this subject in my annual report last year, and I find myself compelled to mention it again.

The evil has not diminished, although its organisation and ramifications may have become more apparent.

And, first I would say, that where settlers have had prior transactions, and possessed prior claims, that I have made it my rule to abstain from interfering with those transactions, but at the same time I have requested them to refrain in like manner from interfering with the negotiations I have entered into on behalf of the Government.

More than this on the part of the Government would not be acceptable to Europeans, and less than this would not be just to the Government.

It seemed necessary, therefore, to draw a line somewhere, and I have endeavoured to draw it where the equitable and legal rights of the public should be protected from the efforts of individuals—*be they who they may*—who may seek to interfere and to deprive the public of those rights.

The necessity of such a rule appears to be in proportion to the means of the individual either by ability, wealth, influence, &c.; a rule is necessary, too, to meet that class of persons who jump claims to be bought out.

Now it has been my lot until quite lately, *i.e.*, until the land was gazetted under the Immigration and Public Works Acts, to be compelled to struggle single-handed more than twelve months with a very powerful and a very remarkable European opposition. An opposition that I feel sure has spent directly and indirectly (their expenditure in public-houses alone is enormous) far more, perhaps five times as much, money as I have paid, but whose utmost effort has proved quite inadequate to create more than a passing European difficulty.

The persons instigating this opposition have possessed means and influence so large, that had I been less firm or less assured of the justice of the cause represented, I should not have been able to prevail hitherto, as I have. . . .

On the 7th of July last I refused to pay money on Mr Locke and Mr Read's request.

On the 9th the Judge and Read drove to the country house of the latter, where they were accustomed frequently to reside together.

On the 11th I was informed that the Judge was trying to get Read and Cooper's surveys at Waingaromia placed upon a special Gazette by telegram.

On the 12th they returned to town, and by that time the lands had been telegraphed and hurriedly notified at the head office at Auckland, not on the usual printed form under seal of the Court, but with the seal of the Court on a *manuscript*.

I venture to affirm that this was an exceedingly improper proceeding, and an abuse of power. It was a violent action, the effect of which was to displace the cause of the public, and to injure it by giving Read's interests priority. It was to make claimants of the Opposition, and to give them the right to reply. It was to take the hearing of our lands upon their hasty and indiscriminately—I had almost said promiscuously—made surveys and plans. It was to impart prestige to one side, and to humiliate those who had sold to the Government. It was to diminish in the eyes of the people the respect due to the Government in its business transactions, by rendering those transactions subordinate to the interests of Europeans who were known to have interfered with them.

Suitors in all cases in the Native Land Court are required to comply with the forms of the Court. They are required to make their claims to the Court in writing, and have, in point of fact, to fill an elaborate form of application for hearing with scrupulous exactness, failing which, their applications are returned to them for correction. But the Natives with whom Messrs Read and Cooper were in treaty were excused delay where time

was an object, and were granted a special advantage.

And here I may say, that, had the Court and the District Officer permitted business to flow in the ordinary channel, and had surveyors been furnished in March, April, and May, 1875, when I applied for them; and further, had a Judge of the Native Land Court presided here, who could have taken Government business sometimes, instead of cases in which Mr Read is interested always (I believe one solitary case excepted), that the time of the Court in my district during the year under report has been entirely engrossed in adjudicating where Read requires titles, while not a single case has been adjudicated in which Natives claim who have parted with their land to Government. Had these conditions been permitted to obtain, then the Government would have had its deeds, and the Natives their money long ago. . .

I have the honor to be, sir

,
Your obedient Servant

,
(Signed)
J. A. WILSON,
Land Purchase Officer.

Appendix B.

At a Court I held at Maketu, certain natives disputed the liens charged by the Survey Department. The natives' statements were upon oath, while the Department was unrepresented. It appeared the natives had arranged with a private surveyor at a low rate, who performed the work; but not receiving payment immediately the private party sold his claim to the Survey Department, who raised the charges in some cases between 200 and 300 per cent., raising them from the low rates agreed for to the regular tariff charges of the Department. Upon this I communicated with Mr. Smith, the Deputy-Inspector of Surveys, under the Native Land Act. at Auckland, and the following contemptuous reply, betraying his ignorance of the functions of a Court, was returned by Mr. Smith in his capacity as an officer of the Native Land

MEMORANDUM.

No. 109. "Survey Office, Auckland,

"June 24, 1880.

"

To J. A. "Wilson, Esq.

,

"Judge, Native Land Court, Tauranga.

"In reply to your telegram of the 18th inst., in which you inform me that 'Maketu Court is adjourned until after the Cambridge Court rises, you will then have an opportunity to prove in person, or by deputy, or by statutory declaration, as more convenient to your Department and less expensive to the public, any liens you may have upon plans before the Court,' I beg to state that I find that this communication is not in consequence of any orders given you by the Chief Judge, and that, therefore, I do not feel called upon to depart from the usual practice with respect to liens that the Government hold over plans before the Court.

(Signed)

"S. PERCY SMITH,
"Dep.-Insp. Surveys."

By the Act, it was the duty of the Court to inquire into disputes of this nature. Mr. Smith knew this perfectly, but he screens himself behind the Chief Judge, whose authority, the law notwithstanding, is used to defeat all attempts of the Court to sift his money claim in the manner which seemed best.

Appendix C.

Certain of the Persecution's, Annoyances, and Insults Experienced by me at the Hands of Judge Fenton.

In February, 1879, the Chief Judge, while refusing me a clerk at Tauranga, and declining to contribute even to the salary of one, suddenly required me by letter to perform a considerable amount of clerical work of a highly technical kind. The labor consisted in endorsing upon a heavy batch of my decisions the boundaries and descriptions of the lands adjudicated. I had seen many hundreds of decisions by other Judges, but none of them were so endorsed, and as a matter of fact none of them was endorsed, the practice having been discontinued many years ago by reason of the enormous and useless amount of labor involved. I noticed that I was being treated exceptionally, but making no complaint I went to Auckland, and had the work done by a clerk at the head office, obtaining the information *re* boundaries from the Deeds Office. The labor occupied an experienced clerk a week or more, and I returned to Tauranga feeling that I had been harrassed intentionally. Having failed to reduce me practically to the position of a clerk in the Land Court Department the Chief Judge determined to place upon me the indignity of questioning the Clerk's Department in writing whether the work had been performed, even in respect to supervising which I had claimed travelling expenses upon voucher. I refused, however, to see this studied insult—nor did I complain when by a frivolous minute the Chief Judge informed the Government that he objected to the payment of my voucher. The Hon. Mr Sheehan, Native Minister, however, replied in writing that my duties as Commissioner were more important than my duty as a Judge of the Land Court; that I had been stationed at Tauranga by the Government; and that as Judge Wilson had had to travel from that place his expenses must be recouped, and the Treasury was ordered to pay them accordingly.

In July, 1879, Judge Fenton directed me to hold a Court at Opotiki on the 13th of the following month. I replied, "I have a Commissioner's Court to commence on the 24th proximo, also another sitting now. There I will re-arrange so as to permit me to take Opotiki Court." I should state that in August, 1878, August and November, 1879, and June and July, 1880, I postponed Tauranga Courts in order to take Native Land Courts in the Bay of Plenty. I mention this in refutation of Mr. Rolleston's assertion before a Parliamentary Committee that I had not worked harmoniously with Judge Fenton. Whereas, if I erred, it was in working to the detriment of Tauranga in too harmonious a manner.

At Opotiki I found the Chief Judge's administration had failed to supply a clerk or interpreter, or stationery, for the use of the Courts, nor was there nearly the number of forms necessary for recording the decisions, "&c., of the Court, and though I had requisitioned through the Chief Judge weeks before, I had no money. Here was administration exhibited in a form so embarrassing as to be obstructive. However, rather than disappoint the Natives who had come from a distance, I proceeded to make bricks without straw. I engaged assistance, obtained stationery, made manuscript forms, held the Court and disposed of every case upon the list, and sent in vouchers for the expenses of the Court, £13 18s., which, incredible as it may seem, were forwarded to Government by the Chief Judge with a minute that he could not recommend payment, and this notwithstanding I had advised him of the circumstances.

The Government thereupon returned the vouchers to me for explanation. Hence the following memorandum by myself, resulting in payment to me of the money:

MEMORANDUM.

"Tauranga,

22nd November, 1879.

"To T. W. Lewis, Esq.,

"Under-Secretary, Native Office.

"No reason having been assigned by the Chief Judge, I am unable to reply to his objection. I will, however, state for the information of the Government the circumstances under which the money was paid in the vouchers under remark. On the 30th July last, Mr Dickey, who frequently acts for Mr. Fenton in these matters, telegraphed to me *re* the Court to sit at Opotiki in the following terms: 'There is neither a clerk nor an interpreter to send,' and 'could you not get . . . at £1 per diem; reply.' I replied objecting to . . . on account of his very intemperate habits, but that I would recommend an interpreter. In reply, Mr. Dickey wired on 2nd August, 'I have no interpreter to send,' and on the 5th August he wired that 'the Resident Magistrate at Opotiki would place the services of his clerk at my disposal.' Under these circumstances it became my duty to engage an interpreter, because, though I speak the language, I knew that the clerk to the Resident Magistrate at Opotiki did not understand it, and, therefore, an interpreter was necessary, the proceedings being recorded in English; hence I engaged Mr. Thorn, the interpreter whose name appears on these vouchers at the same rate (or rather less) than has hitherto been paid in the Bay of Plenty to the interpreters of the Native Land Court by the sanction of the Hon. Native Minister, viz., £2 2s. per diem. This rate was paid by Judge Halse to Mr. Warbrick, and I am informed to Mr. Piercie also. It was paid by Judge Heale—including Sundays—to Mr. Edwards for many

weeks. It was paid by myself to Mr. Edwards—including Sundays—at Maketu and at Tauranga; also by myself to Mr. Carrol at Wellington. Such being the established rate—being, moreover, the rate which by Orders in Council an interpreter is entitled to charge for his services—I engaged Mr. Thom at the same, viz., two guineas per diem; but I stipulated that Sundays should not be paid for.

"Mr. Thom lives 40 miles from Opotiki. He was not paid for his journey to and from his place of residence, although he might have insisted on these payments.

"When I arrived at Opotiki on the morning of the opening of the Court, I found the interpreter I had engaged there, but the arrangement of the Chief Judge to obtain the services of the clerk to the Resident Magistrate had broken down. (*Vide* copy of letter by Captain Preece, Resident Magistrate attached.)

"This arrangement, I should explain, was based upon an obsolete order issued in July, 1867, by the Native Minister, Mr J. C. Richmond; an order which was made when the labour in the various Courts under remark was much less than it is now, which, I believe, has been acted upon once in 12 years, and which is not in accordance with the law as it now stands; for the "Native Land Act, 1873," requires that the Judge shall have a Secretary who understands the Maori language. Fortunately, the interpreter I had engaged was a good clerk. I put him to that work—paying him, of course, his stipulated fees—and I did the interpreting myself.

"I arrived at 8 a.m. The natives had collected from Cape Runaway, the Uriwera and Whakatane. I kept no one waiting to refer to Mr Fenton, besides the expenses of waiting would have been £4 4s. 6d. per diem to the Government. I considered it my duty, as presiding Judge, to make the necessary arrangements to hold the Court then, for the natives would have been very dissatisfied had they been compelled to return to their homes without a Court. Mr. Fenton's arrangement had failed, and I had been distinctly told by Mr Dickey that he had no clerk or interpreter to send. I therefore made the arrangements I have mentioned, and opened the Court at 10.30 a.m.

"When I went to hold the Court at Opotiki, I did not get from the Chief Judge a clerk, or an interpreter, or any stationery for the purposes of the Court, nor had I a title of the necessary forms on which to record the decisions and recommendations of the Court, and I may add I had no money. I did not complain then, but I do complain now, of the action in respect to the vouchers under remark. It is an action which strikes at the root of the business confidence which is necessary to the holding of an imprest at all.

"J. A. WILSON, JUDGE."

In November, 1879, I was directed to preside at two Courts, one at Tauranga, the other at Galatea, that must necessarily sit concurrently. I opened that which was proclaimed to sit first, and went on with it. I then notified the Chief Judge that I was too engaged to hold the other Court; indeed, I could not have accepted the responsibility of sending all the litigants home with a case such as Rangiuuru half finished before me. As the Chief Judge had no responsibility in the matter, he having no power to adjourn my Court or move me out of it, he should not have embarrassed me by directing me to preside in simultaneous Courts, nearly one hundred miles apart, and reporting me to Government for failing to attend the second; to which, had I gone, he would of course have reported me for not completing the first. Here I would observe that the fountain of power was with the Bench of Judges and Assessors, not with the Government. The Bench in August, 1874, delegated certain powers to the Chief Judge, re presiding Judges, and the Chief Judge, if he had a difficulty in working their rule, should have convened a meeting of the Judges and Assessors. This he dared not venture.

The Bench once assembled in meeting, as provided by law, its powers might be resumed or rules amended for better administration. The operation of the district clauses of the Act might have been revived, and the Governor-in-Council memorialised to proclaim rules for the localisation of the Court. In this instance the Minister (Mr. Bryce) referred to me for explanation; but in the following similar case, Mr. Rolleston being the Minister, it was not so. It was easier and safer for Judge Fenton to forward unverified complaints to a friendly Minister, when the innocent and unsuspecting knowing nothing, could not answer them, than to appeal to the source that had empowered him to nominate presiding Judges; where he would have been supported in meeting, and before the Governor, if necessary, all that was right; where falsehood might not have been revealed, where truth could not have been concealed, and where he would have been rendered harmless.

The second similar case is the following:—"On 10th May, 1880, while on sick leave, I was directed by *letters in duplicate* to hold a Court at Ohinemuri on 2nd June. My leave would expire 26th May." Now Ohinemuri was out of my district, and I could not go there without breach of agreement with the Native Minister (Mr. Sheehan). This Mr. Fenton knew perfectly. I replied on the 14th that I was unable to attend, as I had a Court to hold at Tauranga on the same day. To this I received the following answer:—

"Native Land Court Office, "Auckland,

20th May, 1880.

"

Sir,—

Having reference to your letter of the 14th inst., in which you report that you are unable to preside at the Native Land Court at Ohinemuri, on the 2nd proximo, I have the honor to state that as the Court sitting at Maketu also on that day, may possibly be found more convenient in respect of proximity to your other business, I have assigned that Court to you in lieu of the one to be held at Ohinemuri.

"I have, &c.,

(Signed)

"F. D. FENTON,

"Chief Judge.

"J. A. Wilson, Esq., Judge Native Land Court, Auckland."

Maketu being in my district, I went there on the 1st June, and presided in the Land Court there until the 24th September following. My Commissioner's Court I adjourned to do this.

After this, by a paper numbered J. 80/2411, of the existence of which I was in ignorance, and had no suspicion until more than two years after, when I saw it handed by the Chief Judge to the Chairman of the Public Petitions Committee, on the 13th July, 1882 (this document, having been secretly prepared, tendered to, and accepted by the Minister of Justice, Mr. Rolleston, as an accusation against me on the part of the Chief Judge warranting my removal from the Bench), sets forth, among other things, that I had not attended the Court at Ohinemuri on the 2nd June, 1880, and omits all mention of my duty at Maketu in lieu of Ohinemuri, or indeed of my having presided at Maketu at all. Such was the character of the *modus operandi* of a Minister of Justice and a Chief Judge of the Colony of New Zealand, against one of her oldest colonists, who was a just and indefatigable Judge, whom they desired, for reasons best known to themselves, to deprive of his office, yet could not accuse him openly, because he was unblemished and known to be able to prove himself innocent of any charges that might be brought against him.

In 1880, I was embarrassed at Maketu Court by a departure of the Chief Judge from the rule allowing a Judge to name the assessor to sit with him. To that Court the Chief Judge sent the assessor, and the Chief Clerk informed me to that effect on the 21st May in writing. Had I been disposed to work inharmoniously with the Chief Judge (as stated by Mr Rolleston) I should have demurred to this invasion of my right in a matter of some importance. The assessor had not sat more than a very few days when he had to be lifted into a vehicle and sent home. Then it transpired that he had been years subject to rheumatic gout, and had collapsed at other Courts. The Chief Judge knew this, and that the assessor had expostulated on the score of his health at being sent to Maketu in the depth of winter, but he had been told by the Chief Clerk that he must go. Moreover, it transpired in the Court that in reply to complaints at the simultaneous sittings of Maketu and Cambridge Courts, the Chief Judge had said that they had better attend at Cambridge, as nothing would be done at the Maketu Court; a remark, which, coupled with the sending of the invalid assessor contrary to rule, needs no comment.

However, I determined that the Maketu Court should not be stopped, notwithstanding the difficulty that the Chief Judge went out of his way to cast in my path. It re-opened presently with another assessor, whom I had summoned. On this the Chief Judge took upon himself to stop the funds, for payment of the current expenses of the Court, by minute upon the requisition that he refused to recommend them, thus running my Court into a debt of £175 through living on credit for nearly two months. On this I wrote to the Minister of Justice the memorandum of the 11th August, 1880, attached. Finding that even this obstruction did not cause me to close my Court, the Chief Judge went a step further and decided to stop me by telegraphing the following message, duly received by me sitting in Court on the afternoon of 31st August, 1880:—

"J. Wilson, Esq.

"The new Act is assented to and your Commission annulled. Mr Munro or I will come and take up the case. Please leave all papers with the clerk.

(Signed)

"F. D. FENTON,

"Chief Judge."

Now, the new Act did not come into operation until the 1st October, 1880, and my commission was not annulled. The Chief Judge knew this when he telegraphed. The new Act was the keystone to his new arrangement with the Ministry—part of the *modus operandi*—and he had spent nearly four months at

Wellington shepherding it through the Legislature, and no one knew better than he that the clause bringing it into operation on 1st October had passed both chambers without alteration. *Vide* following note kindly obtained for me by Major Harris, M.H.R., from the Clerk of Committees:—

"Major Harris,—

"Native Land Court Act, 1880.—No such amendment was made. The Act was introduced into the House with the date 1st October in Clause 2.

(Signed)

"GEORGE FRIEND."

This note was in reply to the query—"Was Clause 2 amended in passing through the Legislature (in the matter of date of the Act coming into operation) from the 1st September to the 1st of October?"

Meanwhile, from causes it is unnecessary to go into, the Chief Judge found himself obliged to retire from the false position he had taken up. This he effected under cover of another falsehood manufactured for the occasion, viz., that the Governor had altered the date of the Act coming into operation, and I received the following telegram on the same evening, :—

"Judge Wilson,—

"Subsequent by Governor's amendment, Act does not come into force until October 1. Please, therefore, complete Paengaroa, but commence nothing else. Give notice to this effect.

(Signed)

"F. D. FENTON,

"Chief Judge."

The Chief Judge's obstructions *re* Maketu Court all failed, Neither by the sick assessor, nor by the cutting off of supplies, nor by untrue intelligence, could that Court be topped, but his motive for this and other actions is explained by his paper J. 80/2411. I had been appointed in spite of his threat to resign, and now his friends were in power, he allowed nothing to stand in the way of the accomplishment of his desire to oust me from my office. To discredit me he employed obstruction, secret misrepresentation, and the suppression of my work (See J. SO/2411 and my reply)—*et sequitur*—and in one remarkable instance—Rangiuru—be even appropriated that work to the credit of himself and another Judge.

In November and December, 1879, I sat a month at Tauranga upon Rangiuru—a heavy case; there were eight separate parties, or hapus, to the suit, and my notes occupied 150 pages of foolscap. The property was said to be worth from £25,000 to £30,000. I gave judgment as between the parties, recording the same in the minutes of the Court, and then I settled the 242 names of the individuals whom I found comprised in the successful party. The case was completed and closed, requiring only a fair copy of the order under my hand and seal as presiding Judge. This was delayed by the indisposition I had asked sick leave for. Meanwhile, the Chief Judge came to Tauranga with Judge Symonds, called the case illegally when it was not for re-hearing, and added a name that I had rejected to the list. The natives interested being absent could not oppose, and after making a direct attack upon me from the Bench, adjourned all the other cases. Sitting in all but a few hours on the 4th February, and returning to Auckland forthwith, he gazetted Rangiuru as having been investigated and awarded by himself and Judge Symonds at a Court begun and holden and ended on the 4th February, 1880 (see "New Zealand Gazette," No. 31, page 423), thereby depriving me publicly of the credit of my labour, and improperly appropriating that credit to himself and his friend.

Again a native, Aperahama te Kotuku, whom my Court had imprisoned for violent outrage upon the Court, entering at the head of a band and tearing a witness from the bar of the Court, was released, *without reference to myself as the presiding Judge*, before his term had more than half expired. The spirit the native displayed when released, and the kind of terms he was upon with the Chief Judge, may be gathered from a passage in his letter to the latter, duly filed, of 3rd May, 1880. Speaking of myself he says, "A payment must also be asked for his wrong in sending me to gaol. He must yield a payment for me." Thus Te Kotuku was set free before his time, in a way to obtain credit for the action amongst the natives at my expense. I have never been officially informed by whose advice the native was released, but I have seen and noted the letter quoted.

I have said that the Chief Judge attacked me from the Bench on the 4th February, at Tauranga. This behaviour was the more unseemly as I am informed the attack was couched in unmeasured terms. I was not present, being ill from overwork. I was awaiting Mr Bryce's reply to a medical certificate ordering rest.

The circumstances were the following:—A native, who oddly enough was shortly after appointed an assessor of the Land Court, applied for a rehearing of Rangiuru, alleging that the names of children had been included in my list of owners for Rangiuru. The Chief Judge used this matter as a peg to hang his remarks upon. Now the Native Land Court is a Court of Maori custom, and it is in accordance with native custom that children should sometimes be recognised as owners of the soil, and in some parts of New Zealand, for many years,

children were commonly included in titles issued by the Native Land Court. European purchasers of native lands however complained of the anxiety and expense caused by minor owners, pressure was brought, and the Chief Judge cast his weight into the scale against the children. This influenced the Bench considerably, but the natives are attached to their children, and some tribes held out long against the new dictum. This was the case in my district. The practice I followed was to strike out children or minors unless the natives unanimously required them to be included. This course was followed by me at the hearing of Rangiuru in December, 1879, and the names of about sixty children were with some labor excised. Some of the minors were produced in Court in order that the Assessor and myself might judge of their age, and if children did creep into the lists, it is but what has happened generally in every large block throughout New Zealand that has been dealt with under the dictum; but that it was I who had adjudicated, and that Judge Fenton, in his desire to injure me, determined to make it appear necessary that my work should be done over again. Nothing would have been further from his thoughts then to recommend the Governor to grant a re-hearing of Rangiuru on that score. As well have two extra Judges per annum as to re-hear all blocks known to have minor owners in them.

In this case, however, he sent an urgent telegram to the Native Minister, saying, "I respectfully recommend a rehearing. I sat myself at the conclusion of the case. I found an order made including about 50 minors whose parents were still alive. Our precedents all went in the contrary direction. I told the parents I would get the matter set right somehow, and on consideration can discover no authority except a rehearing." This is the order that he gazetted, in his own and his friend's name, in the "New Zealand Gazette" of the 1st April, 1880. As regards the passage in the urgent telegram, "All our precedents went in the contrary direction," the following, which appears in the evidence before the Public Petitions' Committee in my case, convicts Judge Fenton, out of his own mouth, of misleading the Government in using misrepresentation in favour of a rehearing.

Question to Mr. Fenton by Mr. Wilson—"Were you not then aware that other Judges had made a practice of including minors? "

Mr Fenton—"Yes, I was."

However, the upshot of the matter is in a nutshell. A year after Judge Fenton sat himself four days at Maketu to expunge the "50 minors" from my order (Gazetted in his own name, 1st April, 1880; page 423), and succeeded, after his labour, in reducing the number of names from 242 to 236. (*Vide* "New Zealand Gazette" of October 10, 1882; page 1447.) Moreover, he replaced 12 of my names as under age with 12 names that I had rejected as under age, so various are separate opinions sometimes when it becomes necessary to determine the ages of natives in the absence of registration.

If this kind of revision were necessary, why did it begin and end with the block I had adjudicated? On the East Coast prior to 1877 probably every child in the whole population was included somewhere in a memorial of ownership. Why were not these "set right?" Why? because there could be no setting right where there was no wrong to redress, and because it formed no part in the *modus operandi* *re* Fenton and another *v.* Wilson.

Had I given the two conflicting awards on the 5th November, 1878, and afterwards *re* Te Puke, *what an outcry there would have been!* As it was, the Government was left to special legislation to "set the matter right."

"MEMORANDUM TO THE HON. MINISTER OF JUSTICE.

"Maketu,

11th August, 1880.

"I have the honor to forward the enclosed requisitions for money to meet the expenses of the Native Land Court now sitting at this place. I send the requisitions to yourself direct, as the Chief Judge has refused to recommend the requisition of the 14th July.

"The Court was notified to be held according to law by Chief Judge Fenton, who directed me in writing to preside thereat. (*Vide* copy of letter attached.) The Court opened on the day appointed, 1st June, 1880, since which there have been two adjournments; on the first occasion for five days, when the natives all became drunk and incapable of business on the death of a chief, Waata Taranui; on the second occasion when the assessor fell sick and returned to his home. Here I should explain I had not chosen the assessor, for contrary to usage he had been chosen for me.

"At the second adjournment I decided not to resume the Maketu Court until after the Cambridge Court should have risen. Meanwhile I held a Commissioner's Court for three weeks at Tauranga, and passed eight blocks.

"I did not resume the Maketu Court because the whole of the Rotorua natives were absent at the Cambridge Court, and they had requested the adjournment of all claims in which they were interested until they should have opportunity to attend. Thus all the large cases upon the Maketu list, and many small ones as well, were

unavoidably adjourned. The mistake was in calling two important Courts in a way to interfere with each other; that mistake, however, was not mine, and I am not to be blamed for the results.

"The officers were discharged at the adjournments. Owing to the adjournments the Court has had only 22 sitting days, during which period 18 orders have been made, of which 9 are for memorials of ownership. Several recommendations have been made; one case has been adjourned, and 3 more are likely to follow; 96 claims have been dismissed through want of plans or as duplicate claims; 12 claims, which had passed former Courts, were dismissed; the discovery that these claims had not been written off in the Head Office, compelled the Court to search the records in many other cases also.

"Thus upon a 12 years' accumulation of claims amounting to 204 in all, sent to my Court, but 74 remain upon the list. (*Vide* list attached.) Again, when the Court opened first it was delayed four days in the difficult task to strangers of arranging hundreds of claims with their plans. This should have been done in the Deputy Inspector of Surveys Office. Eight days after a letter was received from that office shewing the connection, but it came too late to be of service to the Court.

"The case now before the Court is that of a block worth about £45,000, claimed by every hapu of the Arawa. The Supreme Court of New Zealand seldom has larger or more difficult cases to deal with than that which is now engaging the attention of Assessor Leaf and myself. Native Chiefs of highest ranks, are present from Torere, east of Opotiki, from Te Awa ote Atua, Tarawera, Taupo, Rotorua, Cambridge and Auckland, also from Te Rotoiti.

"I mention these things to shew how contrary to fact is the statement by Mr. Chief Judge Fenton, that 'nothing comes of the Maketu Court.' When I first entered the Native Land Court at Maketu, to relieve Judge Heale, two years ago, the Court was full of men stripped and armed for fight with revolvers, tomahawks, spears and every kind of Native weapons. Six spearmen held the door, and the Sergeant of Police reported his men wounded in trying to enter.

"The Court was informed that blood would be shed if it attempted to proceed with the business before it. This state of things is changed (although a weak or an inconsiderate and impatient course of action might easily revive it) and something came of the Court at Maketu, when the change was effected.

"I am the only Judge who has sat there since that time, but I believe I am right in stating I am not the only Judge who has been asked to sit there.

"I do not desire to trouble you with Mr. Chief Judge Fenton's minute upon the requisition for money for Maketu Court, in so far as its effects are felt from a business point of view. Whether a Court is to contract debts without paying them, or whether it is to pay or be paid according to the amount of work it may appear to have performed, I would respectfully submit are matters beyond discussion among business men.

"I would, however, remark that it has been the practice heretofore to recommend imprests for the payment of Courts which have not heard a single case. I will mention four such Courts within this district during the last two years, costing altogether about £300.

"I. The Court at Galatea, in 1878, which I was ordered by the Hon. Native Minister to adjourn at its opening, because it had been called in an unsuitable place.

"The hut I tried to sleep in had neither door, nor window, nor floor, nor furniture, nor bedding, nor food. The ice outside the hut was two inches thick, and food for man and beast could not be bought. I then saw how correctly the Native Minister had been informed.

"II. The Court at Galatea in 1879 removed by Judge Symonds to Te Teko. No case heard.

"III. The Court ordered at Taupo, 1879. Judge Symonds had not an opportunity to hear any case in this instance.

"IV. The Court at Tauranga on the 4th February last. Two Judges attended this Court, Mr Chief Judge Fenton and Judge Symonds, but no case was heard.

"I have not written this memo, as an apology for myself as presiding Judge at Maketu Court. I have written simply by way of controverting an error contained in Mr Fenton's minute upon a matter of fact, and because I desire that funds may be furnished without delay for the Court over which I am at present required to preside.

"J. A. WILSON,
"Judge Native Land Court."

Departmental No. ----- Treasury voucher, No. ----- Tauranga, New Zealand,

14th July, 1880.

Required the sum of one hundred pounds ----- shillings and ----- pence sterling, as an advance for expense of Native Land Court at Maketu.

Signature
(Signed)
J. A. WILSON.

Official Designation Judge Native Land Court. Station Tauranga.

To be transmitted through the Bank of New Zealand at Tauranga.
The-----
-----Department, Wellington.

To be charged to advances -----Fund. (Stamp).
Forwarded to Chief Judge Native Land Court for recommendation, &c.

(Signed)
A. J. DICKEY.

July 19th, 1880.

I will recommend no more for this office. Nothing comes of it.

(Signed)
F. D. FENTON.

July 23rd.

For Mr Wilson's information.

(Signed)
R. G. FOUNTAIN.

July 27th, 1880.

Seen and referred to the Hon. Minister of Justice, with memo,

(Signed)
J. A. WILSON,

Judge Native Land Court.

August 1st, 1880.

This requisition was never honored by the Minister of Justice.

(Signed)
J. A. WILSON.

October 1st, 1880.

Departmental No.----- Treasury voucher,----- Maketu, New Zealand, 11th August, 1880.

Required the sum of one hundred pounds----- shillings and----- pence sterling, as an advance for expenses of Native Lands Court at Maketu.

Signature (Signed)

J. A. WILSON.

Official Designation Judge Native Land Court.

Station Tauranga.

To be transmitted through the Bank of New Zealand at Tauranga.

The

This memorandum resulted in the payment of £100 of the £200 I had asked for, which later sum was, however, insufficient to meet the claims against the Court. Under these singular conditions I found myself reluctantly compelled to decide upon one of two courses; either I must close the Court for want of funds, or I must carry on without money, leaving to the proper quarter the responsibility of a refusal to liquidate the just debts of the Court when it should have finished its sittings. I chose the latter alternative, being influenced by the public importance of the principal business on hand, but the officers of the Court suffered inconvenience, as well as the storekeepers who gave them credit. I may add that as far as I myself was concerned, the behaviour of the authorities was most discouraging, at a time, too, when I should have received every support from them.

(Signed)

J. A. WILSON.

Telegrams shewing condition of natives in the Native Lands Court at Maketu when Judge Wilson relieved Judge Heale:—

CHIEF JUDGE FENTON TO JUDGE WILSON.

"July 31, 1878.

"Please relieve Heale at Maketu as soon as possible. He is knocked up. You can adjourn such claims as, from your previous engagements, &c., you prefer not to hear.

(Signed)

"F. D. FENTON,

"Chief Judge."

JUDGE HEALE, AT MAKETU, TO JUDGE WILSON.

"I must, at any rate, stay till Monday; the excitement and violence is so great that I cannot run away.

(Signed)

"THEO. HEALE."

JUDGE WILSON, AT MAKETU, TO THE HON. JOHN SHEEHAN, NATIVE MINISTER.

"August 5, 1878.

"In the Court to-day, Pokiha declared the prosecution of business would produce bloodshed. The Court-house was full of his men at the time—all men, and all armed with newly pointed spears, hatchets, and Maori weapons, while a guard, armed with spears, kept the Court-house door, and prevented other hapus and their spokesmen from delivering the names for certificates to the Court. The violence of Te Pokihi and his hapu is extreme and organised withal. The Court took no notice of the arms, lest an expression should be mistaken for fear. Business being prevented, the Court adjourned until to-morrow. The Court cannot sit if these proceedings are repeated.

"J. A. WILSON,

Judge."

Appendix D.

"Native Land Court Office, "Auckland,

10th June, 1879.

"

Sir,—

I do myself the honor to forward to you, herewith enclosed, a copy of certain new Rules, which it is proposed to make under the authority of the 'Native Land Act, 1873,' for regulating the times and places for the sittings of the Courts, and for fixing the rates to be charged for surveys made for the purposes of the same.

"I have to request that you will peruse them, together with the schedules, respectively marked A and B, appended, and return them to me, signed by yourself, unless you shall see reason to dissent from any particular therein.

"

I have the honor to be, Sir

;

"

Your very obedient servant

,

"F. D. FENTON,

"Chief Judge.

"

His Honor Judge Wilson

, "Native Land Court Office, Tauranga."

Whereas it is enacted by the "Native Land Act, 1873," that the Judges of the Native Land Court, with the Assessors, should, as soon as conveniently might be after the passing thereof, make such General Rules touching the sitting of the Court, and the practice and procedure thereof in all matters as they might deem advisable: Provided always that all rules to be made under the authority of the said Act, should be submitted to the Governor in Council for his approval; and upon being so approved should be forthwith published in the "New Zealand Gazette;" and should, from and after a date to be fixed by the Governor in Council in that behalf, have the force of law, until altered or repealed by other rules to be similarly made and approved:

And whereas, on the twenty-fourth day of June, one thousand eight hundred and seventy-four, rules were made by us under the above-recited authority; and it is now expedient to make further rules for the purposes aforesaid:

Now, therefore, we, the Judges of the said Court, with the Assessors thereof, do hereby, in pursuance of the said power, make the rules following, that is to say:

- No claim or application shall be heard, unless the Land shall have been advertised in a Kahiti, bearing date and published at least twenty days before the first day of sitting of the Court; beside being published otherwise, as at present.
- Henceforth Courts shall be held in each year at the places and on the dates mentioned in the Schedule hereto annexed, marked A.
- The Chief Judge shall cause the business to be brought before each Court to be duly advertised.
- The rates to be charged for surveys shall be thus set forth in the Schedule hereto annexed, marked B.
- Whenever two or more adjoining blocks of land are surveyed together, at the same time and by the same surveyor, the boundaries of which are common for more than one-fourth part of the total perimeter of the larger block, then one-fourth of the above rates shall be deducted from the charges on each block for all areas above one hundred acres. And when ever also more than one half of the lengths of the boundary lines shall run through vegetation less than six feet high, one-fourth of the Shedule rates shall be deducted.
- When a survey is made of land, one or more of the boundaries of which has been previously surveyed, then only the actual cost of completing the boundaries shall be charged; unless it shall be known that the

former surveys are erroneous, so that it be necessary to re-survey the whole; in which case the full charge shall be made.

Schedule B.

NATIVE LAND COURT.

Upon blocks above 50,000 acres the rates charged shall be by special arrangements.

Schedule A.—Native Land Court.

"Tauranga,

20th June, 1879.

"

Sir,—

I have the honor to acknowledge the receipt of your letter of the 10th inst. covering six draft-rules, which you propose should be made further rules of the Court under the 'Native Land Act, 1873,' and requesting me to sign the same unless I shall see reason to dissent from any particular therein.

"In reply I would say that, as regarding the proposed rule standing first on the list, 30 days, all circumstances considered, as from the native point of view, is, to my mind, a very short notice for a first notice. The case would seem, however, to be sufficiently provided for by Rule I., of the 24th June, 1874, and by the Act itself.

"Respecting the second rule with Schedule A. In this instance no reason has been shewn on behalf of the change sought. For my part I think the present condition, notwithstanding its imperfections, better for the public than the course proposed. If any rule is desired re an important matter of this kind I would venture to suggest the advisableness of a meeting of Judges and Assessors as heretofore, for the purpose of discussing and determining the same.

"Rule 3. This has reference merely to the previous rule.

"Rule 4, with Schedule B. attached, and following rules. These seem to contemplate an invasion of the natural right of employer and employed to make their own bargains. This right is postulated and fully recognised in clauses 72 and 73 of the 'Native Land Act, 1873,' the parties named being the 'Native Claimants' and 'Native Owners' on the one hand, and the 'Inspector of Surveys' on the other. Moreover, by clauses 74 of same Act, and 7 of the Act of 1878, No. 2, the latter party, that is to say the party surveying, may, subject to conditions therein named, be any surveyor duly authorised according to the Act, and in the event of the same coming before the Court, then the Court, by the clause last mentioned, is required to 'take cognisance of any proper and reasonable agreement entered into between a duly authorised surveyor and the persons employing him to perform any survey of native lands.' I do not know where we are clothed with the power to take this right from those parties and to invest ourselves with it, nor have I heard any reason why we should seek to do so. My own feeling is that the native is as competent to employ his surveyor as is a European.

"Again, apart from the foregoing, prices in New Zealand vary with the locality and fluctuate with the times, and a rigid system would not accord with these conditions. Again, the Court would necessarily be very much in the hands of surveyors themselves in fixing charges, and surveyors have an interest in fixing them at a maximum.

As regards Schedule B., I think the smaller lines are so very high that I should be afraid they would militate against the individulization of native title.

"

I have the honor to be, Sir

;

"

Your obedient servant

,

"J. A. WILSON,

"Judge.

"F. D. Fenton, Esq.,

"Chief Judge, Native Land Court, Auckland."

"Auckland,

26th June, 1879.

"Judge Wilson, Tauranga,

"*Re* proposed new rules of Court pray forward approval at once, giving authority by telegraph to affix signature; alteration cannot be settled without a meeting, which is impossible.

"F. D. FENTON,

"Chief Judge."

"Tauranga,

27th June, 1879.

"Chief Judge Fenton, Auckland,—

"I agree with you in the last two lines of your letter of the 10th inst. I should have acted on the alternative myself, believing it to be the only proper course under the circumstances. I "see reason to dissent;" nothing has occurred to change my views; not an iota of reason has been adduced in support of the changes sought to be introduced important changes upon which I have no opportunity to interchange views with the Judges and Assessors. My reasons, but partially mentioned, it would seem unnecessary to mention further. Hence, if the affixing of my name is looked upon as a mere form, I beg you will be good enough to dispense with that form in this case; if otherwise, then I am unable to permit my mind to be influenced by aught but considerations which appear to be reasonable.

"J. A. WILSON, Judge."

"Auckland,

27th June, 1879.

"Judge Wilson, Esq.,

"Judge Native Land Court, Tauranga.

"Telegram unintelligible. Please repeat; also state your objection to Rule.

"F. D. FENTON, "Chief Judge Native Land Court. "Tauranga,

28th June, 1879.

"Chief Judge Fenton, Auckland.

"I have asked the telegraph office to repeat the message for you. Before proceeding further, I would request you to be good enough to state *re* Schedule A. what reasons induce you to desire to depart from or alter your present practice. 2nd. "What grounds have you to assume that the scheme proposed would answer sufficiently well to justify us in stereotyping it a rule without trial. *Re* Schedule B., what reasons have induced you to ask for this rule? What statutory power do you rely upon to warrant our prescribing rates to be paid for surveys to be performed.

"J. A. WILSON,
Judge."

No. 874.

"Native Land Court Office, "Auckland,

June 28, 1879.

"

Sir,—

Referring to your letter of the 20th Instant, and of your telegram of yesterday's date, I have the honor to state that a little reflection would have shewn you that a meeting of all the Judges and Assessors would be most expensive and inconvenient (some being at the Chatham Islands). In fact, a strict compliance with the Act is impossible, and was found so, when rules were previously made.

"The cause which you have thought it your duty to take, compels me to abandon all further attempts to make the proposed amendments, the chief object of which was to divest myself of powers which subjected me to constant solicitation and embarrassment. I must now do the best I can with my own powers.

"

I have the honour to be sir

,

"

Your most obedient servant

,

"F. D. FENTON,

"Chief Judge.

"J. A Wilson, Esq.,

"Judge Native Land Court, Tauranga."

"Tauranga,

5th July, 1879.

"

Sir,—

I have the honour to acknowledge the receipt of your letter of the 28th June.

"In reply I beg to state that when I ventured to suggest the advisability of a meeting as heretofore in important cases of the kind under reference, I simply pointed out the ordinary course by which business, both public and private, is continually transacted under similar circumstances. I did not ask for a meeting. I did not say a meeting was necessary, or that it would be proper or even desirable. The business being in your hands, I merely suggested whether a meeting would be advisable, and I stated some objections to the proposed rules.

"Your reply that 'a meeting is impossible' was at once accepted by me as conclusive from a practical—that is to say, from an administrative point of view—and so far were you from being influenced to withdraw your proposed rules by any suggestion I had made, that in the self-same telegram notifying the impossibility of a meeting you desire me to forward my approval of the rules 'at once.'

"I turn now to another phase of the subject. When you informed me that a meeting was impossible, it seemed no longer premature to ask the reasons that had induced you to propose these rules, such reasons being necessary, as I had hoped, to enable me to consider the rules aright. I therefore telegraphed an inquiry to you two days after receipt of your telegram stating a meeting to be 'impossible' and desiring me to sign the rules 'at once.'

"On receipt of my telegram of inquiry, you therefore withdrew the rules the day following by your 'letter of the 28th ultimo; nor did you reply to my questions, unless the passage in your letter is to be considered as such, in which you say, speaking of the rules, 'the chief object of which was to divest myself of powers which subjected me to constant solicitation and embarrassment.' Now the questions I asked were the following:—

- *Re* Schedule A. What reasons induce you to desire to depart from or alter your present practice? What grounds have you to assume that the scheme proposed would answer sufficiently well to justify us in stereotyping it a rule of the Court without trial?
- *Re* schedule B. What reasons have induced you to ask for this rule? What statutory power do you rely upon to warrant our prescribing rates for surveys to be performed?

"Such were the simple, and in this case necessary, questions, to the first of which alone did your letter in any way reply

"I have narrated circumstances as they occurred thus to place on record, in so far as I am aware, how the rules you proposed became abortive, and to combat the erroneous impression, unstated, indeed, in your letter of the 28th ult., but conveyed notwithstanding, that the rules had miscarried because I had required a meeting of Judges and all the Assessors.

"Whereas I should have been willing and happy to approve the rules had you but been able to return satisfactory replies to the proper questions put to you concerning them.

"Here I would remark that it is but scant justice to a set of rules such as these, and speaks little for the confidence of its author, to withdraw it thus hastily from view the moment questions are asked about it, and I regret that propositions so feebly supported should be seriously placed before me.

"I have affirmed that these questions were necessary in this case, and as I do not desire to put forth aught of this kind in respect to which I would be unable or unwilling to give a reason, I will shortly indicate here how I conceived them to be necessary.

"1. In regard to Schedule B., with its attendant rule. Now, apart to the objections to this rule contained in my letter of the 20th ult., which objections are unrefuted, it was necessary to challenge you, because the course you were following was diametrically opposed to one of the primary objects of the Legislature expressed in the very first lines of the preamble to the Act, that object being 'to enable natives, at a less cost, to have their surplus lands surveyed,' and in furtherance of and compliance with this a legal scale of rates chargeable under the Act exists. A comparison of this scale with your tariff shows that you would have raised the costs above the legal scale to an enormous extent, as may be seen by the following schedule:—

It is not possible to do more than approximate roughly to an estimate of the aggregate weight of the additional burdens you would permanently impose upon the native community by this schedule. It may, however, be placed at not less probably than £50,000—and might be very much more than that sum—and this I feared when I made my inquiry that the increased cost of surveys would defeat a chief object of the Legislature and of the author of the Act.

"Again. The legal scale rests in a separate department, connected indeed with the Court to a certain extent, but independent of it. Over this department the Inspector of Surveys presides. He is required by the Act to make his own rules or regulations under its 70th clause, something in the same way that we are empowered to frame our own rules by the 17th clause. I apprehend the Inspector can request the Governor in Council to alter this scale if necessary, raising it or lowering it to suit the times, but we cannot touch it. At any rate it had not been shewn when I wrote how or why we should attempt to interfere. It is beyond the boundaries of our province, nor do our functions extend to it.

"Again. The Judges in their memorandum entitled 'Remarks by Judges of the Native Land Court upon the Native Land Act, 1873,' submitted to His Excellency the Governor in Council, at a date not named, in speaking to the circumstance, that they were unable to require from the Inspector of Surveys a plan even or tracing, for the Court Rolls say—'The Judges cannot deal with this matter by rules, as they have no power to regulate the conduct of independent departments connected with the Court.' Such, therefore, being the unanimous opinion of the Judges deliberately expressed at that time, I was unable to reconcile the said opinion with the principle of the Schedule, the latter being, to my mind, a flagrant attempt to 'regulate the conduct of an independent department,' and as I have an objection to the Judges, or any of them, being asked to stultify themselves I challenged the rule.

"Again. I am not aware that we have the power to act for the Inspector of Surveys, should we wish it even, nor do I think that he is authorised to delegate his functions to us.

"I turn now to Schedule A. and the rule covering it. After the receipt of your answer to my first question, re this Schedule I should have requested a meeting had the rules not been withdrawn, and here I may note parenthetically, that I should have equally required a meeting to consider the Survey question and Schedule B., believing as I do, that a meeting would have been necessary in this instance, and being necessary, should be convened, and that all necessary expenses connected therewith, and inconvenience if such is to be considered, should be cheerfully incurred; hence, as I have said, I should have requested a meeting on receipt of your reason in the letter of the 28th ult., because the proposal and the reason raised a series of considerations which seem to be of much importance to the administrative success of the Act, considerations based upon the Act itself, upon its past, its present, and future usefulness, and how the embarrassments you complain of, which doubtless increase as business increases, should be met and provided for in an intelligent way in each case; for these difficulties cannot be ignored or set aside in any district I am acquainted with. They are an element demanding personal supervision on the part of the administration, and no automatic scheme, or time-table set up among the stifling and evanescent conditions which surround a Native Land Court, would be likely to secure a successful issue.

"The whole matter is, however, a question for careful deliberation, and I trust that sooner or later its importance may be deemed sufficient to justify a meeting.

"

I have the honor to be, sir

;

"

Your obedient servant

,

"J. A. WILSON,

Judge.

"F. D. Fenton, Esq., Chief Judge, N.L.C."

No. 930.

"Native Land Court Office, "Auckland,

July 11th, 1879.

"

Sir,—

I have the honor to acknowledge the receipt of your letter of the 5th inst., commenting on the new Rules.

"

I have the honor to be Sir

;

"

Your most obedient servant

,

"F. D. FENTON,

"Chief Judge.

"J. A. "Wilson, Esq.,

"Judge Native Land Court, Tauranga."

Appendix E.

"Auckland,

13th May, 1879.

"

Sir,—

By direction of Mr. Fenton I am engaged in collecting information relative to the former history of the native tribes, as far as it can be ascertained from evidence given in the Native Land Courts, with a view to compiling a history of the movements of the various tribes since their arrival in New Zealand.

"To that end I am directed by Mr. Fenton to apply to you for any information you may be in possession of, either in the way of notes made in Court, or otherwise.

"I am just now searching especially for records of the Ngaiterangi tribe.

"

I am, your most obedient servant

,

"H. FRANK EDGER.

"J. A. Wilson, Judge,

Tauranga."

No. 30.

"Tauranga,

2nd June, 1879.

"Mr H. F. Edger. "
Sir,—

I have the honor to acknowledge your letter of the 13th ult.

"I am gratified to learn you are engaged in the manner you state, and I feel convinced that a history of the kind you mention, if compiled with ability, judgment, and care; would be alike interesting and valuable.

"In reply to the request contained in your letter I beg to say that all documents and information of any kind; the property of the Native Land Court relating to cases at which I have presided are at the office of the Native Land Court at Auckland, having been removed there by direction of the Chief Judge.

"I may state, however, that nothing of an historical value has transpired in my Court in connection with the said cases, but this need not deter you from looking into the evidence and judging for yourself.

"I would not imply by the foregoing that I am not in possession of a considerable mass of information regarding the history of the Maori tribes from their arrival in New Zealand.

"As a matter of fact I have, since I published the story of Te "Waharoa 13 years ago, which story was the first step taken in this direction, made it a recreation and a study to collect first-hand from the best native sources the histories we are anxious to preserve, and some day when I consider my labors complete I hope to publish their result.

"

I have the honor to be, Sir

;

Your obedient servant

,

"J. A. WILSON,
Judge."

Appendix F.

"This is to certify that I consider it absolutely necessary that J. A. Wilson, Esq., should have a complete rest from the mental anxiety and worry which his duties as Judge, &c., entail. A period of from two to three months will be required by him to recover from the effects of recent overwork.

"C. H. HAINES, B.A., M.D., &c., &c.

"Alten Road,

3rd January, 1880

."

No 233.

"Tauranga,

6th January.

"

Sir,—

I have the honour to forward the enclosed certificate by Dr. Haines, of Auckland. In October last I was ordered by Dr Ginders, of Tauranga, to leave here for a time and take rest. I did not do so because there was

much work to be done, and I desired to advance the public business.

"My malady is in the brain, and is entirely due to overwork and worry while engaged in official duty.

"I would request you to be good enough to grant me three months' leave, if necessary, upon terms such as have been accorded to other Judges similarly situated.

"

I have the honour to be, sir

;

Your obedient servant

,

"J. A. WILSON,
Judge."

The Hon. the Native Minister, Wellington

"Tauranga,

22nd January, 1880.

"T. W. Lewis, Esq., "Under-Secretary, Government Buildings.

"Re my letter of 6th inst. to Hon. Native Minister enclosing medical certificate, kindly obtain early reply to application therein.

"J. A. WILSON"

TELEGRAM TO NATIVE MINISTER FROM JUDGE WILSON. "Auckland,

24th February, 1880.

"On the 6th ultimo I applied to you for leave of absence, enclosing medical certificate for reasons named therein. I had been obliged for more than twelve months to hold most difficult Land Courts and perform all other duties without a single assistant. The official action of the Chief Judge from time to time had, moreover, rendered certain of my duties embarrassing. Receiving no reply to the above application, I wired to the Under-Secretary three weeks after, soliciting an immediate answer. My application was made as I apprehend a Judge, Chief Judge, or Chief Justice of the Supreme Court or Native Land Court should apply to Government in the absence of a Court ruler re such case.

"Having never received an answer direct or indirect to the said application, I now telegraph to you herewith a second medical certificate by Dr. Haines, who I came here to consult. Much bodily injury has been inflicted on me in keeping me in such condition in suspense at my post seven weeks surrounded by my duties.

"I respectfully request you to be good enough to telegraph a reply without delay to this application for at least three months' sick leave, addressing same to me at Tauranga.

"J. A. WILSON,

"Judge Native Land Court.

"Commissioner T.D.L.

"Commissioner N.R. B.P. District.

"Commissioner Confiscated B.P. District."

"Auckland,

February 20, 1880.

"I consider it absolutely necessary that Judge "Wilson should have immediate leave of absence. He is quite unfit, through ill health, to perform his duties. I would recommend at least three months' rest.

"C. H. HAINES, B.A., M.D., &c., &c."

"Carlton Terrace, Sydney,

April 6, 1880.

"This is to certify that I have treated you for 'nervous exhaustion' arising from overwork, and I am of opinion that you should not submit yourself to be taxed as you have formerly been.

"W. MORRIS, F.S.P.S.G."

No. 1392.

"Native Office, "Wellington,

"24th February, 1880.

"

Sir,—

I have the honour to acknowledge the receipt of your letter of the 6th ult., in which you apply for three months' leave of absence on account of the state of your health, and, in reply, am directed by the Hon. Native Minister to inform you that your application has been granted.

"

I have the honour to be, Sir

;

Your most obedient servant

;

"M. MORPETH,

"For the Under-Secretary.

"J. A. Wilson, Esq.,

Judge Native Land Court, Tauranga."

Canterbury College.

(NEW ZEALAND.)

School of Art.

Canterbury College.

(NEW ZEALAND.)

School of Art.

Courses of Study, Lectures, &c.

Christchurch: PRINTED BY ANGUS TURNER, 191 GLOUCESTER STREET,

Contents.

School of Art.

Opened, March, 1882.

Governors:

THE BOARD OF GOVERNORS OF CANTERBURY COLLEGE.

Head Master:

DAVID BLAIR, late Art Examiner, Science and Art Department, South Kensington, London: formerly Head Master, Islington School of Art, London.

Second Master:

GEORGE H. ELLIOTT, late Assistant Master, Bradford Grammar School.

Assistants:

WILLIAM E. CHAPMAN.

E. LOUISE BRADBURY.

The Annual Session consists of three terms, each lasting thirteen weeks, commencing severally in January, May, and September.

Morning classes meet on Monday, Wednesday, and Friday, from 10 to 1. Fees—£2 2s. per Term; £5 5s. Annual Session. A class for the study of Landscape from nature meets on Tuesday and Thursday.

Evening classes meet on Monday, Wednesday, and Friday from 7 to 9. Fees—15s. per Term; £2 Annual session.

All fees payable in advance.

Permission is given to students properly qualified to study in the school daily between the hours of 10 and 4. In connection with this, a special life class meets on Tuesday evening, and a general life class on Saturday afternoon.

A Register of the students' attendance is kept, and may be consulted by parents and guardians.

Visitors may inspect the school and the work of the students on application to the Master.

Further information may be obtained on personal application at the school, or by letter addressed to the Master, School of Art. or the; Registrar, Canterbury College.

Objects of the School.

The work carried on in this school has for its objects the systematic study of practical Art and its scientific principles, with a view to developing the application of Art to the requirements of Trade and Manufactures, together with the training of Art Masters and Mistresses. It is similar to that of Art Schools under the Art Department of the Committee of Council of Education, South Kensington, London.

THE INSTRUCTION COMPREHENDS THE FOLLOWING SUBJECTS:—

Freehand drawing from flat examples, and the "round" or solid forms.

Practical plane and solid geometry—Perspective.

Light and shade from the "round" or solid forms.

Botanical drawing as applied to design and landscape foreground.

Landscape, Still life and Flower painting in Oil, Tempera, and Water colour.

Figure from the Antique and the Life, nude or draped.

Building construction from flat examples and actual measurement.

Machine construction from flat examples and actual measurement.

Lithography—Drawing on Wood.

Stages of Instruction.

The Stages of Instruction are as follows (it should be understood that these are not progressive in the order named. See Regulations for the Course of Instruction, page 12.):—

- *Linear Drawing by aid of instruments.*
 - Linear Geometry.
 - Mechanical and Machine Drawing (*from the flat, front blackboard lessons, or from elementary solids or details of machinery and building construction.*)
 - Linear Perspective.
 - Details of Architecture from copies.
- *Freehand outline drawing of rigid forms from flat examples or copies.*
 - Objects.
 - Ornament (*showing elementary principles of design.*)
- *Freehand outline drawing from the "round."*

- Models and objects.
- Ornament.
- *Shading from flat examples or copies.*
- Models and objects.
- Ornament.
- *Shading from the "round" or solid forms.*
- Models and objects.
- Ornament.
- Time sketching and sketching from memory.
- *Drawing the human figure, and animal forms, from copies.*
- In outline.
- Shaded.
- *Drawing flowers, foliage, and objects of natural history, from flat examples or copies.*
- In outline.
- Shaded.
- *Drawing the human figure, or animal forms, from the "round" or nature,*
- In outline from casts.
- Shaded (details)
- Shaded (whole figures).
- Studies of heads from the life.*
- Studies of the human figure from nude model.
- Studies of the human figure, draped.
- Time sketching and sketching from memory.
- *Anatomical studies.*
- Of the human figure.
- Of animal forms.
- Of either, modelled.
- *Drawing flowers, foliage, landscape details, and objects of natural history, from nature.*
- In outline.
- Shaded.
- *Painting ornament from flat examples.*
- In monochrome } either in water-colour, tempera, or oil.
- In colours } either in water-colour, tempera, or oil.
- *Painting ornament from the cast, &c.*
- In monochrome, either in water-colour, oil, or tempera.
- *Painting (general) from flat examples or copies, flowers, still life, &c.*
- Flowers, or natural objects, in water colour, in oil, or in tempera.
- Landscapes, or views of buildings.
- *Painting (general) direct from nature.*
- Flowers, or still life, in water colour, oil, or tempera, *with out backgrounds.*
- Landscapes, or views of buildings.
- *Painting from nature groups of still-life, flowers, &c., as compositions of colour.*
- In oil colour.
- In water colour or tempera.
- *Painting the human figure or animals in monochrome, from casts,*
- In oil, water colour, or tempera.
- *Painting the human figure or animals in colour.*
- From the flat, or copies.
- From nature, nude or draped.
- Time sketches.
- *Modelling ornament.*
- Elementary, from casts.
- Advanced, from casts.
- From drawings.
- Time sketches from examples and from memory.
- *Modelling the human figure or animals.*
- Elementary, from casts of hands, feet, masks, &c.
- Advanced, from casts, or solid examples.

- From drawings.
- From nature, nude or draped.
- *Modelling fruit, flowers, foliage, and objects of natural history, from nature.*
- *Time sketches in clay of the human figure, or animals, from nature.*
- *Elementary design.*
- Studies treating natural objects ornamentally.
- Ornamental arrangements to fill given spaces in mono chrome or modelled.
- Ornamental arrangements to fill given spaces in colour.
- Studies of historic styles of ornament, drawn or modelled.
- *Applied designs, technical or miscellaneous studies.*
- Machine and mechanical drawing, plan drawing, mapping, and surveys, done from measurement of actual machines, buildings. &c.
- Architectural design.
- Ornamental design as applied to decorative or industrial art.
- Figure composition, and ornamental design with figures, as applied to decorative or industrial art.
- The same as 23c, but in relief.
- The same as 23d, but in relief.
- *Drawing on Stone (Lithography.)*
- Outline drawing with the brush.
- Chalk drawing.
- Drawing with chalk and ink.
- Etching.
- Chromo-lithography.
- *Drawing on Wood (for Engraving.)*
- Line drawing in pencil.
- Black and white drawing in tint.

Regulations for the Course of Instruction.

The course is intended to teach Ornament and the Figure, with a view to their ultimate use in design and composition, and includes the study of plants and flowers, the painting of Still-life, and the drawing and painting of Ornament and of the Figure.

In following out the Courses of Instruction, Students are required to pass, with the approval of the Master, in the following stages:—

COURSE I.—FOR STUDENTS WISHING TO STUDY

Landscape, Still-Life, and Flower Painting.

- Elementary.—Preparatory to any study in this Course:—
 - Outlining from the flat (Dyce and Jacobsthal).
 - Outlining models from the round.
 - Outlining ornament from the round.
 - Drawing in Sepia from the flat.
 - Preparatory to Painting from Nature in oil or water-colour:—
 - Outlining foliage from nature.
 - Shaded drawing in chalk from models, casts of ornament, fruit.
 - Sepia drawing or monochrome, or tempera painting, from the same.
 - Painting flowers, &c., from the flat.
 - Advanced:—
 - Painting flowers, groups of still-life, &c., from nature, in water-colour or oil. Landscapes from copies.
- Students in this Course should attend Lectures on Geometry, Perspective, and Botanical Drawing.

COURSE II.—FOR STUDENTS WISHING TO STUDY

The Figure.

- Elementary.—Preparatory to any study in this Course:—
 - Outlining from the flat (if necessary).
 - Outlining details of the Face from the round.
 - Outlining the head, hands, and feet, and the whole figure from the round.
 - Shaded drawing in chalk, from models and casts of ornament.Before being admitted to the next Preparatory Course, Students must pass in Second Grade Perspective and Model Drawing.
- Preparatory to drawing from the life:—
 - Shaded drawing in chalk from heads, hands, and feet, from the cast.
 - Shaded drawing of the whole figure from the antique.
 - Outlines of the skeleton and anatomical figures, with the names of the bones and the muscles.
- Preparatory to painting from the life in oil or water-colour:—
 - Add to the above
 - 12a. and 16a. Sepia tempera, or monochrome painting from the cast of ornament and figure.
- Advanced:—
 - Shaded drawing in chalk from the living model, nude or draped.
 - Painting from the living model, in oil or water-colour. Studies of drapery, drawn or painted.
 - Figure composition.

COURSE III.—FOR STUDENS WISHING TO STUDY

Design.

Students in design must first follow the Elementary Division of Course I., and attend Lectures on Plant form, Design and the History of Ornament.

The course will consist of

- Outline drawing and monochrome colouring from Jacobsthal, Meurer, and other works, which must be used not only as a means of studying drawing, but as a *definite course of design*.
- Painting ornament from flat examples.
- Painting ornament in monochrome from the cast.
- Studies of plants from nature.
- Studies of historic styles of ornament.
- Designing in imitation of given examples.
- Original designs, Stages 22b., c., and e.

COURSE IV.—Modelling.

Before entering the Modelling Class, students must pass the elementary stages in Course II., and attend the model drawing and perspective lectures.

COURSE V.

Lithographic Drawing (ON STONE.)

Drawing on Wood (FOR ENGRAVING.)

Students wishing to study in this course must pass in one of the two elementary courses, and in stages 5a. and b., and 8b1, and must carry on the advanced work of the school when the class does not meet.

COURSE VI.

Building and Machine Drawing.

Before commencing the work of this course, students must pass in freehand drawing from fiat examples and from models, and attend lectures on practical plane and solid geometry.

Lectures.

The lectures will be illustrated by diagrams, sketches, and problems on the blackboard. Students are required to provide themselves with note books for pencil outlines and memoranda; these will be examined and marked if submitted before the following lecture. In Geometry and Perspective the problems will be drawn to scale on the blackboard; each student is required to make a similar drawing during the lecture, which, with the additional work given is to be submitted before the following lecture.

Syllabus of Lectures.

Freehand.

(12 Lectures. 1st Term.)

Materials—how to select and use them. Paper, pencils, Indiarubber. Sepia and brushes.

Method of sketching. Difference between drawing on a table or desk and on a blackboard or easel. The hand and its action compared with the arm. Dotted lines to be avoided in sketching. The use of indiarubber. Lead pencil suitable for first practice. Soft pencils preferable to hard.

Lining in—its object. Value of water colour as a medium for lining in, compared with lead pencil. Method of laying a flat tint over a drawing.

Systematic study. Importance of Analysis in Freehand. Stages in the progress of a drawing. Primary lines and masses—these frequently difficult to determine—their connection with the form. Blocking out as distinguished from squaring. Secondary forms as related to the whole drawing. Third and succeeding stages — details and their relation to each other—analysis of detail—forms issuing from forms. Illustration of these principles by examples from *Jacohsthal* and *Meurer*. The *Colonial Drawing Book*, specially prepared to secure a systematic method of instruction. Symmetrical, compared with non-symmetrical work as a means of training the eye. Practical Plane Geometry and its value in Freehand drawing. Appreciation of form. The preparation of Freehand examples. The value of different examples in teaching.

Practical Plane and Solid Geometry.

(20 Lectures, 2nd and 3rd Terms.)

Practical Geometry and its connection with an art training.

Instruments—how to select and use them.

Plane Geometry. — Definitions:—Lines, Angles, Triangles, Quadrangles, Polygons, the Circle and Ellipse. The division of Lines and Angles.

Trilateral Figures:—Equilateral, Isosceles, Scalene. Right, Acute, and Obtuse Angled Triangles, their construction from given sides, angles, and dimensions.

Quadrangles:—The Square, Rectangle, Rhombus, Rhomboid, and Trapezia, their construction from given sides, angles, and dimensions.

Polygons:—their construction from given sides, angles, and dimensions. Inscribed and described rectilinear figures.

Proportion and area.

The Circle:—inscribed and circumscribed rectilinear figures.

The Ellipse:—different methods of construction. Tangents and perpendiculars.

Solid Geometry.—Definitions of Elementary Solids:—The Cube, Prism, Pyramid, Sphere, Cylinder, and Cone.

Planes of projection. Plans, Elevations, and Sections.

Given the projection of a solid in either plane to find its projection in the other plane. Vertical and Horizontal Sections.

The Circle and its projection applied to the cylinder, cone, and sphere.

Elementary Perspective.

(20 Lectures, 2nd and 3rd Terms.)

Definitions:—The Spectator or Station point. Line of Direction. Plane of Delineation. Centre of Vision. Structure of the eye. Facts connected with Vision. The Cone of Rays or field of Vision. Horizontal and Ground Lines.

Perspective representation obtained by plan and elevation—this insufficient for the art student; its value in proving the rule for finding Vanishing and Measuring Points.

To find a point on the Ground Plane, given its position within the picture. Vertical and Horizontal planes in perspective. Line of heights.

Representation of Lines and Solids in a plane parallel with the ground.

Rectangular Solids—The Cube, Plinths, Prisms, and Pyramids.

Polygonal Solids; truncated pyramids.

The Circle parallel and perpendicular with the ground. Cylindrical and conical solids.

Solids combining curved and right lines. Solids in relation to each other.

Given the plan and elevation of any solid to find its perspective representation.

Given the perspective representation of three or more points, to find the length of the lines joining them, and the degrees in each angle, (*a*) when the points are on the ground plane, (*b*) when the points are in space.

Advanced Perspective.

(12 Lectures, 1st Term.)

Perspective of Interiors. Representation of lines and solids.

- In a plane perpendicular to the ground at an angle with the picture;
- In a plane perpendicular to the picture at an angle with the ground;
- In a plane which ascends or descends directly from the picture;
- In any plane inclined obliquely upwards or downwards.

SHADOWS.—*Sunlight*—when the sun lies in the plane of the picture—behind or in front of the picture plane—in a vertical plane perpendicular to it or at an angle with it. Shadows on two planes—horizontal and vertical—oblique planes. Shadows cast on curved surfaces. Shadows by a curved surface on two planes—on curved surfaces. Shadow cast by a sphere.

Artificial Light.—Interiors, one light—two or more lights on planes at any angle.

REFLECTIONS.—Angle of incidence and reflection. Point of incidence. Horizontal reflecting planes—still water. Vertical reflecting planes—perpendicular, parallel, or at an angle with the picture, Inclined reflecting planes at any angle with the picture.

Light and Shade. Colour.

(12 Lectures, 3rd Term.)

Light and Shade.—Materials used to represent it—pencil, chalk, charcoal—water colour and oil. Different methods of work.

Shadow and reflected light. High light and half tints. Tone. Breadth of light and shade.

Importance of shadows as to form and proportion.

Colour.—General considerations. Primary, secondary, and tertiary colours. Shades, tints, and hues.

Contrast and harmony. Qualities of colour—warm and cold—advancing and retiring.

Local colour. Influence of light and shadow. Colour of shadows.

Characteristics and selection of colours for water-colour and oil painting. Brushes and implements.

Hints on study and manipulation.

Model Drawing. Drawing from the Cast Composition of Line.

(12 Lectures, 2nd Term.)

Model Drawing.—Position of the model with reference to the Student. Line of Direction and Picture Plane. Facts connected with vision. Education of the eye.

Means for determining the direction of a line, and its angle with another—plumb line and level.

Conditions under which parallel lines appear parallel. Convergence of parallel lines, whether horizontal, ascending, or descending.

The geometry of solids. Method of building up a model drawing. Measuring the apparent length of lines and surfaces. Model drawing and its relation to Landscape.

Circular Models. Foreshortening of circles at the same or different levels on a common axis, when vertical, horizontal, or inclined. Cylinders, vases, &c.

Drawing from the Cast—compared with drawing from flat examples, and from models.

Relief. Position of the eye with reference to the cast. Importance of keeping the same position during the progress of a drawing from a cast in high relief—how this may be done.

Relation of one part to the other. Difference between model drawing and drawing from the cast in this respect.

Examples of ornament and figure work.

Composition of Line—illustrated by natural objects. Contrast. Conventional ornament. Grouping of forms and the arrangement of lines in design. Radiation of line. Drapery. Panels from the Ghiberti Gates.

Plant Form.

(12 Lectures, 1st Term.)

Fresh specimens of the plant required for each Lecture must be provided by the students.

Position of the plant in the Vegetable Kingdom—Natural Order.

The Stem, its form and branching. Leaves—their venation and margin, simple and compound leaves. The leaf stalk and its insertion. Sessile leaves. Stipules, spines and tendrils.

The leaf and flower bud partly expanded. The fully expanded flower, its petals and sepals; relation of the calyx and corolla. Filaments and anthers. The fruit and seed.

Sketching flowers and foliage from Nature. Relation of the flowers and leaves to the stem. Pose of the plant and leaves.

Linear perspective applied to sketching flowers and foliage. Aerial perspective and its value in outline drawing.

Design and Historic Ornament.

(20 Lectures, 2nd and 3rd Terms.)

DESIGN—constructive and ornamental.

Constructive Design.—Technical knowledge required. Elementary facts connected with mechanics. Nature of the materials used.

The relation of constructive and ornamental design as illustrated by Furniture, Earthenware, Glass, and Metal work.

Suitability of material. Fitness of form. Quality of workmanship. Hand-made and machine-made work.

Ornamental Design—its nature and character. Work of Savage tribes—New Zealand, Fiji, Sandwich, and Friendly Islands, as illustrating unconscious intelligence in design.

PRINCIPLES of Ornamental Art.

Equal distribution. Symmetry. Repetition. Variety. Contrast. Composition of line. Radiation. Tangential composition. The Anthemion.

ELEMENTS of Ornament.

- *Geometrical* forms.—Straight lines. Frets, interlaced patterns, square and lozenge diapers. The circle, spiral and volute.
- *Vegetable* forms—Foliage. The Acanthus as illustrating the principles of Ornamental Art. Flowers—the rosette.
- *Objects*.—Shields, Medallions, Masks, Vases, Labels, and Ribbons.
- *Animal* forms.—Shells, Horns, Dolphins, Birds, Griffins, Lions. Parts of these combined with foliage and other ornamental forms.
- *The Human Figure*—combined with other ornament—symmetrically disposed. Compositions of the Figure without or with background.

The proper distribution of Ornament. Power of ornament to express feelings and ideas.

Historic Ornament.

Ornament of SAVAGE tribes—Tattooing, Stamping, and Weaving. Carving. Geometrical patterns, interlacing. Curved forms. The Human Figure. Clubs and paddles.

EGYPTIAN ornament—its symbolism. The Lotus and Papyrus. The Palm branch. Plaited patterns, mats. The fret. Carving and painting. Colours used by the Egyptians.

ASSYRIAN and PERSIAN ornament—its origin. Bas-relief. Painted ornaments, bricks, and pavements. Colours used. Sacred trees, the pine-apple. Sculptured ornaments, pilasters.

GREEK ornament—purely aesthetic. Forms derived from Egypt and Assyria. Conventional rendering. Representative forms. The zig-zag, wave scroll, and fret. The Echinus and Anthemion. Greek pottery.

ROMAN Ornament—an elaboration of the Greek. The scroll and acanthus. Animals and the Human form in

Roman ornament.

BYZANTINE Ornament—its character. Symbolic forms—the lily, cross, and serpent. The Trefoil and Quatrefoil. Painting and sculpture. Mosaics. Development of antique types. Delicacy of treatment.

ARABIAN Ornament. Governing principle of Mahometan decoration, and circumstances favouring its development. Absence of symbolism and the exclusion of natural forms. Geometrical symmetry. Moresque ornament, its equal distribution, radiation, and continuity of line. Technical methods of decoration. Colouring of the Moors as illustrating fixed principles.

ROMANESQUE Ornament. Imitation of Antique art. Human and Animal forms. Tracery. Painting on glass. Enamelling.

GOTHIC Ornament—its conventional character. Symbolism. The use of foliage, animals, and the human figure. Early English, its harmony with structural features. Tracery. Ornament of the Decorated period compared with Early English. Undue elaboration. Its defects and decline.

RENAISSANCE Ornament—its origin and development. Scroll work and interlacings. Revival of classic forms. Arabesques and scroll. Painted and carved panels. Natural and conventional decoration of the Sixteenth century. Sculpture and painting. The Rococo style. False principles of decoration. Ornament of the present century.

Notice to Students.

- Every student to provide such drawing materials and instruments as are required.
- No student, without permission to leave the school before the time appointed.
- Students are required to conduct themselves with order, quietness, and regularity, and to sit down immediately in their proper places on coming into the school. No talking or unnecessary moving about is permitted.
- Each student before leaving the school will be required to remove the copy and drawing-board to the place assigned to them. No student to handle or misplace any of the casts, or other examples; and any student who in any way injures the property of the school, to be held responsible, and to pay for the damage.
- Any student guilty of improper conduct, shall be liable to be suspended by the Master, and to be dismissed from the school if the Governors so determine.
- No book, example, or other article belonging to the school, shall, under any pretence whatever, be borrowed or taken away without the special permission of the Master; such article to be recorded in a book kept for the purpose.

Exhibition of Students' Work.

There will be a public exhibition of students' works at the end of each annual session: no work executed in the school, can, therefore, be removed until after such exhibition. All drawings, when finished and approved, must be delivered to the Master, who will be responsible for their safety, and return them to owners at the end of the annual session.

Examinations.

Second Grade Certificate D.

The subjects comprised in the second grade certificate D are as follows:—

- Freehand drawing from flat examples.
- Practical Plane and Solid Geometry.
- Linear Perspective.
- Freehand drawing from Models.
- Freehand drawing from memory, on the Blackboard.

Examinations in these subjects are held annually in December.

Syllabus of Subjects of Examination.

- **FREEHAND.**—Candidates will be required to enlarge an out line drawing of symmetrical ornament, without the aid of any kind of mechanical means of execution, such as ruling, &c., or the use of anything but pencil, paper, and indiarubber. *One hour and a half is allowed for this exercise.*
- **GEOMETRY—Plane**—The construction and use of simple scales. Scale of chords, Diagonal scales. Elementary constructions required in geometrical pattern drawing and simple tracery. Construction of triangles and quadrangles. General methods for polygons. Irregular polygons from given angles, sides, and diagonals. Inscribed and circumscribed figures. Proportionals and areas. Elementary problems connected with the Ellipse. **Solid**—Plan elevation and section of the cube, pyramid, prism, sphere, cone, and cylinder, in simple positions. Projection of plane figures.
The instruments required are a plain scale of inches divided into eighths, a pair of pencil compasses, two set squares, an H pencil and a piece of indiarubber. A drawing board and T square, although not indispensable, are very desirable. *One hour is allowed for this exercise.*
- **PERSPECTIVE.**—Students will be required to show a know ledge of the use of vanishing and measuring points used in horizontal planes, and to represent simple solids or objects on the ground plane in any position.
The instruments required are the same as for geometry. *One hour and a half is allowed for this exercise.*
- **MODEL.**—The exercise in this subject consists of drawing from a group of three or more geometrical models and simple vases, single objects of household furniture, or domestic utensils of well defined form. The candidate is expected to show a knowledge of the effect of perspective in modifying the appearance of the models, and may estimate their apparent relative size by holding the pencil between the eye and the objects. No ruling or the use of instruments is allowed in working this exercise. *One hour is allowed for this exercise.*
- **BLACKBOARD.**—This exercise is intended to test the candidate's power to use, in aid of their general teaching, the skill which they have obtained in drawing. In addition to facility in the use of chalk and the blackboard, it is required that they shall be able to give a fair representation of the form of any familiar object. Candidates will therefore be required to draw from memory, one of three or four objects of ordinary household furniture, or domestic utensils of well defined form, to be named by the examiner. Candidates will also be required to draw Roman or Italic letters, about nine inches high. *Fifteen minutes are allowed for this exercise.*

Candidates who pass in all the five subjects named above, obtain the 2nd Grade Certificate 1). Candidates may at their option take one, two, or all these subjects at the examination, and the subjects may be taken in any order.

This certificate is accepted by the Education Department, Wellington, as fulfilling the requirements, as regards drawing of the examination of teachers, for classification and certificates.

The "pass" standard for these examinations is the same as that of the 2nd grade, Art Examination, Science and Art Department of the Committee of Council on Education, South Kensington, London. Candidates who hold any of these certificates awarded by the above department subsequent to the year 1869, need not be re-examined in the same subjects,

Art Class Teachers' Certificate.

Regulations and Syllabus of Subjects of Examination.

Candidates for admission to these examinations are required to have *previously* submitted a specimen of their work in each of the following four stages, 1a, 3b, 5a, and 5b:—

- **Stage 1a.**—A sheet of geometrical problems.
These may be six or eight problems selected to show the power of working neatly and exactly with instruments.
- **Stage 3b.**—An outline of ornament in low relief from the cast.

This may be done from the Madeleine or Louis xii. pilasters, or any large ornamental scroll, and must be executed with a steady hand and in a firm outline: the object being to combine correctness of drawing and neatness of execution.

- *Stage 5a.*—A drawing from a group of models, shaded in sepia, and drawn without background. This drawing should fairly fill an imperial sheet, and should include some of Wedgewood's or Minton's vases or similar objects.
- *Stage 5b.*—A sheet of ornament shaded from the cast in chalk. This may be done from the egg-plant portion of the Ghiberti frieze, or other piece of ornament in high relief.

No candidate can be admitted to the examinations in Stages *3b*, *5a*, or *5b*, whose preliminary specimens of work in those stages and in Stage *1a* have not been previously accepted as satisfactory.

These four preliminary works must be submitted during the first week in December.

Accepted works become the property of the school.

Candidates whose works have been so accepted, may at their option take one, two, or all the prescribed subjects at the ensuing examination (held annually in the second week of December) and the subjects may be taken in any order.

Candidates may not be re-examined in any subject in which they have once passed.

The subjects are as follows:—

- GEOMETRY AND PERSPECTIVE.

The examinations in these subjects are the same as those for the Second Grade Certificate (see Syllabus of Second Grade Examination, page 24).

Candidates for the Art Class Teacher's Certificate who have already passed in Second Grade Geometry and Perspective, are not required to be re-examined in these subjects.

- HIGHER SUBJECTS.

Stage 3b.—*Freehand outline drawing of ornament from the "round."*—In this stage candidates will be required to make a drawing from a cast in 2½ hours.

Stage 5a.—*Shading from the "round" or solid forms.*—In this stage candidates will be required to make a shaded drawing from models either in pencil or chalk, in 2½ hours.

Stage 5b.—*Shaded drawing of ornament from the "round."*—In this stage candidates will be required to make a drawing from the cast, in light and shade, in 4 hours.

Students Holding Second Grade Certificate D.

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Electors' Handbook Retrenchment in Primary Education

With Appendix, Containing

TABLES OF INFORMATION AND STANDARD REGULATIONS,

By C. S. H.

Price Sixpence

Christchurch: Printed at the "Lyttelton Times" Office, Gloucester Street, MDCCCLXXXVII.

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Primary Education and Retrenchment.

decorative feature

THE cry in every direction just now is retrenchment. Many and varied are the plans for cutting down the expenses of Government. But, however the platform of candidates for Parliamentary honours, or Political Reform Associations, may differ as a whole, they, with few exceptions, include reduction in the cost of Education as a plank. And, as Josh Billings would say, where they do agree, their unanimity is wonderful.

One party comes out boldly and declares that whatever may be the results, the cost of Primary Education

must be cut down by at least £200,000. This party includes the sworn enemies of any system of National Education. Men who do not believe in the education of the masses, but are, in many cases, afraid to say so, take refuge here. It includes those who would like to see Denominational Schools revived and supported in part by the State. It includes those who would have no objection to the masses being educated, if education cost nothing; but, as part of the cost has to be borne by property, they object, for they are large property holders.

Of this party New Zealand may well be afraid.

Another party that believes saving to be possible, consists of those who, in the main, are supporters of the system. But, fully conscious of their power, they intend to cut down the cost by say £100,000, without seriously impairing the system.

This latter party is, we fear, in danger of being misled by looking too exclusively at the large annual vote which is made for carrying on the Primary Education of the country, and not giving sufficient consideration to the vital importance of the system. The question of cost is an important one, but it is not the most important. Whether, as the result of any interference with our present system, in future years the poor will become poorer, and the rich, richer; whether class distinctions will be created and intensified; whether our industries will be crippled by reason of a population less intelligent than those with whom they have to compete, these are questions of infinitely more importance than the saving of a few thousand pounds, much as New Zealand has need to save.

The writer of this little pamphlet does not profess to be able to say anything original on the question. But he has had more experience in the working of the system than the general public, and now tries to put into handy form for reference, a few of those things which all friends of Primary Education ought to know, and make use of, during the next few weeks.

The proposals made by those who think that it is possible to greatly reduce the cost of Primary Education, without impairing the efficiency of the system, are few.

- To raise the school age from five to seven years. This finds most favour, for it appears, at first sight, feasible. This being the most important is dealt with first, and at some length. It is well worth the study of every man who has a vote.
- To limit the Standards to four.
- To close some schools, as they are supposed to be superfluous ones. This question is not dealt with separately, as it is impossible to discuss 1 and 2 without fairly exhausting it.
- To abolish Education Boards.
- To cut down the general grant per head and leave the authorities to do the best they can.

Raising the School Age.

Among those who think the Colony is spending too much upon its Education, a favourite method of reducing the expenditure is to close the schools against all children who are under seven years of age. At present children are admitted when they are five years old. This, it is contended, is too early. Raise the age to seven, and the country will save money, and the children will be all the better for being excluded. There are 106,000 pupils in attendance at our Primary Schools. Of these, 21,000, or about one-fifth, are under seven. Keep these out of the schools and save one-fifth of your expenditure, say £60,000 or £70,000. This proposal is delightfully simple, but, unfortunately, simplicity is its only merit. In the first place, the capitation grant is not made on the number of scholars on the roll, but on the average of attendance, which, for the year 1886, was 83,405. Children between five and seven would not be as regular in their attendance, particularly in country districts, as those who were older, so that to allow that one-fifth of the average attendance would be those under seven is to concede a point. We will, however, allow one-fifth, that is 16,681. This is a considerable reduction on 21,000.

But further—These children below seven do not cost nearly as much per head as those who are between seven and twelve. Except in very small schools they are taught in an infant room, where the classes are larger than in the upper department. As an example, take the case of a school in the immediate neighbourhood of Christchurch. In the infant department there is an average of 160. The teachers in this department are paid about £200; that equals £1 5s per head. Add to this another 5s per head for incidentals, which is certainly a very liberal allowance, and the total cost per head is only £1 10s.

But further—In the town, suburban, and larger country schools, closing the doors against all children under seven, would make it possible to reduce the staff of teachers, although, even in those cases, it would, as we shall be able to show, probably be only shifting the incidence of cost slightly, while it would be taking the children out of the hands of teachers trained for their work, and placing them under private, and in many cases, wholly inexperienced persons. But this reduction of the staff would not be possible in a vast number of the schools of the Colony, for the simple reason that the staff now consists of but one teacher. There are 543

schools—considerably more than half the total in charge of a single teacher, with the exception that a sewing mistress attends once or twice a week to teach the girls sewing, for which she receives £10 or £12. Thus it will be seen that the process of saving, by cutting off the lower end, could be applied to less than one-half of our schools, and even there to the least expensive part. You may deprive one-fifth of the children of school and not save one-tenth of your expenditure. But, as stated above, the saving would, to a great extent, be only an apparent one. If the public schools were closed against the children under seven, it cannot be denied that a vast number of parents would send their children to private schools. Many parents are anxious to have them admitted to school before they are five. This is well-known to teachers. And there are few who would wait until the children were seven before beginning their education. And for every child sent to a private school, the father would, probably, have to pay as much as, under the present system, he pays for all his family. Let the working men think of this. But with regard to the remnant that would not send their children to private schools. The ordinary revenue of the country would undoubtedly be saved a slight drain upon it. But the country, as a whole, would suffer in the morals of these children left until they were seven years old to disport themselves in the gutter. Ask teachers if the character of the children, who are allowed to run wild until they are seven or eight years old, will compare favourably with that of children who have been under the discipline of a well taught school. No thoughtful man could for a moment imagine that such would be the case. The children of poor parents must be left to take care of themselves to a great extent, while the father is away, and the mother attends to the thousand and one household duties which fall to her lot; and if the boys and girls are not at school they will be on the streets.

But it is a shame, we are told, to confine the poor little innocents, between five and seven years of age, in the schoolroom for some hours a day, subjecting them to "cruel cram" and "impure air."

Now who wishes to cram them? Who is trying to do so? To whatever extent this evil process is resorted to in the upper standards, everyone at all conversant with the working of our State Schools, is well aware that among the infants it is unknown. Do parents who send their children to these infant schools complain? Not at all. This evil exists only in the imagination of those who would like to find fault with the system, but don't know where to begin.

With regard to the impure air, we must admit that is not altogether a figment. But is the schoolroom the only place where the children are brought into contact with impure air? Or is it not a fact that in school there is a degree of ventilation, and cleanliness, along with impure air; but in many of the homes there is impure air without the modifying influences found in schools. And are there no bad and dangerous odours about the roads and backyards? To hear some people talk about the risks that the little ones run in coming to school, a person might be led to imagine that the children, without exception, came from homes that are little inferior to palaces. No; there are many much worse places than a warm, well-lighted, and fairly well-ventilated schoolroom for the boys and girls of the poorer classes, and to exclude one-fifth of them would mean an increase in doctors' and drapers' bills to the parents, and an accession to the already too large class of larrikins.

Abolishing Standards V. and VI.

Next to raising the school age as a means of retrenchment, the abolition of Standards V. and VI. finds favour. In support of this notion the most startling statements have been made. For example: A writer in the *Lyttelton Times*, June 16th, stated that the V. and VI. Standards are 10 per cent of the whole, or, to use his own words, "Standards I. to IV. comprise 90 per cent of the whole." This is true. He further states that the total cost of Primary Education is £381,509 (the estimate of the Minister for the current year). This may be true, or it may not. Then working out his own figures he makes the astounding assertion that "by the limitation to four Standards we reduce the capitation down by £110,000." The total cost is £381,509. Cut off one-tenth of this and you save £110,000! Had some person but devised an "insane system" in time for this writer to have passed the "absurd V. and VI. Standards," he would not have been making such blunders in his figures to-day. If these much abused Standards comprise only 10 per cent of the whole, then by cutting them off you can only save 10 per cent of the money—something over £38,000.

But, as in the case of raising the school age, the process can be applied only to the larger schools. Cutting off the numbers in the small schools means increased capitation grant for those that remain, a process much like Pat's, who, wishing to lengthen his cow's tether, cut off a piece from each end to put in the middle. In the town and suburban schools something might be saved, undoubtedly. But anyone who will trouble to make the calculation, will find that the saving, by reducing the Standards to four, could not, by any possibility, amount to one shilling per head of the population of the Colony. Is it worth while, for the sake of less than a shilling per head, to reduce the system, thereby making it inferior to that of every nation with which we have to do, and, in many respects, to compete?

Before leaving the V. and VI. Standards, it may be well to state that their enemies have made as foolish

assertions about the subjects taught in them as about their cost. Many people believe that in these Standards, Latin, French, Euclid, Algebra, and Ancient History are taught, in addition to the more elementary subjects. Some of these assertions have been made in ignorance, while others have been made wilfully. To give those who care to know what is really required by the Act to be taught in the Primary Schools, we subjoin a copy of the Standard Regulations, printed by permission of the Minister for Education, the Hon. Sir Robert Stout. A careful study of these regulations will convince most persons that a very little more, if anything, is required, than is necessary to enable our boys and girls to read the newspapers and conduct their correspondence, in ordinary life, intelligently. And are we prepared to allow the education of our children to stop short of this? No man who wishes to give his family anything approaching a fair chance in life will stop short of it. This is pre-eminently a poor man's question. The possession of wealth already gives to the rich a thousand advantages. Why should this one advantage of a fair education be relinquished by the poor man. He need not give it up unless he choose. Let him hear this in mind when he records his vote. Let him remember that the closing of school doors against either those who are between the ages of five and seven, or those who have passed the IV. Standard, means the closing of vast numbers of small country schools, or the increase of grant per head. Let the electors contemplate the former of these alternatives. Let them imagine the condition of the children of small farmers and labourers without schools. Let them remember that whether they have education or not for their children, they must continue to bear a part of the burden of taxation; they must continue to help to pay the interest on money that has been spent mainly for the benefit of large landed proprietors. Let them remember that what they get in the way of education for their children, is nearly the only benefit they reap in return for the heavy taxes they pay. Above all, let them remember that any action that impairs the efficiency of the Primary Schools will tend to create and intensify class distinctions. The rich will continue to have their children highly educated, to a great extent at the expense of the country. The best and most lucrative positions will be filled by the children of the rich or middle classes; the children of the poor will become more and more drudges, and we shall, as a country, lose the grand opportunity that has been put within our reach, of doing something towards solving the great problem of the age—how to give to every man a fair share of the blessings of life.

Abolition of Boards of Education.

It is somewhat surprising that while the cry is heard on every hand that we ought to have more local self-government, there is a disposition in some quarters to move in an opposite direction, by those who are casting about for chances of retrenchment. It has been repeatedly affirmed of late that most of the money spent in maintaining Boards of Education throughout the Colony might be saved. It is easy to make such a statement; it is another thing to show that the work could be done as efficiently or as cheaply from one centre. "We find the cost of these Boards, of which there are thirteen, is £10,000 a-year. This is truly a large amount of money, but there is a large amount of work to show for it. In the case of four of these Boards one important item of their duty is the management of large Training Departments for Teachers. These Normal Schools cost the country at the rate of nearly £2,000 each, and without careful management much of this money might be wasted. The Boards also disbursed during 1886 over £5,000 for scholarships, £1,000 to Inspectors, and £65,000 for repairs and new buildings. They also examined and tabulated the Inspectors' reports, two for each school in the country, making a total of 2,108 reports. Would all this have been done for nothing by a central office? A gentleman in this city, well versed in the work of Education Boards, assured me the other day that if the Government would give him £600 a-year, and allow him to select a staff of under clerks, which should not cost more than £3,000 a-year, he would undertake to do all the clerical work now done by Boards throughout the colony. "Just so," I replied, "But how would you keep the central department supplied with necessary information as to repairs, additions, &c., required by the schools? You would take the word of the local Committees, and grant them whatever they state to be necessary." "Not at all. Committees would like that immensely. No, it would of course be necessary to increase the staff of Inspectors, say one for each district." Exactly. There are thirteen districts. The average cost of an Inspector is not less than £550, including travelling allowance. The extra cost of Inspectors would be £7,150. We don't see where the saving would come in. One thing, however, we can see. The country would, by abolishing Boards, lose the services of a considerable number of men who, through having had long years of experience, have become experts in the administration of our education system."

Cutting Down of Grant.

It is an easy matter to say, on paper, that £100,000 can be saved by reducing the vote by that amount, and informing those who have the administration of the system that they must do the best they can. But we are persuaded that anyone who will go into the question carefully will ultimately agree with what was said on the

subject a few days ago by the Chairman of the North Canterbury Board of Education, "That the annual cost to the colony could not be reduced by more than £20,000 to £25,000 at the outside, without seriously interfering with the efficiency of the system."

The following summary of expenditure in respect of all services under control of the Minister of Education for the year ending March 31st, 1887, will show how the money is spent. It is taken from Table 8 in the Minister's Annual Report:—

If we go in for cheese-paring, two or three of the above items might be cut out. Perhaps the least harm would come of cutting away the subsidy to Public Libraries. They have had some years of fostering care, and with the vast reduction in the cost of books which has already taken and will further take place, they would most of them be able to stand alone. The £5,150 capitation allowance for scholarships might very well be discontinued. Most of this money ultimately finds its way into the hands of Secondary Education authorities, and they should find the scholarships out of the splendid endowments they possess. The grant for Higher Education, £3,500 might be discontinued. In connection, too, with the Industrial Schools of the Colony, some people think that the parents and natural guardians of the children are not made to pay as much as they ought.

Without professing to be able to give a definite opinion on the matter, we must say that the amount of recoveries from parents and guardians appears very small—£5,357 out of a total cost of £21,824.

But, it will be urged: Can there not be something saved from the large item £280,000, paid in teachers' salaries? Let anyone who thinks so study the following abstract from the Minister's report, showing the number of teachers and their salaries:—

Teachers receiving less than £100 per year:

It will be seen by this table that out of less than 3,000 teachers there are 2,615 who receive less than £200 per year. These teachers cannot live and keep up the respectability demanded by Committees and parents on anything less than they have to-day. And it must ever be borne in mind that the requirements of the department are such, that any teacher who ceases to keep up his studies, by reading the newest books of the day, soon comes to be regarded as a fossil, and as such is very apt to be laid to one side. But such studies cost money. With regard to those who receive over £200 a year we have but a word to say. The chief incentive to energy and zeal on the part of the country teacher is the hope that after years of experience he may get a larger school where his salary will be, after all, no more than that of many shopmen in drapery and other stores. Besides, it is all a matter of supply and demand. With present salaries the supply of experienced and efficient teachers is not equal to the demand. A few months ago it was publicly announced by the Appointments Committee of the North Canterbury Board of Education that there was a dearth of suitable applicants for the position of teacher. Is any other comment upon the salaries paid necessary? Lower these by ever so little, and you increase the disproportion between demand and supply, and the result must be to impair the efficiency of the school. In this connection we draw attention to the following figures taken from page 7 of the Report of the Minister of Education:—"There are 2,894 teachers engaged in the public schools of the colony. But there are only 1,838 certificated teachers registered. Of these it is believed that 480 are not engaged in the public schools. This leaves 1,358 certificated teachers in the schools, the rest, 1,536 are uncertificated. Taking from these the sewing mistresses 173, and the pupil-teachers 917, there still remain in the schools 416 uncertificated teachers." To most men this can but mean one thing—the salaries as at present are not sufficient to induce persons to devote themselves to teaching. If there be retrenchment here, then it must be carefully applied, for it cannot be necessary to emphasise the fact that there could be no surer method of wasting money than by placing incompetent teachers in charge of schools.

There is, however, one item of expenditure which may be reduced, we believe, by £4,000 or £5,000 without hardship to any individual or damage to the system. That item is the grant made to School Committees for incidental expenses, such as cleaning, fuel, &c. As will be remembered, the Government has already moved in this direction. The Committees had credit balances at the end of 1886 amounting to £5,552. Their liabilities would absorb some of these balances; but it is evident that they were not in straitened circumstances. And if for a few years, until the colony rights itself, Committees find themselves unable to give many prizes or school treats, no very serious results will follow. To cut down the grant, however, to such an extent as to compel Committees to raise funds locally would be no saving.

To the above proposed reductions we might add one or two other small items, but the total would not reach £25,000, and we are persuaded that this is the extent to which saving is possible. To talk about saving £100,000 without doing damage to the system is sheer nonsense. To save half the amount will be found impossible without damage. But doubtless an effort will be made in the new Parliament to greatly cut down the cost. Therefore let the friends of education for the masses speak out now. A noble example has been set them by Sir Robert Stout. And let the electors so speak that every member may feel as he goes to his seat in the new Parliament, that in whatever other respect he may be free, he is not at liberty to move hand or foot in the direction of impairing our national system of Education.

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Appendix.

It is sometimes asserted that Standards V. and VI. are of little value to working men, as they cannot afford to keep their children at school to take advantage of them. The above table is a complete answer to such an assertion, as it will be seen that at the end of 1886 there were 13,000 pupils on the school books who had passed Standard IV.; 13,000 out of a total of 106,000. These figures tell plainly that the Upper Standards are highly appreciated by parents, and it speaks well for their prudence and self-sacrifice, that during times of severe depression they manage to keep their children at school so long.

The above Table suggests one or two points of great interest. It shows that pupils pass the fourth Standard at an average age of 12 years 6 months. Now suppose the school doors closed against these pupils, what are they to do? They may be, as some contend they are, more matured than those of the same age, say in Britain. But even so, what are they fit for physically? No master or mistress cares to employ a boy or girl under 14 years of age, and by reference to the above Table it will be seen that our boys and girls pass the Sixth Standard at a trifle over that age.

Percentage of Passes in Standards.

For the information of members of Committees and parents it may be well to mention that the percentage of passes in the Standards for 1886 was, for the whole colony, 42½. For the year 1885 it was 71. The difference was accounted for in the fact that the basis of calculation had been altered. Before January, 1886, the passes were reckoned on the number presented by teachers, who were allowed to withhold from presentation any child they deemed unprepared.

After the 1st of January, 1886, however, the passes had to be reckoned on the total number on the roll. Under the old system a teacher might present, say 40 out of every 100 on the roll. If 35 out of the 40 presented passed, the passes were said to be 87 per cent. But, as will appear clearly, there were but 35 per cent, of the roll number who passed. Under the present system every child whose name is on the roll is reckoned as being presented, so that the percentage is lowered. In a school at the examination of 1885 the passes might be as above. In 1886 the teacher might pass just as many of his scholars out of every 100, and yet his percentage of passes would be but 35. Through ignorance of this change of the basis of calculation, many Committees were considerably troubled when they received the Inspectors' reports upon their schools for 1886. In some cases teachers were called in to explain how it was that the school was going to the dogs. And it was commonly reported that many Committees were denied the satisfaction of publishing the Inspector's report, as they were thoroughly ashamed of the low percentage of passes. It would be for the best interests of the schools if less importance were attached to the number of passes, and more attention paid to the very many other points which characterise good schools. Both Committees and teachers may be well satisfied if, with other points satisfactory, they get anything over 30 per cent, of passes.

Number of Schools, December, 1886.

The total number of Schools in the colony on Dec., 1886, was 1,084, with an average of 85,343 in attendance. It is upon this average that the Capitation Grant is made.

Standards of Education and Inspection of Schools.

WM. F. Drummond Jervois, Governor.

Order in Council.

At the Government House, at Wellington, this sixteenth day of June, 1885.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

IN exercise and pursuance of the powers and authorities vested in him by "The Education Act, 1877," the Governor, with the advice and consent of the Executive Council of the colony, doth make the regulations hereto annexed concerning inspection of schools and standards of education.

Regulations.

- Once in every year every public school shall be both inspected and examined' by a Public School Inspector. If possible, there shall be an interval of time between the inspection and the examination. As soon as possible after the inspection the Inspector shall present an "inspection report," and as soon as possible after the examination an "examination report" In these regulations a year means a year counted from the 1st of January.
- The inspection report shall relate to such topics as the following:—
 - I. List of standard classes and teachers; II. Remarks on the organization, as shown under Topic I.; III. Suitability of time-tables; IV. Remarks on the methods and quality of the instruction in general or in detail; V. Order and discipline, and the tone of the school with respect to diligence, alacrity, and obedience; VI. Supervision in recess; VII. Manners and general behaviour of the pupils; VIII. State of buildings, ground, and fences; IX. Sufficiency of school accommodation; X. Cleanliness and tidiness of rooms and premises, including outside offices; ventilation and warming; XI., &c. Other topics.The report shall be divided into sections, and the section relating to any topic in the foregoing list shall bear the number assigned to that topic in the list. The omission of any number shall be sufficient to indicate that the Inspector does not deem it necessary to report on the topic corresponding to that number. Section I. shall in no case be omitted from the report: it shall show what "standard classes" within the meaning of Regulation 4 there are in the school, whether the standard classes are grouped in classes for instruction, and, if so, how they are grouped, and by what teacher each class is taught, describing each teacher by his position in the school as "sole teacher," "head master," "first assistant," "third-year-pupil-teacher," or as the case may be. Any section except Section I. may, if the Inspector so choose, consist of the appropriate number and of a single word, such as "satisfactory."
- The examination report shall show the number of pupils presented in each standard class, the number of "passes" in each standard, of failures in each class, of "exceptions" in each class, and of pupils absent from each class, the "percentage of passes," the "percentage on class subjects," the "additional marks," and the character of the work done in classes P and S7. The terms used in this regulation shall be used in the examination report in the sense in which they are used in these regulations.
- For the purposes of inspection and examination, but not necessarily for purposes of instruction, the pupils of every public school shall be divided into standard classes, as follows: The preparatory class shall include all pupils below Class I., and may be called Class P. Class I. shall include all the children preparing for or presented for Standard I., and may be called S1; Class II. shall include all the children preparing for or presented for Standard II., and may be called S2; and so on to Class VI. Class VII. shall include all pupils that have passed the Sixth Standard, and may be called S7. If necessary, Class P may be divided, the lower part being called P1, and the next P2. Every pupil in the school must be considered to belong to one of the classes as here defined.
- At every standard examination the head teacher shall present all the pupils on the school roll, by giving the Inspector a list for each standard class, containing the names of all the pupils belonging to the class, and a schedule showing that the sum of the numbers of names in all the lists is identical with the number of the pupils on the school roll. Against the name of every pupil who has already passed a standard the head teacher shall enter in the class list the number of the highest standard which the pupil has passed.
- Against the name of any pupil who, during the three quarters preceding the quarter in which the examination takes place, has been present at the school less than half the number of times of assembling of the school, the head-teacher may write the number of the attendances of such pupil during the three-quarters; and, if such pupil do not pass for the standard for which he is presented, the pupil shall not be deemed to have failed, but shall be considered "excepted," and shall be included by the Inspector in the number of "exceptions" reported.
- In order to obtain a pass, a pupil must be present in class during the examination in the class-subjects for a standard which he has not already passed, and must satisfy the Inspector in all the pass-subjects for the same standard; except that failure in one subject (unless very serious) may be overlooked if in the judgement of the Inspector it is due to some individual peculiarity, and is not the result of the pupil's negligence or of ineffective teaching.
- As soon as possible after the examination of a school the head-teacher shall be furnished with the names of the pupils who have passed the several standards, and shall record the passes in the Admission Register, and issue to every pupil who has passed a standard a certificate of pass in that standard; and every pupil removing from one public school to another shall be required on entering to exhibit his latest certificate to the head teacher, who shall make a record of the certificate in the Admission Register, and

- shall not present such pupil for examination for the standard to which such certificate relates.
- The "percentage of passes" at every examination shall be ascertained by dividing the total number of passes by the number of pupils on the school roll, and multiplying by 100.
 - The "percentage of failures" at every examination shall be ascertained by dividing the number of failures by the number of passes and failures taken together, and multiplying by 100.
 - The Inspector shall ascertain "the percentage on class-subjects" by assigning marks for each class-subject, according to a scale ranging from 0 to 100, to express his judgment upon the quality of work done in that subject, and then calculating for all the class-subjects the mean of the marks so assigned. For the purpose of this regulation, elementary science, together with object-lessons and lessons in natural history, manufactures, and common things, shall be counted as one subject; history as one subject; geography, so far as it is a class-subject, as one subject; and drawing, so far and so long as it is a class-subject, as one. In assigning marks for any class subject the Inspector shall consider whether the subject is attended to in all the classes for which it is prescribed, and also whether it is efficiently treated.
 - The "additional marks" shall be ascertained by the Inspector, by assigning marks on a scale ranging from 0 to 20, to express his judgment of the value of the work done by the school in each of the "additional subjects," and in needlework and drill, and then adding together the marks so assigned. For the purposes of this regulation, repetition and recitation shall be reckoned as one subject, disciplinary exercises and drill as one, singing as one, needlework as one, knowledge of the subject-matter of reading-books as one, and extra drawing as one. In assigning marks for any "additional subject" the Inspector shall consider whether the subject is attended to in all the classes for which it is prescribed, and also whether it is efficiently treated.
 - Each Inspector shall make an annual return, showing with respect to each public school subject to his inspection the number of pupils presented, the number passed, the percentage of passes, the percentage of failures, the percentage on class-subjects, and the additional marks, and stating in brief, with respect to each school, its condition as to order and discipline, and as to the manners of the pupils. The Inspector shall at the same time make a return relating to the same schools and the same pupils, showing the total number of pupils presented in each of the standard classes as defined in Regulation 4, the total number passed in each standard, the total number of failures in each standard, and the total number of exceptions for each standard. It possible, the return shall include a statement of the average age of the pupils on passing each standard.
 - The standard syllabus shall not be understood to prescribe to the teacher the precise order in which the different parts of any subject shall be taught, nor to prohibit the teacher from giving instruction not prescribed by the syllabus, but shall be taken to represent only the attainments of which the inspector may expect full proof at the several stages of a pupil's progress; also it is to be understood that the examination report and inspection report, taken together, and not either of them alone, will express the Inspector's full judgment on the character and efficiency of the school.
 - In judging of the work both of individual pupils and of classes, the Inspectors shall consider the degree of intelligence displayed in the performance of the work. No reading that is not intelligent shall be allowed to count towards a pass. Knowledge of arithmetic shall be tested both by set sums and by problems, set sums being employed as a test of skill in manipulating figures, and problems as a test of the power of applying arithmetical rules to practical uses; but, except in the two highest standards, the problems must be such as to require the application of only one principle and involve only short processes. And generally Inspectors shall, in assigning marks, in awarding praise or blame, and in giving advice to teachers, bear always in mind the importance of discouraging what is merely mechanical and superficial, and fostering all that shows enthusiasm for real education and tends to the increase of mental activity.
 - The syllabus of pass-subjects, class-subjects, and additional subjects for each of the standards shall be the following:—

Standard I.

1. PASS-SUBJECTS.

Reading.—Sentences composed of words of one syllable, and common words of two syllables, to be read intelligently.

Spelling.—Easy words of one syllable.

Writing.—The small letters and the ten figures, on slate, at dictation.

Arithmetic.—Counting, and oral addition by twos, threes, fours, and fives, up to 100; numeration and notation to 999; addition sums of not more than three columns; multiplication of numbers not exceeding 999 by

2, 3, 4, and 5; relative values and chief aliquot parts of current. English coins; and relative lengths of the yard, foot, and inch. [*Note.*—The numeration must be applied to the addition and multiplication, and the multiplication known to be a compendious method of addition.]

Drawing.—As defined in Regulation 18.

2. CLASS-SUBJECTS.

Object and Natural History Lessons.—A syllabus of the year's work done to be given to the Inspector, who will examine the class upon some object selected from the syllabus.

3. ADDITIONAL SUBJECTS.

Knowledge of the Subject Matter of the Reading Lessons.

Repetition of Easy Verses.—Syllabus and test as for object lessons.

Singing.—A sufficient number of easy and suitable songs in correct time and tune, and at a proper pitch.

Needlework and Drill.—See Regulations 22 and 12.

Standard II.

1. PASS-SUBJECTS.

Reading.—Sentences containing words of two syllables, and easy words of more than two syllables, to be read intelligently, and the meanings (not necessarily strict definitions) of the words to be known.

Spelling.—Easy words of two syllables.

Writing.—Short words, in copy-books, not larger than round-hand. On slate: Capital letters and transcription from reading book of Standard II.

Arithmetic.—Numeration and notation of not more than six figures; addition of not more than six lines, with six figures in a line; short multiplication, and multiplication by factors not greater than 12; subtraction; division by numbers not exceeding 12, by the method of long division, and by the method of short division; mental problems adapted to this stage of progress; multiplication tables to 12 times 12; relative values and chief aliquot parts of the ton, hundredweight, quarter, stone, and pound; relative lengths of the mile, furlong, chain, and rod.

Drawing.—As defined in Regulation 18, but not to be required before the 1st January, 1887.

2. CLASS-SUBJECTS.

Drawing.—As defined in Regulation 18, but not to be a class-subject after the 31st December, 1886.

Geography.—Knowledge of the meaning of a map; of the principal geographical terms; and of the positions of the continents, oceans, and larger seas.

Object-lessons, and Lessons in Natural History and on Manufactures.—A syllabus, as in Standard I.

3. ADDITIONAL SUBJECTS.

Knowledge of Subject-matter of Reading Lessons.

Repetition of Verses.—Syllabus showing progress.

Singing.—Songs as before; the places of the notes on the stave, or the symbol used for each note in the notation adopted; to sing the major diatonic scale and the successive notes of the common chord in all keys.

Needlework and Drill.—See Regulations 22 and 12.

Standard III.

PASS-SUBJECTS.

Reading.—Easy reading book, to be read fluently and intelligently, with knowledge of the meanings of the words, and with due regard to the distinction of paragraphs as well as of sentences.

Spelling.—From the same book; knowledge of words having the same or nearly the same sound, but differing in meaning; dictation of easy sentences from the reading-book of a lower standard.

Writing.—Longer words and sentences, not larger than round-hand; transcription from the reading-book of Standard III., with due regard to punctuation and quotation marks.

Arithmetic.—Numeration and notation generally (one billion being taken as the second power of one million, one trillion the third power, and so on); long multiplication and long division; the four money rules,

excepting long multiplication of money; tables of money, avoirdupois weight, and long measure; and easy money problems in mental arithmetic.

Grammar and Composition.—The distinguishing of the nouns, verbs, adjectives articles, and pronouns in easy sentences; and very simple exercises in composition, to test the pupil's power of putting his own thoughts on familiar subjects into words. The more difficult pronouns (as the indefinite and distributive) are not to be used as tests of knowledge in this standard, but the children should be able to recognise as a pronoun any personal, possessive, or demonstrative pronoun, whether used as a substantive or as an adjective.

Geography.—The names and positions of the chief towns of New Zealand; the principal features of the district in which the school is situated; names and positions of Australian Colonies and their capitals; of the countries and capitals of Europe; of mountains forming the water-sheds of continental areas; and of celebrated rivers.

Drawing.—As defined in Regulation 18, but not to be required before the 1st January, 1888.

2. CLASS-SUBJECTS.

Drawing.—As defined in Regulation 18, but not to be a class-subject after the 31st December, 1887.

English History.—Knowledge of the chronological order in which the following periods stand: Roman, Saxon, Norman, Plantagenet, Tudor, Stuart, Brunswick; and of a few of the most striking facts and incidents illustrating the life of the several periods. The selection of facts and incidents will be left to the teacher; and the Inspector will adapt the examination as far as possible to the teacher's programme of lessons or other indication of the work done.

Knowledge of Common Things.—A syllabus as for object lessons in the former standards.

3. ADDITIONAL SUBJECTS.

The Subject Matter of the Reading Lessons.

Repetition of Verses.—Syllabus showing progress.

Singing.—Easy exercises on the common chord and the interval of a second, in common time and in 4 time, not involving the use of dotted notes; use of the signs *p.*, *f.*, *cres.t dim.*, *rall.*, and their equivalents; songs as before, or in common with the upper part of the school.

Needlework and Drill.—See Regulations 22 and 12.

Standard IV.

1. PASS-SUBJECTS.

Reading and Definition.—An easy book of prose and verse.

Spelling and Dictation suited to this stage, as represented by the reading book in use; the dictation to exhibit a knowledge of the use of capitals and of punctuation, but (at inspection) to be confined to prose.

Writing.—Good copies in a hand not larger than round-hand, and transcription of poetry.

Arithmetic.—Long multiplication of money; reduction of money, weights and measures; the compound rules applied to problems in weights and measures; practice, and the making out of bills of accounts and receipts; tables of money, weights and measures; mental arithmetic to correspond. The weights and measures for this standard are: avoirdupois weight, troy weight, long measure, square measure, measures of capacity and time, and angular measure.

Grammar and Composition.—The distinguishing of all the parts of speech in easy sentences; the inflections of the noun, adjective, and pronoun; letter-writing on prescribed subjects; the addressing of letters and envelopes.

Drawing.—As defined in Regulation 18, but not to be required before the 1st January, 1889.

2. CLASS-SUBJECTS.

Drawing.—As defined in Regulation 18, but not to be a class-subject after the 31st December, 1888.

Geography.—Names and positions of the countries of the world, with their capitals, and of the principal seas, gulfs, mountains, rivers, lakes, capes, straits, islands, and peninsulas on the map of the world; geography of Australia in outline; and the drawing of rough maps of New Zealand, with such one set of principal features (as capes, or towns, or rivers) as the Inspector may require. [In this and the subsequent standards, scholars will be expected to know the situation of places mentioned in their reading-books.]

English History.—The succession of Houses and Sovereigns from 1066 A.D. to 1485 A.D., and the leading events of the period known in connection with the reigns and centuries to which they belong, and in their own

character. [Precise dates will not be required, though a knowledge of them may assist in referring each event to the proper reign.]

Elementary Science.—As prescribed in Regulation 19.

3. ADDITIONAL SUBJECTS.

Recitation.—A list of pieces learnt, and one piece (or more) specially prepared for the examination.

Singing.—Easy exercise on the chords of the dominant and sub-dominant, and in the intervals prescribed for Standard III.; exercises in triple time; use of dotted notes; melodies, rounds, and part songs in common with the higher standards. [*Note.*—It will suffice if this class take the air of the songs, while the other parts are sung by the more advanced classes, and it may be useful to let older scholars lead the parts in a round.]

Needlework and Drill.—See Regulations 22 and 12.

Extra Drawing.—See Regulation 18.

Standard V.

1. PASS-SUBJECTS.

Reading and Definition.—A book of general information, not necessarily excluding matter such as that prescribed for Standard IV.

Spelling and Dictation suited to this stage.

Writing.—Small-hand copies in a strict formal style, and text-hand; transcription of verse in complicated metres, and of prose exhibiting the niceties of punctuation.

Arithmetic.—Proportion; simple interest; the easier cases of vulgar fractions, and problems involving them; mental arithmetic.

Grammar and Composition.—Inflexions of the verb; the parsing (with inflexions) of all the words in any easy sentence; a short essay or letter on a familiar subject, or the rendering of the sense of a passage of easy verse into good prose; analysis of a simple sentence.

Geography.—Names and positions of places of political, historical, and commercial importance in New Zealand, in Great Britain, and on the European Continent; and the drawing of outline maps of New Zealand, Great Britain, and Ireland. Physical Geography: Distribution of land and water; mountain and river systems. Mathematical Geography: The form of the earth, day and night, the seasons, the zones, meridians, and parallels, and climate in this connection.

Drawing.—As defined in Regulation 18, but not to be required before the 1st January, 1890.

2. CLASS-SUBJECTS.

Drawing.—As defined in Regulation 18, but not to be a class-subject, after the 31st December, 1889.

English History.—The period from 1485 A.D. to 1714 A.D. treated as the former period is treated in Standard IV.

Elementary Science.—See Regulation 19.

3. ADDITIONAL SUBJECTS.

Recitation.—Of a higher order than for Standard IV.

Singing.—More difficult exercises in time and tune; strict attention to expression marks.

Needlework and Drill.—See Regulations 22 and 12.

Extra Drawing.—See Regulation 18.

Standard VI.

1. PASS-SUBJECTS.

Reading.—A book containing extracts from general literature.

Spelling and Dictation suited to this stage.

Writing.—The copying of tabulated matter, showing bold head-lines, and marking distinctions such as in letterpress require varieties of type (*e.g.*, the copying of these printed standards, or of a catalogue showing division into groups).

Arithmetic.—Vulgar and decimal fractions; interest and other commercial rules, such as discount, stocks, partnership, and exchange; the metric system of weights and measures, and calculations with pound, florin,

cent, and mil; square root, and simple cases of mensuration of surfaces; mental arithmetic generally.

Grammar and Composition.—Complete parsing (including syntax) of simple and compound sentences; prefixes and affixes, and a few of the more important Latin and Greek roots, illustrated by a part of the reading books; essay or letter; analysis of easy complex sentences.

Geography.—Names and positions of places of political, historical, and commercial importance in Asia, North America, and the British possessions. Physical Geography: Atmospheric phenomena, winds, rain, ice; climate as affected by mountain, plain, and sea; distribution of the animals and plants of greatest value to man.

Drawing.—As defined in Regulation 18, but not to be required before the 1st January, 1891.

2. CLASS-SUBJECTS.

Drawing.—As defined in Regulation 18, but not to be a class-subject after the 31st December, 1890.

English History.—The succession of Houses and Sovereigns, and the leading events of each reign, from 1485 *a.d.* to the present (precise dates not required); also the elements of social economy, that is to say, very elementary knowledge of such subjects as government, law, citizenship, labour, capital, money, and banking.

Elementary Science.—See Regulation 19.

3. ADDITIONAL SUBJECTS.

Recitation.—As for Standard V.

Singing.—As for Standard V.

Needlework and Drill.—See Regulations 22 and 12.

Extra Drawing.—See Regulation 18.

17. In any one year Classes S4 and S5 may be taught and examined together in the history prescribed for Standard V., but, in that case, in the next year S4 and S5 must be taught and examined in the history prescribed for Standard IV. Similarly in any year S4 may be taught and examined with S5 in the geography prescribed for Standard V., except that S4 will not have to pass in mathematical and physical geography, nor to draw other maps than those prescribed for Standard IV.; but, in that case, in the next year S5 must substitute, for geography of New Zealand, Great Britain, and the European Continent, the general geography of the world and Australia prescribed for Standard IV.

18. The drawing required as a pass-subject or temporarily as a class-subject for the several standards shall be as follows:—

Standard I. Straight lines of different lengths and in different positions, such lines joined at different angles, and connected to form simple figures and designs. This work is to be done without ruler.

Standard II. Similar work of a more advanced character.

Standard III. Freehand drawing of regular forms and curved figures from the flat.

Standard IV. Freehand drawing from the flat, and from simple rectangular and circular models. Drawing to scale. Simple geometrical figures with rules and instruments.

Standard V. The same as IV., with the addition of easy common objects. Plans and elevations of plane figures and rectangular solids in simple positions. Simple scales.

Standard VI. The same as V., but of greater difficulty and including sections.

These definitions may be clearly illustrated by a series of drawing-books to be issued by authority of the Minister of Education, and any drawing-book issued by such authority shall be an authoritative example of the kind of work required by this regulation.

[*Note.*—The pupils should be taught as early as possible to draw from actual objects, such as the doors, windows, furniture, and apparatus of the schoolroom.]

Drawing may be taught as an "additional subject" for any standard higher than Standard III. Such drawing for any standard may be the drawing prescribed for a higher standard, or some drawing not prescribed as a pass subject.

19. The instruction in elementary science for Standards IV., V., and VI. shall be based on a programme, which shall be prepared by the head-teacher, to show the distribution of the subject over a three-years' course of lessons. The programme must include such elementary knowledge of physics, and such a conception of chemical action as may be imparted by the proper use of Professor Bickerton's "Materials for Lessons in Elementary Science," and must also include instruction in elementary mechanics, or in such elementary physiology as may be learnt from Mrs Buckton's "Health in the House," or in botany, or some other subject recognised by the Inspector as equivalent to one of these; provided, however, that if agricultural chemistry be efficiently taught, no other elementary science shall be required for these standards.

20. The object-lessons, and lessons on natural history, manufactures, and common things, for Standards I., II., and III., are intended as an introduction to the elementary science lessons for the higher standards. Classes

S1 and S2, or S1, S2 and S3, may be taught and examined together in these subjects if the programme of lessons is varied from year to year so that on the whole the work prescribed for two or three classes shall be done in two or three years as the case may be; or S3 may be instructed in elementary science with any higher class, and even S1 and S2 may, instead of receiving lessons on objects, &c., be instructed in the elementary science prescribed for the higher standards, if the instruction in elementary science is oral, illustrative, and experimental, and is, in the teacher's judgment, adapted to the capacity of the lower classes and fitted to promote the development of their faculties.

21. Any order of instruction in singing other than that prescribed in the standards will be recognised as of equivalent value if the result be good singing, sufficient theoretical knowledge, and careful training of the lower classes, as well as the higher.

22. All the girls in any public school in which there is a mistress or assistant mistress shall learn needlework, and, if the Inspector is satisfied that the instruction in this subject is thoroughly systematic and efficient, he may judge all other work done by the girls more leniently than that done by the boys in such a degree as would be implied in reducing by 10 per cent, the minimum marks required for any examination pass. To secure full approval, the needlework of the several classes must be according to the following programme:—

S1. Threading needles and hemming. (Illustration of work: Strips of calico or a plain pocket-handkerchief.)

S2. The foregoing, and felling, and fixing a hem. (Illustration: A child's pinafore.)

S3. The foregoing and stitching, sewing on strings, and fixing all work up to this stage. (A pillow-case, or woman's plain shift, without bands or gathers.)

S4. The foregoing, and button-holing, sewing on buttons, stroking, setting in gathers, plain darning and fixing. (A plain day or night shirt.)

S5. The foregoing, and whipping, a tuck run, sewing on frill, and gathering. (A night-dress with frills.)

S6. Cutting out any plain garment and fixing it for a junior class; darning stockings (fine and coarse) in worsted or cotton; grafting; darning fine linen or calico; patching the same; darning and patching fine diaper.

If knitting is learnt it shall be in the following order: A strip of plain knitting; knitted muffatees, ribbed; a plain-knitted child's sock; a long-ribbed stocking.

23. In case of any misunderstanding arising as to the meaning of any part of these regulations, the Minister of Education may declare what is to be taken as the meaning, and his interpretation shall be binding upon all persons to whom it is communicated, and shall, if declared by publication in the *New Zealand Gazette*, have equal force with these regulations.

24. Standard IV. as defined in these regulations shall be the standard of Education prescribed under "The Education Act, 1877," section 90, subsection 4.

25. These regulations shall come into force on the first day of January, 1886, and shall supersede all former regulations relating to the inspection and examination of schools.

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Retgression: Freetrade and Protection Nationalisation of the Land.

Analogy between Ireland and Canada.

By James Coutts Crawford.

Wellington: Printed at the Evening Press Office.

Retgression.

It seems generally to be taken for granted that the Radical party is one of progress, but I propose to point out that it has drifted and is continuing to drift into one of retrogression. In my young days, whether one agreed with the Radical programme or not, one could not but admit that the party was virile, and progressive in its policy, but now a days it advocates a number of fads, which have practically reversed the policy, which is now in many respects retrogressive and tending to roll back civilization and the progress of the nation and of the world. At the head of the retrogressive projects we may place what is called the

Nationalization of the Land.

One would suppose from the *pœans* of the theorists who advocate this scheme, that such an idea had never been heard of before, but we have not far to go to find an example at our own doors. The old Maori tenure exactly fits the case, where the land was held by the tribe in common, and individual ownership was only given to the patch actually under cultivation at the time, which was protected from molestation by others of the tribe by

the law of *tapu*. This is the general tenure among the natives of the South Seas. Is it seriously proposed that we shall revert to this barbarous tenure? Then we have examples in India and in Egypt, the effect being to raise a numerous population whose productions are divided between the Government and the cultivator, the latter getting for his share a bare subsistence. A people without power to assert their rights against the Government, their whole time taken up in providing for their daily wants on the most economical scale. It is held that the strength of a country depends upon the numbers of its population. In connection with cutting up land into small holdings, this statement must be taken with a qualification. If the means of the occupier of land are so limited by the smallness of his holding that all his time is taken up in keeping himself and his family alive, he can pay nothing to the state in money, nor can he go to the wars without abandoning the means of subsistence of his family. We have in England something similar to nationalization of the land in the estates of the Duchies of Lancaster and Cornwall. The management of these estates has, I believe, been much improved of late years, but it has been notorious for jobbery, and is far behind that of the average of private estates. There is no encouragement to extend the system.

What effect the nationalization of the land would produce in New Zealand and other colonies may be seen at a glance, and by the light of sundry measures which have come before the New Zealand Parliament during the present session, there would be the most frightful jobbery. The Crown tenants would either get control over Parliament, or the latter would grind the former, as the Government does in India or Egypt. Where would be the benefit? Government would make no landlords improvements, would not build a house, nor plant a tree. If it tried that sort of thing there would be added the jobbery of contractors and hangers on. The whole idea of land nationalization is utter humbug. It is totally unsuited to a civilized and progressive community, it is rolling the country back into barbarism and confusion. A better tenure than the old fee simple has yet to be discovered. Land nationalization is a contradiction in terms. Land has never been denationalized in this nor in any other country. The immediate effect of establishing such a system in this colony would be to deflect the stream of immigration to countries where more sensible views prevailed, and the results would be disastrous. Merely mooted the question has already damaged the property of the colony, *cutting up land into small holdings*. This is called in France *morcellement du terrain*, and we have the example of France and other countries to throw a light on the subject.

In France, although there are large holdings, a great part of the country is cut up into such small fragments that only a peculiarly frugal and industrious people could manage to live on their small estates. Many of these are under an acre in extent, perhaps a rood only. If the holder is flourishing, and wishes to extend his operations, he is probably forced to purchase a new plot at some distance, perhaps a mile or two, from his original holding. One can hardly call the working of these small plots farming, and on the other hand, it may not come under the definition of gardening. By dint of working early and late, and living on the most economical scale, the French peasant manages to make sufficient to keep the bodies of himself and his small family alive, but it is a life of constant toil, unrelieved by relaxation, and the people thus situated have no time for mental improvement, and are ignorant and prejudiced to the lowest degree. No sort of agricultural machinery can be used under that system, and the produce of cereals is far inferior to that in the inferior soils and climate of Great Britain. I wish to lay particular emphasis on this latter point, because assertions are constantly made to the contrary. It is to be admitted that near certain large cities in Belgium, where manure is readily procurable, the gross produce is high on small plots, but this only amounts to the fact that market gardens give a large produce, not that the general cultivation of a country where manure is not procurable in quantities gives a similar result. The system may answer after a fashion for the very frugal and industrious French peasant with his family of one or two, but is totally unsuited to the British or Irish cultivator, with more liberal views of spending money, and his large family of young children. It must also be borne in mind that over a large part of France, the culture of vines, olives, and other productions of a warmer climate prevail, producing articles of such value that the returns from a few acres may give a large annual return, This makes the *morcellement du terrain* less injurious than it would be in the British Islands, where the cultivation consists of articles of inferior value, such as wheat, oats, etc. There is a medium in everything. In Great Britain the holdings may be too large, in France too small. The way to adjust the proper proportion is not to bring in revolutionary measures to adjust the division of land by Government, but to remove restrictions upon the alienation of land, and allow the required division to come about naturally. Some persons in that case will get small farms, others large ones, and everyone will be served with what he wants. It is often asserted that the advantage of the French subdivision is to make the bulk of the people conservative, and thus to check revolutions. It seems to me that this conservatism is not worth much, for the rural population never seems able to resist the revolutions got up by any collection of tramps in Paris, and knock under at once. Small holdings are not confined to France, They are common in Switzerland, parts of Germany, and other parts of Europe. In the Ionian Islands, a single olive tree may belong to several individuals. We ought, in this colony, when we try to evade Scylla, to avoid falling into Charybdis. *Fiat experimentum cruris in corpore vili*. Is New Zealand

reduced to such a vile body that she is to be experimented upon by the shallowest political tinkering?

Freetrade and Protection.

When times are bad there is always a cry for a change in legislation. If the country has hitherto had a Freetrade policy, there is a cry for Protection. It has been tied up with Protection, there is a cry for Free-trade. Anything for a change, by way of experiment. We see an excellent example of this in the case of South Australia. That colony is, upon the whole, essentially pastoral and agricultural, and has suffered from severe droughts for some years past by the effects of which many thousands of cattle and sheep have died, and many hitherto wealthy settlers have been ruined. The wheat crops have also either failed or have been wofully deficient in yield, One would have thought that the remedy for this state of affairs would have been to do something for the farmers if possible, such as making dams to couseve water, and sinking artificial or other wells, experimenting with crops suited to stand the consequences of dry weather, and so on, but instead of this, what do we find? A proposal to introduce Protection to manufac-factures! The ruined farmers ask for bread, and they are given a stone. The country is in a state of distress. Handicap it still more, and place it at the mercy of the town? Let us apply this lesson to ourselves. New Zealand has not suffered from drought like Australia, but it is suffering heavily from low prices of its produce. The farmers are distressed, and the remedies suggested are to distress them still more. I should wish the farmers of New Zealand to bear in mind that they cannot themselves be protected. They export wool, wheat, oats, potatoes, and other agricultural produce. What they import in that line is a trifle. Such products as maize are probably imported for the farmer's own use, and any duty upon these would still further handicap them. Parliament might place duties upon agricultural produce, but as little or none would be imported, the result would be *nil*. Therefore Protection to native industries means favoring the town at the expense of the country.

It is asserted by Protectionists that the adoption of their principles results in getting goods cheaper. They would make one disbelieve in the evidence of his senses. One has only to visit any Protectionist country to find that he is paying enhanced prices for everything. True, that prices have fallen since Protection was established in America and other countries, but Protection has had nothing to do with it. Iron, for instance, is now produced far cheaper than it was a few years ago, but that is caused by improved processes, and there is a general fall in prices all over the world, and the same result has occurred with other goods.

I am as much as any one in favor of establishing all manufactures which we can work to advantage. Agricultural implements, for instance, are made in New Zealand of a more suitable character than those imported, and I imagine require no protection to succeed. I would readily give more for a colonial double furrow plough than for an imported one, because the former will do the work much better than the latter. What woollen factories require is not protection to secure the Home market, but openings for their goods in Australia and elsewhere. Give more protection to these factories, and shut out the Australian market, and in the course of a year or two they will be ruining each other. Our population is altogether too small for the successful running of many factories. People talk of the success of protection in America, forgetting that the United States have a population of some 60,000,000, and a climate ranging from nearly arctic to tropical, with absolute freetrade within its borders, that it produces cotton, wool, and other raw materials, that it has perhaps the largest coal field in the world, and immense supplies of iron and other minerals, including the richest mines of gold, silver and copper. Therefore, the ill effects of protection are comparatively little felt. The expected results, however, which were to keep up the price of labor, do not appear to have had that result. I am informed that the average wage of mill hands in America does not exceed 2s 6d a day, and that 330,000 souls were lately unemployed, but fortunes have been made by manufacturers or by "rings," as might naturally be expected when the whole community is called upon to contribute to their enrichment.

Compare the surroundings of the manufacturers of the United States with that of the New Zealand Islands, with their united area, and population of 600,000 only. What we now require, and shall require still more in the immediate future, is an outlet for our manufactures, and this is not to be attained by a restrictive policy.

The fiscal policy of the Australasian colonies is of the most antiquated and what may be called old Tory description, and reminds me of the system in vogue on the Continent of Europe some 40 or 50 years ago, where one was pestered by an examination of baggage perhaps several times during a day's journey. "Protection" was then in full force, even in Great Britain, and the results were certainly not agreeable. Commerce was hampered, enterprise was checked, people were starving, bread riots were common. There may be hard times now, but in no measure so hard as they were then. The sooner that all barriers to trade between the Australasian colonies are thrown down the better. New Zealand then could freely send wheat, oats, barley, potatoes, fat cattle and sheep, and manufactures, and receive in return maize, fruit, wine, &c. Trade would doubtless soon extend to other articles. New Zealand ought to supply Australia with beer if the brewers would make a marketable article, but made safe in their profits by a protective duty they inflict an inferior liquid upon their long suffering customers.

Instead of helping the farmers by using malt and hops, I suppose they patronize the foreigner by brewing from sugar, mixed with other compounds. Of course I except those brewers who make good beer. I observed lately some one called for a protective duty upon wine! This shows what we might come to, viz., to be expected to drink New Zealand wine! The fact is that the wine duties are far too high already, Wine should be treated as a necessity for the general public as in France and other countries, and not as a luxury for the rich, and then there might be hope for temperance, and the natural exchange would be New Zealand beer for Australian wine.

If we are to do a large trade with Australia we must be prepared to receive Australian commodities in exchange for our products, and not erect artificial barriers. No large trade can exist without an exchange of commodities. Look at the state of trade between Australasia and the kindred race in the United States. With the 60,000,000 inhabitants of the latter country, the trade of the former is of the most limited character, and this of course arises from the exclusion of Australasian staples by the high protective duties of America. If "protection" were true in theory then Great Britain ought to levy corresponding duties upon our produce, and then our amount of trade with Europe would dwindle to a similar amount. Where should we be then, with our surplus wool, tallow, wheat, &c? We might revel in a superabundance of produce, but we should have no money. We could then neither pay our public nor our own private debts. We should be an insolvent community with no hopes of getting out of the mud. I should wish everyone to bear in mind the great axiom of Free Trade, viz., that there is no import without a corresponding export, directly or indirectly. Thus commerce balances itself automatically if left alone. Those countries in which the imports apparently exceed the exports, happen always to be the most prosperous. Your protectionist is always watching the imports with fear and trembling, fearing that they may exceed the exports. If he ceased to bother his head about it he would save himself a great deal of trouble. He may, however, do his best to increase the exports, and that will of necessity increase the imports also. In fact that is what the country wants at present—more variety and greater quantity of exports.

There is one aspect of protection on which I give my opinion with diffidence. The causes of the depression which has now lasted so long over all the world are considered to be very obscure, and no doubt may be various, but I venture to suggest that one cause of the depreciation of our staples, viz., wool, tallow, wheat, &c., may be the adoption of "Protection" by numerous populous States in Europe, by the United States, Canada, and Victoria. These countries all go in, more or less, to exclude English goods, consequently England has not the means of paying for the raw staples at the old figure. How can she do so if her means of payment are excluded? In consequence down falls the price to a figure which she can afford to pay by the exchange of commodities.

If my theory is correct, then Victoria loses upon the fall in price of her staples far more than the profits derived by a small minority of her population from the protection of her manufactures. The loss to her general population is great and absolute, the profit is limited to a handful of her people.

New Zealand is essentially made by nature for a commercial country, and to progress in a natural way she only requires to be left alone and excluded from the experiments of political and economical heresy. My remarks are called for because both these baneful influences are in the air, and a policy of an antiquated and old Tory principle is strongly advocated. I am an old sailor, and I want to see the ship go ahead instead of astern, which is sure to follow if a retrogressive policy should carry the day.

Lest it should be said that I propound nothing for the good of the farmer, I request attention to the following remarks. Anyone who reads the Australasian must be struck with the gigantic efforts which are being made to promote irrigation in Victoria, and within the next few years I think we shall see an enormous accession of wealth to that colony from the operations now contemplated or in progress. I must say it "riles" me to see the intelligent application of skill in that colony and its total absence in this.

I have at various times advocated the introduction of irrigation on a large scale in New Zealand, and have usually been met with the remark that we have plenty of rain. There is plenty of rain in England, but no farming there pays better than an irrigated meadow. We might double and treble our produce by means of irrigation, and some districts, such as the Waikato and the sands of the Manawatu, we could make fertile by its use. I hope my Auckland friends will be grateful for the suggestion. Not that irrigation can provide the phosphates if these are deficient, but by growing clovers and other leafy plants a supply of nitrogen can be given to the soil. Our supply of water is enormous, whereas the Victorian supply is not so.

What I propose need not involve any Government outlay whatever. Victoria has contracted with Messrs Chaffey Bros, to provide large tracts of land, which the latter are to irrigate and settle with population, and it has legislated to allow other districts to form Boards for irrigation purposes. If our Parliament and Government were to devote their energies to the irrigation question for some years to come, they might get the colony out of its difficulties, and keep themselves out of mischief.

At the present moment the ship of State is in a perilous position, and the question seems to be on which tack she shall go. If she goes on the lines of a restrictive policy we shall be close hauled for years to come, in the faint hope of weathering the breakers. The right tack and the true policy is to contend for a Customs Union of Australasia. Then we should place ourselves in a similar position to the people of the United States. If we

have not 60,000,000 people for a market we shall have 3,000,000 or 4,000,000, with a rapidly increasing population, and, as this increases, our trade and manufactures would increase also.

In the immediate future it is not the competition of the "down trodden serfs" of Europe which we have to fear, but it is that of the down-trodden serfs" of New Zealand. I trust it will be observed that the above is a quotation. Most of us have heard it or read it before With the mills at present running, and those in prospect, and in default of an outlet beyond the colony, the "down trodden serfs" of Mosgiel, of Kaiapoi, of Ashburton, of Welling- ton, and I suppose we may now say of Auckland, will soon figuratively be at each other's throats.

When I consider the large internal trade which might be done in Australasia it puts me altogether out of patience to see steps taken to make a Customs Union impracticable.

Wellington, of all places, should look to its trade.

I am at a loss to understand the sudden howl for Protection. Our manufactures have been protected from foreign import all along. The present import of 15, or as some say 16½ per cent, is ample. Where is the cause for increasing it even from the Protectionist point of view. If that game is once commenced there is no knowing where it may end. The manufacture of steel began in the United States with a Protective duty of 15 per cent, and gradually rose to 150 per cent! Think of that, oh ye people! Think of being put under the thumb of "rings" and syndicates who will squeeze 150 per cent out of you! Unfortunately we must look on our 15 per cent impost as hanging round our necks for many years to come. Our finances demand the sacrifice—let our manufacturers rest and be thankful.

ANALOGY BETWEEN IRELAND AND CANADA.

The Irish question is one which should naturally be avoided in the colonies, but when one hears people advise that Ireland should be granted a constitution like Canada, or other colonies which possess a Parliament, one is astounded with the extreme simplicity of the suggestion.

Professor Goldwin Smith and others have clearly pointed out that there is no analogy between the cases, and one would have thought that any one who had considered the subject would have come to the same conclusion.

Supposing that Ireland had a constitution like Canada, and England was forced into war by Russia or France, would it not be almost a certainty, under present circumstances, that a vote of the Irish legislature would go against the war. Any paper provisos giving the power of peace or war to the British Government would be simply waste paper. It would in that case be perhaps impossible to hold India, or to keep the colonies within the Empire, and the Old Country would sink to the level of Holland or Scandinavia, and Ireland into utter insignificance.

It is impossible to understand the "insane hatred" of England which seems to inspire a great body of the Irish, and of the Irish Americans. One would think they might be proud of belonging to the freest nation in the world, with all its employments and objects of ambition open to them. I do not except the United States, where personal freedom is less than in Great Britain, and where the country is governed and the vote controlled by "rings."

The progress of modern States is marked by concentration, not by dispersion. France took many centuries to consolidate, but now forms the most homogeneous country in Europe. The Peninsula also was once divided into several kingdoms of which Portugal is the only independent survival of a small state, Italy and Germany have consolidated within the last few years. In all these events progress is marked. It is now proposed to break up the British Empire. This is not progress but retrogression. Supposing the enemies of the Empire to succeed in their wish and that the Sovereignty of the seas passed from Great Britain, what would be the effect on the colonies? That they would be open to attack and possible conquest from any of the large states of Europe. The defences which are now considered ample to secure our position would then be almost useless. Instead of an attack from a hostile cruiser or small squadron, what might then be expected would be the arrival of a fleet, escorting transports with an army on board. Let us suppose that Victoria was the point of attack. There would be no necessity to attack Melbourne in front. Some small port, such as Portland, would be selectee for the landing, and the army would march from there, and take Melbourne in rear, when the capture of its defences would only be a matter of time. New Zealand could be treated in similar fashion. If people have no pride in the glory of the Old Country, they might at least see that mere self interest would lead them to uphold her power, at all events until the colonies are some ten times more populous and wealthy than they are now. It does not follow that France or Russia would attack Australasia, even should Great Britain be reduced to impotence, but the temptation would be very great and hard to be resisted. Even peaceful Germany might see the prospect of an outlet for her surplus population, and might find it in sparsely peopled Australia, if our hostile factions should open the door by breaking up the integrity of the Empire. If we had separate legislatures in Ireland, in Scotland, in Wales, how could the central Government in London act with the promptitude required to keep together such

an Empire as ours? It would be a simple impossibility. The collapse would soon come, and the Empire would resolve itself into chaos. This certainly would not be progress, it would be retrogression.

The History of Land Tenure in the Colony of Victoria,

By John Quick, L.L.D., M.P.,

Barrister-at-Law.

Sandhurst: J. G. EDWARDS, "THE BENDIGO INDEPENDENT OFFICE, MDCCCLXXXIII.

Preface.

THE following pages were written last year during the leisure hours of professional and parliamentary work. They are designed to place before the public a brief sketch of the History of Land Legislation in Victoria—showing the provisions and operations of our various Land Acts; the effect of these Acts in promoting or discouraging the settlement of people upon the soil; the causes of partial success and partial failure of our Land Policy; and the direction in which a sound principle of Land Reform must be looked for. At the present time, when a new Land Bill is before the country, proposing somewhat radical alterations in the existing law, it becomes convenient and appropriate to take a retrospect of past legislation. In the forthcoming political contest many young voters will be called upon to take part, for the first time, in the great and important work of moulding the destinies of their country. In that struggle there will be no question submitted for their consideration more important than the future disposal of the remaining acres of Victorian soil. These pages will enable them to take a bird's-eye view of previous Land Acts, and to become acquainted with the opinions of some of Victoria's greatest politicians in reference to the land question; in other words, they will here find materials out of which they can form opinions of their own, and vote accordingly. From the sentence which follows the reader will see what the present writer's views are. The wholesale alienation of the public lands, and their stealthy but rapid absorption into large estates, is a crime and a calamity, which can only be averted by the steady, intelligent and irresistible opposition of the people of Victoria to a policy at once demoralising and destructive.

Sandhurst,

February, 1883.

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Chapter I. Early History of the Victorian Land System.

The history of the tenure of land in the Colony of Victoria has passed through four distinct and successive stages; each of which is rendered remarkable by peculiar features, the result of the period of national growth to which it belongs. The first stage of this process of the development of our land laws and customs was that which preceded government control in Australia; when land was selected and taken possession of by the first comer on the old principle of Roman Law, *quod nullius est occupanti conceditur*, which, according to some political philosophers, marks the origin of what is now known as absolute private property in land. The second period was that in which the rudely and crudely organised administration representing the British Government in Australia interfered with and prevented the unlicensed occupation of waste lands, and proceeded to impose upon the occupants payment of a nominal rent, reserved upon a yearly license. The third epoch marked the transition from executive to legislative regulation, and the inauguration of an administrative scheme constructed by the Imperial Parliament, and promulgated in the Act 5 and 6 Victoria, chapter 36, for the guidance of the local Government. Finally the Imperial Parliament gave to the Australian Colonies local self-government, and the control of waste lands of the Crown

See House of Commons Papers, 12th June, 1846

This country was originally, like the United States of America, settled by squatters, who, roaming along the coast and into the interior, took up and inhabited unoccupied lands wherever they could find them

See speech of Mr. A. Michle, Victorian June, Hansard, old series, vol. 1, p. 155.

. These enterprising settlers were called "squatters," from a very imperfect analogy derived from the American term "squatters." The American squatters were really what we called selectors in Australia—that is, free-selection-be-fore-survey men. The early squatters of Australia were a bolder and more ambitious class. They took up vast territories of unoccupied land as large as German principalities, which they possessed for many years with very considerable advantage to themselves. Sir George Gipps, one of the early Governors of New South Wales, thus described the mode in which these settlers took up the land:—"The 'run,' or portion of the country severally appropriated by them, was limited only by their own moderation or the pressure of other squatters upon them." Mr. Edward Hunter writes:—"When a new district is opened by some enterprising colonists, there is a general rush for runs. The first comer takes a bird's eye view of an extensive and well watered valley, and, without any reference to the extent required for his stock, he says: 'This is my run.' The next follows his example, and, in a short time, the whole district is parcelled out"

See House of Commons Papers 1st May, 1845, p. 4

. In a proclamation of the Governor, dated 21st May, 1839, the act of encroaching on any station previously occupied is said to be contrary to the previous usage of the colony

New South Wales Gazette, 22nd May, 1839.

. From these facts it appears that the practice of squatting was of an earlier date than any executive regulation or legislative enactment. It was the spontaneous growth of private adventure, and became recognised as a part of the pastoral system

Report of Crown Land Commissioners, Victoria, 1854-5.

. In 1835 the expediency of this unauthorised occupation of waste lands was first questioned. It then began to be feared that if the squatters were allowed to remain in possession, they would hereafter contend—as they really did

Victorian Hansard, vol. 1, p. 1216, Mr. McCombie's speech.

—that this permissive occupancy was a recognition of their rights to demand titles of absolute proprietorship. Then the local executive imposed a nominal rent upon occupation, which was subsequently commuted into a nominal fee, payable annually, for an occupation license. This license fee was not intended to be a payment of rent for the use of the land, but merely "as a certificate of the character, and a recognition of the precarious nature of the title of the occupant "

See House of Commons Papers 12th June, 1846, p. 15.

. Such was the origin and principal features of the early history of the squatting system in New South Wales, Port Phillip being then a province of that colony. In the words of the report of the Crown Lands Commission of Victoria, 1854-5:—"Founded rather in default of laws applicable to the subject, than in contravention of any subsequently recognised by local statutes and regulations, it constituted a general tenure of Crown Lands strictly provisional, while the title conferred upon the individual occupants was entirely at the sufferance and discretion of the representative of the Crown." The provisions of these early regulations were enforced by certain Crown Lands Commissioners, who exercised magisterial functions. The occupation license system may be thus summarised:—The right was given to depasture waste lands beyond the boundaries of location, or under a license, obtainable on the approval of the Crown Lands Commissioner of the district. The license was in force for a year. It was issued without regard to the extent of area occupied, upon payment of a uniform fee of £10. Separate licenses were required for separate stations. Renewal of the license was granted to the licensee in possession, subject to the recommendation of the Commissioners. The licensee was liable to dispossession at any time if the land was required for the purpose of public sale; nor was the licensee entitled to compensation for improvements. These regulations gave great power to the Commissioners, and did not satisfy the squatters. But they remained the principal features of the system until the proclamation of the Imperial Statute of 28th August, 1846 (9 and 10 Victoria, c. 104), with the Order of the Queen in Council founded thereon, dated 9th March, 1847.

The squatters regarded the Land Commissioners as intolerable despots, and agitated for fixity of tenure and pre-emption, as a security for permanent improvements. Headed by Mr. Benjamin Boyd (who held 1300 square miles of country), they applied for concession of the rights and privileges they claimed from the Home Government. "They managed their business nicely in Downing-street," said an orator, who once took an active part in land reform legislation in Victoria, "and in 1847, on the shortest possible notice, came these famous Orders in Council, and then the squatter assumed a vastly different bearing. The humility was gone, and he strutted in a surprising manner. The colonists were astonished at the new state of things. They found that the

squatters had got more than they asked for, and, having got it, they kept it"

Speech of A. Michie, on Captain Clarke's Land Resolution. Victorian Hansard, Vol. 1, p. 155.

. It will be necessary, in order to throw light on the merits of the subsequent struggles, to present the main provisions of the Statute and the Order of the Queen in Council.

The first section of the Act gave Her Majesty in Council power to demise for any term of years, not exceeding fourteen, to any person, any waste lands of the Crown in the colonies of *New South Wales, South Australia, and Western Australia*, or to grant to any person a license for the occupation for any term of years, not exceeding fourteen, of any such waste lands, and to reserve upon such demise or license any such rent or service, and to insert therein certain conditions and clauses of forfeiture. Section 7 authorised Her Majesty to make rules and regulations for the purposes of the Act, to have the force and effect of law in the colonies.

The second section of chapter 2 of the Order in Council, founded on this Act, provided—"It shall be lawful for the Governor of the colony to *grant leases of runs of land within the unsettled districts* to such person or persons as he shall think fit, for any term *or terms of years, not exceeding fourteen years* in duration, for pastoral purposes, with permission, nevertheless, for the lessee to cultivate so much of the lands respectively comprised in the said runs as may be necessary to provide such grain, hay, vegetables, or fruit for the use and supply of the family and establishment of such lessee, but not for the purpose of sale or barter; and so, nevertheless, that *such leases shall in no case prejudice, interrupt, or interfere with the right of the Governor or other officer for the time being administering the government of the said colony to enter upon any of the lands comprised in the said leases for any purpose of public defence, safety, improvement, convenience, utility, or enjoyment, agreeably to the provisions for those purposes contained in the ninth section of the second chapter of this Order in Council, or otherwise.*" The only other important sections material to quote are sections 9 and 10 of chapter 2.

SECT. 9.—"*That nothing in these regulations or in any lease to be granted shall prevent the Governor from making grants or sales of any lands within the limits of the run or lands comprised in such lease, for public purposes, or disposing of in such other manner as for the public interest may seem best, such lands as may be required for the sites of churches, schools or parsonages, or for the construction of the high roads or railways and railway stations, or other internal communications, whether by land or water, or for the use or benefit of the aboriginal inhabitants of the country, or for public buildings, or as places for the interment of the dead, or places for the recreation and amusement of the inhabitants of any town or village, or as the sites of public quays, or landing places on the sea coast or shores of navigable streams, or for the purpose of sinking shafts and digging for coals, iron, copper, lead, or other minerals, and effectually working coal, or iron, or copper, lead or other minerals, or for any other purpose of public defence, safety, utility, convenience or enjoyment or for otherwise facilitating the improvement and settlement of the colony; but so that the quantity of land which may be granted or sold to any railway company shall not exceed in all the rate of one hundred acres for every mile thereof in length.*"

SECT. 10.—"*That if at any future period a railroad be made through or near to the districts comprising unsettled lands, all lands within the distance of two miles from that railroad shall, notwithstanding any lease of the run within which such lands shall be situated, be liable to be sold at the end of each successive year from the date of the said lease: Provided that at least sixty days' previous notice shall have been given to the lessee, and so that such lessee shall be entitled to all the same conditions, reserving to the previous lessee the right of pre-emption and the value of improvements as are hereinafter mentioned, with reference to the case of a sale at the expiration of the full term of such lease.*"

The rent to be paid for each run was to be proportioned to the number of sheep, or an equivalent number of cattle, which it was capable of carrying. Each run was to be deemed capable of carrying at least 4000 sheep, or an equivalent number of cattle. In no case was a run to be let at a lower rental than £10 per annum, to which £2 10s. per annum was to be added for every additional 1000 sheep depastured on it. During the continuance of any lease the land comprised in it was not open to purchase by any one except the lessee, but the Government could sell to the lessees any of the land comprised in the lease, an area not exceeding 160 acres, at a price not below £1 per acre. Leases of new runs were to be tendered for. The mode of acquiring leases of previously existing runs was:—"All occupants of Crown lands who had been in licensed occupation of the same for at least one year at the time when this Order in Council shall come into effect, were entitled to demand leases of their respective runs under the "regulations, within six months from the date of the publication of this Order, but not afterwards; and all occupants who had been in licensed occupation of their lands for a shorter period than the term of one year, were entitled, upon the expiration of the same term of one year, without having forfeited their respective licenses, to demand leases of their respective runs under the regulations herein contained: Provided such lease shall be lawfully demanded within six months after the expiration of the said term of one year, but not afterwards." For the protection of improvements made by Crown tenants provision made in the conditions under which any sale could take place after the expiration of a lease. By section 15 of

chapter 2—"Upon the expiration of a lease, it was competent for the Governor to put up all or any part of the lands included in a run for sale, subject to the following conditions:—

"First—The previous lessee shall have the option of purchasing the land for its fair value in an unimproved state, which shall never be estimated at less than £1 per acre.

"Second—If declined by the previous lessee, the value of any improvement on the land offered for sale shall be ascertained by valuers appointed under the provisions contained in section three of the second chapter of this Order in Council: Provided, nevertheless, that the sum so to be estimated and allowed for is in no case to exceed the amount of the actual outlay made by the lessee.

"Third—The upset price shall then consist of the joint value of the land and the improvements, and, if the land be sold, the amount of the improvements shall be paid over to the previous lessee, and only the balance be retained by the Government."

In the intermediate districts the Governor was authorised to grant leases not exceeding eight years in duration. In the settled districts the Governor could grant leases of land exclusively for pastoral purposes, not exceeding one year in duration. He was empowered to make rules under which owners of purchased lands within the settled districts could be permitted to depasture on adjacent Crown lands free of charge. This was the beginning of the principle of free commonage, very strongly advocated by liberal land reformers when it was proposed to leave it out of the Victorian Land Bill.

Although the Orders in Council arrived in the colony in 1847, they could not be enforced for several years afterwards. The claimants under the 11th section promptly sent in their applications for leases, but after the lapse of a considerable time they were exasperated to find that there was no immediate prospect of their getting their leases before the year 1851. The explanation of this delay, which was a fortunate circumstance for Victoria, was very simple. There were practical and physical difficulties opposed to the issue of the leases. A proclamation, issued 7th October, 1847, stated that it would be impossible to issue leases on demand. The districts had to be grouped into settled, intermediate and unsettled districts. Boundaries of districts and runs had to be surveyed, and surveys were expensive and difficult. Before these matters were settled, an event occurred in Victoria—in the meantime separated from New South Wales—which changed the destinies of the country, and gave an entirely new aspect to the land problem. Gold was discovered, and an eager population began to pour to these shores from all parts of the world. The squatting party in Melbourne became alarmed, and moved the Nominee Council to present an address to the Lieutenant-Governor (Mr. Latrobe) on the subject, which was done on 20th August, 1852. In reply, His Excellency stated that no leases could be issued for the present, and, under the circumstances, he expressed his intention to refer the whole question to the Home Government, and declined to pledge the faith of the local Administration. This was undoubtedly a most prudent policy, for which the Lieutenant-Governor deserves every commendation. Unfortunately, however, his determination not to issue leases to the pastoral tenants was coupled with another, which proved disastrous to the infant colony—that was to suspend the sale of town lands. This caused landed property already purchased to rise to an enormous value. Old holders sold out at big prices. Then began the cry: "Unlock the lands." The sale of town lands was resumed, and next came a collapse. Those who had bought alienated land at high premium were ruined, and demanded the recall of the Lieutenant-Governor. It was alleged that his policy was to favor the old land-owners of Melbourne. His friends, on the other hand, asserted that he had prevented the squatters from grasping the public land.

Meanwhile the squatters continued their agitation. On 2nd September, 1852, a meeting of licensed occupants of Crown lands was held at the Prince of Wales Hotel. The report of the proceedings, which appeared in the squatting organs of the day, described it as a large and influential meeting. J. Cane Riddell, Esq., occupied the chair. It was proposed by Mr. John Goodman, J.P., seconded by Mr. Alexander Cunningham, J.P., and carried unanimously—"That the pastoral tenants of the Crown having been assured of the possession of leases for eight or fourteen years respectively, in the settled, intermediate and unsettled districts, by Her Majesty's Orders in Council, dated 8th May, 1847, provided in an Act of the Imperial Parliament, have a just claim to have those orders, which came into operation on 7th October, 1847, carried out according to their spirit and real intention, as more fully explained in Lord Grey's despatches of 20th November, 1846, and 20th March, 1847." It was then proposed by Mr. W. Campbell, M.L.C., and seconded by Mr. W. F. Splatt, M.L.C., and carried—"That claims to leases, with the privilege of purchasing at a valuation, became marketable through the sanction of the Government, by the proclamation of 1st January, 1848, and that a very large proportion of the present holders have purchased their claims at a higher value, so that property to a large extent has changed hands, under such pledges of public faith, and in the fullest confidence that the law affecting so great an interest, would be held sacred by the British Parliament." The third resolution was proposed by Mr. Wm. Forelonge, and seconded by Mr. A. Campbell, and carried—"That the demand for land is fully provided for by many millions of acres within the settled and intermediate districts, which, under the Orders in Council, may be made available for agricultural purposes." Mr. Colin Campbell moved, and Mr. Horace Wills seconded—"That

the squatters of this colony, while they admit that the agricultural wants of the community should be amply provided for, are also of opinion that the maintenance of the pastoral interest is of still greater importance, as they supply a large extent of wool required at home for manufacturing purposes, and at the same time provide a sufficient supply of animal food, which cannot be imported for the use of a rapidly increasing population, and that a system of long leases for pastoral purposes is calculated greatly to develop the resources of the colony, by justifying the expenditure of capital on valuable improvements"

Campbell's Crown Lands of Australia, No. 51, p. 135.

These unique resolutions set forth in ample and undisguised terms the squatting policy of 1852, which was to maintain Victoria a vast sheep walk. One statement contained in the first resolution referring to the squatters claim to 8 or 14 years' lease for certain, as supported by Lord Grey's despatches, must be referred to; it can be easily refuted.

On 29th November, 1846, Earl Grey sent a despatch to the Governor of New South Wales, containing a draft of certain Orders in Council, which it was proposed to pass under the Imperial Act. This despatch contained the following expression:—"Land in the unsettled districts, according to these regulations, would be put absolutely out of the power of the Crown, and be rendered unavailable for settlement for the long period of 14 years." On the strength of this despatch it was contended that it was the intention of the Imperial Government that the maximum terms of 14 years' leases in unsettled districts, and 8 years' leases in intermediate districts, should in every case be granted. It was, however, overlooked by the advocates of this doctrine that the words of the draft orders, "for term of 14 years duration" in unsettled districts, were not incorporated in the Orders in Council, as finally passed on the 9th March, 1847, which state that leases might be granted for terms not exceeding 14 years in unsettled districts, and not exceeding 8 years in intermediate districts. Besides Lord Grey's own construction of the order was clearly and unmistakably given in a despatch to the Governor (Sir Charles Fitzroy), dated 6th August, 1849, in which this passage occurs:—"But inasmuch as the order of 9th March leaves the term of years to be granted entirely at your discretion, you will be able and justly entitled to refuse to such persons any lease for more than a year, unless they are willing to accede to the insertion of such conditions as you may require." A report of a Select Committee of the Legislative Council of N.S.W., dated September, 1847, stated:—"That the period of the lease both in the unsettled and intermediate lands appears to be left entirely to the discretion of the Governor." The Crown Law Officers of New South Wales gave a similar opinion. The Crown Lands Commission of Victoria, 1854-5, supported the same view.

We now come to the result of Governor Latrobe's reference to the Home Government of the legal definition of the squatters' rights. In a despatch to the Lieutenant-Governor, the Duke of Newcastle, the then Secretary of State for the Colonies, stated:—"That Her Majesty's Government were perfectly satisfied with the reasons adduced why the portion of the Orders in Council, which declares that actual leases shall be granted on demand, has hitherto remained a dead letter, and most probably will remain so, unless some equitable adjustment intervenes. They are satisfied that the circumstances of the colony have rendered the surveys, which are considered essential preliminaries, to the execution of the leases impracticable, and that such extensive surveys will long be impracticable. This is an obstacle which no one fully appreciated before hand, and for which no one is justly responsible. But the occupants have, in addition, no grounds to complain of this delay, because the burden, in fact, lay on them, and not on the local Government, to furnish such descriptions of their runs as might render it possible to grant a lease, and the assistance of survey was a benefit offered them by the local Government, and no part of their rights, and still more because, in the absence of leases, they seem to have engaged up to this time the full practical benefit of leases."

In the course of the same despatch the Duke of Newcastle explained the position which, in the opinion of the Home Government, the squatters occupied. It was intended to give them adequate use of the land, and adequate protection against disturbance in it; but not any advantages over any other member of the community in becoming purchasers of it, except to the very limited extent required for their actual accommodation; still less was it intended that they should become speculators in land purchasing, on terms peculiar to themselves, in order to sell again in the general market, and least of all was it intended that their pastoral occupation should stand in the way of the development of general population and industry. "If," said the Duke, "the occupants insist in the extreme view of their right as controlling the obvious meaning of the concessions made to them, it becomes incumbent on the Government to protect the public, by insisting on the rigorous interpretation of the Orders in Council when its provisions seem to clash with the public interests. They are entitled to the exclusive right to purchase when the Government thinks fit to sell them land during the currency of their lease."

Such was the position of affairs when, on 2nd November, 1854, the Crown Lands Commission of Victoria was appointed by Sir Charles Hotham, to inquire into the laws and usages then existing by virtue of which the waste lands of the Crown in the colony of Victoria were occupied; what alterations thereof were necessary for the public advantage and convenience, and the nature and extent of all claims which may have arisen under

such laws and usages. The members of the Commission were the Hon. Wm. Foster Stawell, Attorney-General; the Hon. James Fred. Palmer, Speaker of the Legislative Council; Captain Andrew Clarke, Surveyor-General; Charles James Griffiths, Esq., President of the Commissioners of Sewerage and Water Supply; and Messrs. J. O'Shanassy, J. F. Strachan, J. P. Fawcner, Wm. Nicholson, Wm. Clarke Haines, Charles Bradshawe, Wm. Forelonge, members of the Council. The report of the Commission, dated 8th June, 1855, concludes as follows:—

"It will now, we believe, be admitted that the system constructed by the Waste Lands Occupation Act and the Orders in Council does not satisfy the conditions of this question, or effect a proper balance of the various interests involved. A strict adherence to the provisions of the existing law, while it might not prove beneficial to the occupants themselves, would be most embarrassing to the community at large. At the same time, those strict rights, of whatever extent, as well as those claims to general consideration which the pastoral class confessedly possesses, must be recognised and respected. This object will, we submit, be best attained by that commutation of the present tenure of the squatters which we are about to recommend. Sound policy, in truth, dictates an entire and radical re-adjustment, upon the basis of compromise, of a question surrounded by so much complexity of interest, and points, first, to the extinction of all rights and pretensions opposed to the paramount claims of permanent settlement; and, secondly, to the expediency of conceding to the pastoral class—which adds to its indeterminate rights, under the existing law, the claims arising from actual possession and invested capital—such security as the nature of the case may admit, and upon terms of payment which may at once secure some equivalent for the benefit conferred, and may discourage unproductive occupation.

"We therefore recommend:—

- *That the survey and sale of the Crown lands of the Colony should proceed continuously, with reference to the requirements of all classes of purchasers, and in quantities sufficient to prevent the price from greatly exceeding at any time the present upset price, as prescribed by law.*
- *That yearly licenses, renewable from year to year, should be given to the present occupants for pastoral purposes only, which should hold good against any other licensee.*
- *That the rent to be paid should be regulated by the grazing capability of each run, subject to a mode of decision to be proposed, and should be at the rate of 6d. for every sheep, 4s. for every head of cattle, and 10s. for every horse which the run should be estimated as capable of carrying.*
- *That the above general rate per head of stock should be open to periodical re-adjustment at the expiration of each period of five years from the date of occupation under the proposed system; to be effected by competent authority, and to be applicable in common to all occupants.*
- *That a minimum limit, based on extent, should be imposed of 1d. per acre.*
- *That a legal tribunal, in the nature of a court of appeal from valuation, should be constituted, to which either the Government or the occupant should be at liberty to appeal against the existing estimate of grazing capability.*
- *That the proposed regulations should take effect indifferently upon all waste lands of the Crown throughout the colony, the present territorial classification, and the regulations dependent upon it, being abandoned."*

It was the Governor's intention to have submitted to the Council a bill containing provisions for the final adjustment of the question during the current session, but, owing to the late period of the session at which the report was received, he was precluded from doing so.

It may be here convenient to draw attention to some of the grievances of which the people of the colony complained against these "princes of wool and lords of tallow," who were so determined in their agitation for further concessions. In 1853 there were 335 squatting runs in Victoria; in 1854 there were 351; in 1855 the number decreased to 260; in 1856 there were 278. Some of these squattages were of an enormous extent. Two persons in the Wimmera held allotments 789 miles in area. One person held 62,000 acres, and returned himself as being in occupation of 35,000. In the Portland district a well-known pioneer had 57,000, carrying a sheep to the acre. The following squattages were in full bloom in the year 1857:—There were 20 squatters holding from 150,000 to 200,000 acres; 52 squatters holding from 150,000 to 100,000 acres; 150 squatters holding between 50,000 and 100,000 acres; 341 holding between 20,000 and 50,000 acres; and 227 holding between 10,000 and 20,000 acres. What was the consideration given to the country for these enormous estates? Under the original executive regulations, as already seen, they had to pay a £10 license for each holding. This tax would not pay anything like their fair share of police protection and mail communication. Then the squatters generously consented to pay an assessment of a half-penny per sheep, in order to help to pay something like their share of the cost of government. Every shilling of this assessment was, of course, absorbed in paying for their own convenience, nothing going towards the general revenue. For example the proceeds of the assessment of New South Wales for the year 1849 amounted to £13,854 13s. 4d; the proceeds of the assessment of Port Phillip district amounted to £10,413. The expenses charged in the Sydney assessment were £11,940; whilst those

charged in the Port Phillip assessment were £8713

Votes and proceedings Sydney Council, 1849.

. It was subsequently stated by Mr. J. P. Fawkner in the Victorian Legislative Council that, if the proportionate share of the squatters' expenses of the mails and police were examined, it would be found that they had the whole of the assessment, and licensed money paid by them for that year swallowed up, and nothing paid by them went towards the general cost of government

Victorian Hansard, vol. 1, p. 1214.

. In 1852 the squatters, who were the predominant party in the Legislative Council of Victoria, repealed the half-penny assessment, thus depriving the colony of its revenue of £20,000 per annum. In the following session, however, on the urgent advice of Mr. Fawkner, an assessment of 2d. per sheep was adopted. At about the same time the same venerable pioneer advocated the necessity of the extension of the settled district of Victoria, but the proposal was lost by 9 to 18 members

Idem supra.

. On 23rd November, 1855, Victoria received the new constitution and representative government. With that constitution the Imperial Parliament handed over to the Parliament of Victoria the control management and disposal of all the waste lands of the Crown within its boundaries. The Imperial statute which ratified our constitution (previously drawn in the colony) repealed the Land Sales Act 5 and 6 Victoria, chapter 36, and the Amending Act 9 and 10 Victoria, chapter 104, so far as they were repugnant with the Constitution Act. The Orders in Council were not repealed, but the Act stipulated expressly that nothing therein contained would prevent, or be construed to prevent, the fulfilment of any promise, or contract, or engagement, made by, or on behalf of, Her Majesty, where such contract, promise, or engagement had been lawfully made before the Act. From this it will be seen that the Orders in Council, in reference to the lands of the colony would remain in force until the Victorian Parliament took steps to pass new laws, inconsistent with the old ones. In this manner the Parliament of Great Britain abdicated its right of sovereignty over 57,245,760 acres of the finest land in the world, worth, at the very least, £100,000,000 in upset value. Let us now see how those entrusted with the destinies of the young country exercised the power thus conferred.

Chapter II. The Haines Land Bill.

At the time of the introduction of Parliamentary Government into Victoria, Mr. Wm. Charles Haines was the Premier and Chief Secretary. His colleagues in the Ministry were:—Mr. (now Sir Wm.) Foster Stawell, Attorney-General; Mr. (afterwards Mr. Justice) Fellows, Solicitor-General; Captain (afterwards Sir Andrew) Clarke, Surveyor-General; Mr. (now Sir Charles) Sladen, Treasurer; Mr. Childers, Commissioner of Customs (now a member of the Gladstone Government); Captain Pasley, Commissioner of Works. A few particulars of the antecedents of the father of the first Victorian Land Bill may be of some interest:—Wm. Clarke Haines' father was a general practitioner in Hampstead, and he himself was a duly qualified London surgeon. Arriving in the colony at an early period of its history, he started an agricultural farm at the Barrabool Hills, in partnership with Mr. John Highett. In 1851 he was appointed by Mr. Latrobe, a nominee member of the Legislative Council, and he occupied that seat until October, 1852, when he resigned, in order to seek a seat as representative member. Shortly after his resignation he was elected by the farmers of South Grant, and was returned to the Council with increased influence. He never displayed any brilliant qualities entitling him to distinction as a statesman—he was merely a quiet plodding member. When Mr. Foster was driven from office, on account of his alleged responsibility for the Ballarat riots in December, 1854, Mr. Wm. Clarke Haines was, much to the surprise of the House and the country, appointed Colonial Secretary by Sir Charles Hotham; thereupon the hon. gentleman abandoned the plough and the Barrabool Hills, and adopted that occupation so much despised in these degenerate days—a professional politician. Such, briefly told, was the career of the gentleman who, in November, 1856, occupied the important position of Chief Secretary, and inaugurated the new Constitution, and won the title of the "father of the first Land Bill and of democracy in Victoria." From the record of his subsequent career, it turns out that he was not entitled to the proud designation of the "father of democracy," though he was responsible for an abortive Land Bill, which met with the universal execration of the country. Those who well knew his private sympathies and antipathies, as well as those who have narrowly scanned the acts of his public life, assert that he had an invincible aversion to democratic liberty, and yielded unwillingly to the adoption of proper checks on the expenditure of public money. "Mr. Haines," wrote an able critical observer of the time, "is a sunshine politician—an exotic which will die out. He wants intellectual force. He looked upon ruling as a business, not a duty. He did not comprehend the spirit and tendency of the age "

Parliamentary Portraits, Melbourne Leader.

The new Parliament was opened by General Mac Arthur on 21st November, 1856. In the course of his opening speech, the Acting-Governor alluded to the necessity of early attention to the subject of land legislation. "Bills," he said, "will be laid before you, the main feature of which will be the continuance of sales by auction, and of the present upset price; provision for the more speedy issue of deeds of grant by dispensing with double registration; the concession of facilities to owners of land for contracting with persons desirous to mine for gold, saving inviolate the right of the freeholder to the undisturbed possession of the land; the rescinding of the existing Orders in Council regulating occupation for pastoral and other purposes; the power of granting an interest to the present occupant, renewable until the land is required for sale, or any public purpose, but subject to an acreable rent, to be periodically determined by an independent tribunal, according to the grazing capabilities of the land, and the advantages of its situation, and the adjustment of claims on account of actual loss sustained by occupants."

On the 17th December, 1856, Captain Andrew Clarke, Surveyor General submitted to the Assembly, and moved the adoption of resolutions framed by the Haines' Government, as embodying the main principles of their land policy. It was proposed that crown lands should, for the purposes of sale, be divided and distinguished into three classes:—(1.) Town lands. (2.) Suburban lands. (3.) Country lands. The first class was to comprise lands within the limits of any city, town, village or hamlet. The second class comprised lands which derived increased value from their proximity to any town, village, or hamlet. The lands of the first and second classes were to be sold by public auction only, their upset prices being not less than £8 and £1 10s. per acre respectively. The lands of the third class were not to be sold except by public auction, unless they should have been first submitted to sale by public auction, and not sold then unless the upset price was fixed at £1 per acre. The resolution then went on to provide for the demise of crown lands to the then authorised occupants of runs for pastoral purposes, at an acreable rent, so as to produce an average of 2d. per acre, available for such purposes; the rent of each run being assessed at the rate of £25 for every 1000 sheep, or their equivalent in other stock which the land was capable of depasturing, subject to increase or decrease in consideration of special advantages or disadvantages of situation. Power was also given to the Governor to issue leases of lands (not comprised in the last resolutions) for pastoral and other than mining and agricultural purposes, but every such lease was to be submitted for competition at public auction. Leases of land for pastoral purposes to other than the existing occupants of such lands were to be sold at public auction. Annual licenses, to occupy crown lands for other than pastoral, agricultural, and mining purposes, could be issued at a rate not exceeding £50 per year. Leases or licenses for mining purposes other than silver or gold could be issued, provided they were submitted to competition at auction.

It will be observed that the resolution providing for the alienation of town, suburban, and country land in fee, contained no feature which could distinguish the proposed bill from the old system, which had been in operation in the province from 1842 up to that time. The system proposed to be perpetuated was sale by auction at a fixed upset price, although there was a strong party in the country already beginning to clamor loudly for free selection before survey and deferred payment. Captain Clarke, in moving the resolution, felt some difficulty in reconciling the stand which he took on that occasion with his advocacy of deferred payment and free selection three years and a half previously, when he took charge of the department. His explanation of this remarkable discrepancy between his principles and his practice was that "although it might have facilitated the occupation of the lands, he did not believe it would work well in the end." No doubt the system of sale by auction had its disadvantages. He was aware that under the speculation which had gone on in the country the value of land had gone up to a large price at auction. That might affect individuals but it would not affect the interests of the community. Referring to the necessity and scope for settlement, Captain Clarke pointed out that at that very moment there were 55,000,000 acres of public land unsold, which represented at least £100,000,000 of public money computed at the upset price proposed. They would have to consider the wants of the colony in regard to public works, and he asserted that they had to look to the sale of waste lands as the means of carrying out those works, without which the country could never become great. Captain Clarke next explained the proposed provision relative to the squatting tenure. "Although," said he, "I have been considered by many as thoroughly opposed to the interests of the class referred to, yet I feel it necessary, for the sake of the colony—indeed, more—I feel it my duty to propose what shall meet the exigencies of the country. I shall not in any shape or way attempt to ignore the rights of that class." The proposal of the Government was that the squatters in occupation of crown lands under the Orders in Council should receive a lease of their lands for a term of seven years, with a right to a renewal of that term, or a re-adjustment of their rent in accordance with the progress of values. In the case of sales of such leases it was intended to secure for the outgoing pastoral tenant the value of his improvements. In case of disputes between the crown and tenants arrangements were to be made for their settlement by arbitration.

At this time the squatters held licenses for the occupation of 42,000,000 acres, yet the returns sent in by the squatters themselves gave only 29,195,276 acres as the total extent of country occupied by them, leaving

14,000,000 acres of available land from which the State received no revenue. It was, for this reason, proposed by the Government, that the taxation or rent of runs should in future be based upon the land actually occupied, and not to the stock upon it, 2d: per acre being the average price fixed. It was expected by the Government that the Act would give £350,000 per annum for the occupation of crown lands and £537,000 from the sale of land.

"My object," said the Surveyor-General, in conclusion, "is to do away with the term squatter at once and for ever. My anxiety is that there should be no storm, but that by a careful consideration of the question the House may arrive at such resolutions as will enable the squatters to know upon what terms they hold these public lands—that the lands held by them must be profitably occupied, and to assure them of permanency of occupation."

The key-note of one form of opposition to this land bill was struck on the morning of the debate in a manifesto issued and published by a distinguished member of the Melbourne Chamber of Commerce. It was there pointed out with force and ability, that the proposals of the Government did not come up to the real importance and emergency of the situation. The great object of the sharp contest respecting the land question, which began in the old Legislative Council in 1852, was to get the use of the public lands for the use and occupation of the incessant stream of human beings that was then pouring into the colony, and not to impose additional taxation on the squatters. The long and acrimonious arguments on the rights of the squatters under the Orders in Council, injurious or imaginary as they alternately appeared to the rival parties, had been fought out and fairly won by the advocates of the popular cause. And yet in spite of the intensity of public opinion—in the face of the requirements of the population, it was proposed to still further crystallize the old system by giving the pastoral tenant seven years' leases, with the right of renewal and compensation, the only consideration reserved for the public being a slightly increased rent for the 42,000,000 acres of the people's inheritance occupied by that favored class.

The arguments against the bill were, however, carried much further than this in the Assembly by Mr. (now Sir Archibald) Michie and Mr. (now Sir John) O'Shanassy. The stereotyped contention that the Orders in Council of 1847 gave the existing incumbents of squattages possession of the land for 14 years absolutely, with the right of pre-emption, was grappled by Mr. Michie, and the whole question dealt with in a manner that singularly contrasted with his subsequent views on the land problem. The squatters, he said, had not the rights now claimed; all that could be said in their favor was that the Orders in Council gave the Governor power to grant leases for any term not exceeding 14 years. Earl Grey, he reminded the House, had said that leases could be granted for one year if the Governor liked. The Governor had no other authority and never had any other than to grant leases for any term not exceeding 14 years. The hon. gentlemen advocating the squatters' interest had interpreted the Orders in their own favor, and had uniformly represented to the people out of doors that the leases were granted for 14 years absolutely. This was what was called the squatters' "rights." Then the hon. and learned member quoted the clear and unmistakable words of sections 1 and 9 of chapter 2 of the Orders in Council of 9th March, 1847. He regretted to have lived to see the day on which a minister of state had said it was expedient to resort to a kind of spoliation in order to give certain people their rights. That was what the case amounted to. If the squatters took their leases under the Orders in Council they would have to comply with the conditions of the Orders in Council. But they wanted to get leases under the Constitution Act, without compliance with the conditions imposed by the Orders in Council. It was not so much a question of law as policy. If they granted these leases for 14 years, nothing in coming time could stave off anarchy and confusion, for the public would never submit to such an aggrandisement of a few. He therefore asked members to pause, before they committed themselves to what would prove the most lamentable error which had ever taken place on this side of the globe. He proposed that the question be referred to a select committee.

Mr. O'Shanassy complained that before the speech of the Surveyor-General not a word was said about the intention of the Government to propose to grant eight years' leases, nor was a word said about the sale of auriferous land. There was nothing in the ministerial proposals not contained in the Land Sale Act of 1842.

The debate was adjourned, and then resumed on 22nd January, 1857, when the Attorney-General (Mr. Stawell) and Solicitor-General (Mr. Fellows) intimated that the Government did not intend to grant leases for seven years, but to lease from year to year, the rent of runs to be adjusted every year. The Ministry was then charged with a change of front. Dr. Greeves objected to any form of leasing, as well as to the principle of deferred payment. His proposal was that persons then in occupation of crown land for pastoral purposes should be permitted to continue their occupation, subject to a twelve months notice to quit. Mr. J. M. Grant advocated a system of free selection, and the extinction of prior claims by equitable settlement. Eventually the resolutions were adopted, with minor amendments. One important amendment was that the committee considered it inexpedient to authorise the issue of leases for crown lands for pastoral purposes, but that it should be lawful to demise crown lands to existing authorised occupants for pastoral purposes, at an acreable rent of 2d. per acre. Another amendment suggested by Mr. J. M. Grant was that pastoral lands should be reserved as a commonage in the neighborhood of the sites of all the settled population of the country.

Captain Clarke did not remain in office long enough to bring in a bill founded on the lines of these resolutions. On 4th March the Ministry was defeated on an adverse vote proposed by Mr. O'Shanassy, censuring them for mis-application of the vote for immigration. Mr. O'Shanassy then formed an administration, including himself, Chief Secretary, Mr. H. S. Chapman, Attorney-General, Mr. J. V. F. Foster, Treasurer, Mr. (afterwards Sir Charles) Gavan Duffy, Commissioner of Public Works, Mr. Greeves, Commissioner of Trade and Customs. Mr Home, Commissioner of Land and Survey, and Mr J. Denistoun Wood, Solicitor-General.

The new Ministry, which was destined to be one of short duration, assumed office on 11th March, 1857, and the House then adjourned till 15th April, when Mr. O'Shanassy returned to the House with Messrs. Wood, Home, Foster and Duffy. On the same occasion the following newly-elected members took their seats, viz: Messrs. Fellows, Goodman, Ebden, Sitwell, Service and Heales, Mr. O'Shanassy and his colleagues had hardly taken their seats 011 the Treasury benches when Mr. Fellows gave notice of his intention to move a vote of want of confidence against them. One of the grounds of attack was, that ministers had been making undue promises of money grants to their constituents during the elections; but the principal cause of complaint was that Mr. O'Shanassy had selected Mr. Foster as Treasurer. Mr. Foster was at that time extremely unpopular, on account of his conduct when Colonial Secretary, with reference to the alleged misappropriation of £865,000 voted for immigration purposes, and also 011 account of his alleged responsibility for the Ballarat riots. The result was that a strong combination of parties took place to oust Mr. O'Shanassy, and 011 22nd April his Government was defeated by 34 to 19. Mr. (afterwards Sir James) M'Culloch was entrusted with the formation of a new Ministry, and having failed to prevail upon Mr. O'Shanassy to join him, he formed a Government, with Mr. Haines as Chief Secretary, Mr. Michie, Attorney-General, Mr Fellows, Solicitor-General, Mr. Ebden, Treasurer, Mr. David Moore, Land and Works, Mr. W. H. F. Mitchell (Upper House), Postmaster-General, and himself, Air. M'Culloch, Commissioner of Trade and Customs.

The Government lost no time in bringing in a land bill, which they had previously undertaken, should be based on the principles affirmed by Captain Clarke's resolutions already adopted. On 10th June, Mr. David Moore moved the second reading of the bill. The main outlines of the bill were:—1. That town and suburban lands should' only be sold, as heretofore, by public auction. 2. That country lands, after being once submitted to public auction and withdrawn, the upset price being ascertained, should be sold by private contract. 3. That the Orders in Council should be repealed. 4. That squatters in licensed occupation of waste lands should receive occupation certificates, giving them a kind of yearly possessory title at a yearly rent, subject to adjustment every five years. 5. That the Government should have the power to enter upon and survey, sell, or reduce the measurement of a run; but until required for sale or occupation for agricultural or other purposes, the lands comprised in a run were to be occupied by the licensees. 6. That forfeited runs, or runs for which higher rent was offered by outsiders at the end of the term, were to be submitted to public auction, provision being made for compensation for improvements, 7. Penalties were provided for trespassing on runs.

The bill encountered strenuous opposition in the country. The Land League, with Mr. Wilson Gray, one of the foremost champions of the people at that time, at its head, commenced a determined and furious crusade against the measure. Demonstrations were held in various centres of population, at which the measure was denounced in unqualified terms. So great was its unpopularity that petitions from all parts of the colony, signed by about 70,000 persons, were presented to Parliament, protesting against it. It was contended that its provisions virtually gave the squatters a perpetuity of tenure, and did not promote settlement of the people on the soil. The system of sale by auction was objected to, on the ground that it was impossible for working agricultural settlers to purchase at first hand from the State the land they required, but it placed them at the mercy of those who purchased on speculation. What was demanded was the right of selecting lands, from any part of the unalienated public domain, without reference to Government officers, untrammelled by the necessity of survey before selection, and with the system of deferred payments. It was complained that it was proposed to give to a few gentlemen who had already made enormous fortunes out of the comparatively free use of 42,000,000 acres a legal claim to compensation. Mr. Fellows, the late counsel of the Pastoral Association, it was said, had drawn the bill in their favor. Mr. Michie was charged with deserting his colours.

The debate prior to the committal of the bill was of a most exciting description. Mr. Duffy was its most determined and bitter opponent. "I pledge my life," exclaimed the hon. member, "that it will never be carried. I believe, on my conscience, that it is a swindle. I tell you that the, minority, inch by inch, word for word, letter for letter, will dispute it, and, if needed, will carry it from the House to those who created this House—the people." "The hon. member," said Mr. Fellows, "has flattered us by calling us swindlers; that is perhaps considered a compliment in the eyes of his fellow-countrymen. Swindlers! that is the language he addressed to us." "What I declared," explained Mr. Duffy, "was that the attempt to convey the lands of the country under the pretence of giving grazing leases to a class of men in perpetuity was a swindle, and it is a swindle." Furthermore, Mr. Duffy said he was pledged against compensation, and in favor of a system of deferred payments

Hansard, vol. 1, p. 777.

. His scheme of land reform also embraced the following proposal:—The industrious people should be invited and stimulated to purchase land. With this view half the land at every sale ought to be put up in allotments of 80, 160, and 320. He was not to be told that an industrious man and his family could not live on 80 acres of land, when he had seen the small proprietors of France and Belgium living on less than 80 acres, sometimes of the poorest soil in Europe. Mr. P. Lalor (the present Speaker of the Assembly) said he was not an advocate for selling all agricultural lands by auction. It was desirable to establish in this country a class of peasant proprietors, as existed in Austria, Switzerland and the United States. With regard to the squatters, he thought they had certain rights under the Orders in Council, and they deserved compensation from the Imperial Government. Mr. O'Shanassy denied that the squatters had any rights under the Orders in Council; he denied that such rights should have any existence or Legislative effect. The bill was not framed in accordance with the resolutions brought down by Captain Clarke, and amended and adopted by the House. The Land Sales Act, 1847, did not make it mandatory on the Governor to issue leases; their length and conditions depended on the Governor's discretion. There was nothing in the bill to promote settlement by sale or selection. He fully agreed with the objects aimed at by the Land League, but he objected to the mode proposed to accomplish that end. He objected to free selection and the taking up of small squattages by poor men. The bill, moreover, placed no limit on the extent of improvements which a squatter might carry out; a man of capital might erect large buildings on a water frontage, and by this means effectually shut out the public from entering on his run. He (Mr. O'Shanassy) would never sell the water frontages.

Hansard, vol. 1, p. 790.

. Mr. J. M. Grant said he believed the bill was a backward step; it contained no improvement on the old system. Diggers were not permitted to enter upon runs in search of gold. No person could enter a run in search of coal or minerals without the sanction of the Board of Land and Works. Mr. R. Heales admitted that the squatters had no rights under the Orders in Council, but they were entitled to the first offer of their run at a fair rental. He did not think the present bill gave the squatters leases of their runs in perpetuity, for by clause 17 it would be legal to take any portion of a run for purposes of sale. In his opinion the system of selection favored land-jobbing. Lands should be open to public competition in blocks of from 40 to 320 acres—always ready for sale. If lands were required for mere investment, he, as an individual, objected to its being taken from the squatters, and he thought that the selector should give a kind of bond that he required the land for cultivation or settlement. He would support the system of deferred payments. Mr. Geo. Harker asked what were they going to do with the people who came to the colony, if they did not devise some other plan by which men could get on the land without trouble? His suggestion was—let them select land without consideration to the squatters' claims, and let them make a living if they could. Mr. Butler Cole Aspinall declared that the purport of the bill would be to turn the whole colony into a sheep walk, and he cordially invited the member for Kilmore (Mr. O'Shanassy) to organize an opposition to the Ministry, so as to save the country from such a catastrophe as the passing of the bill. Captain Clarke said the bill which he had framed under the resolutions acknowledged no claims for compensation on the part of the squatters. Nor did it propose to repeal the Orders in Council. He wished to give the squatters a certain fixity of tenure, and call upon them to pay such an amount of rent as would compel them to abandon such portions of their runs as they did not occupy with advantage. Mr. James Service said he did not think the bill showed much evidence of statesmanship, and ought not to pass in its existing form. The people complained that whilst they could not get an acre to settle upon, the squatters occupied vast acreages. He would advocate legislation that would tend to settle the people on the land. Dr. Owens considered that the bill was unworthy of the colony, and of the age in which they lived. They had 400,000 people contending with 800 as to who should possess the colony.

Although the ministry had a majority of the House determined to support the bill, the speaking in its support was very moderate, when compared with some of the brilliant speeches made against it. The Solicitor-General denied that the bill gave the squatters a title in perpetuity, and cited section 20, which he contended, provided that the land comprised within a run could be put up for sale immediately on its being required by the people for occupation. The Chief Secretary asserted that purchasers desiring to get small allotments had an opportunity of doing so under the existing law. The average extent of country allotments purchased in 1853 was 196 acres, and in the first half of 1855, the average was reduced to 90 acres. The squatters had certain rights which must be respected. Mr. Goodman considered that the proposal to submit runs to public auction at the end of every five years would only induce holders to over-stock, use, and exhaust the land. This would ruin stock, and raise the price of meat. Mr. (now Sir Charles) Sladen, contended that it would be ungenerous to deny that the squatters had acquired certain undefined rights, and the basis of the bill was an equitable arrangement with the then occupants. Mr. Colin Campbell thought the settlement of the country would not be prevented by a system of leasing, or by deferred payments, as it would tend to throw the lands into the hands of speculators, and would give the Government an undue power. The land might, perhaps, be

sold at a fixed price, leaving it to the option of the purchaser to pay one half of the purchase money, and leaving the other to be paid as ground rent, equivalent to the interest on the sum due. This would ensure them a continually increasing revenue, and would leave the lands in the possession of those who settled on it. The Commissioner of Customs pointed out, that the bill provided that the land should be settled to the fullest possible extent, and that no leases were to be granted to the squatters—only licensed occupation. He denied that clause 9 gave the squatters any fixity of tenure, as the Government had power to go upon a run and sell it to the last acre.

On the 19th June, the second reading of the bill was carried by 33 votes to 22. The division list was as follows:—

Ayes, 32.—Messrs. Moore, Ebdon, Haines, Fellows, Michie, M'Culloch, Goodman, Pasley, Anderson, Sladen, Service, Smith, Embling, Heales, King, D. S. Campbell, C. Campbell, Sargood, Sitwell, Palmer, Lalor, Adamson, Beaver, Clarke, Griffith, Lang-lands, Henty, Wills, Johnson, Ware, Quarterman and Davis.

Noes, 22.—Messrs. Humffray, Wood, Snodgrass, Blair, Brooke, O'Shanassy, Home, Syme, O'Brien, Duffy, Phelan, Myles, Read, Owens, Rutherford, Aspinall, Harker, Grant, Fyfe, Evans, Hughes and Foster.

The night of the division was one memorable in the history of the Victorian Assembly. The vicinity of Parliament Houses was thronged with excited persons, and inflammatory placards were posted and circulated, warning the House not to pass the bill. The opponents of the bill did their utmost to prevent its further progress, and frequent motions for adjournment were proposed, and negatived by the Ministerial majority. The sitting commenced 011 Friday, 19th, at half-past four, and the House did not rise till a quarter to twelve in the forenoon on Saturday, the 20th, having sat for a period of 20 hours, short of a few minutes

Hansard vol. 1, p. 863.

The bill was committed *pro forma* on 23rd June. Meanwhile public indignation was aroused to an intense pitch of excitement. Petitions began to pour into the House from Richmond, Maryborough, Dunolly, Yackandandah, Kyneton, Prahran, Heathcote, Buninyong, Sandhurst, Belfast, Sebastopol, Tarrengower, Wangaratta, Ovens, Mount Blackwood, Emerald Hill, Geelong, Wombat, Gipps Land and Warnambool.

One of the most conspicuous opponents of the measure not occupying a seat in Parliament was Mr. Wilson Gray. This gentleman has left behind him an enduring fame for his political honor and consistency, his self-denying patriotism, and the ability with which he grappled the absorbing problem of land reform. By birth he was an Irishman, and by profession a barrister. Having had a wide experience, obtained by travel in America and other countries, he arrived in this colony in 1856 in the same vessel which brought Mr. Charles Gavan Duffy to these shores. Immediately on his arrival, Mr. Gray's attention was directed to the great question of Land Legislation, which he had seen fought out in other young countries. He cast his political lot with the struggling, popular party; nor, did he, for one moment, waver or falter in the struggle, although he saw that he lost all hope of a professional career here, by doing so. Backed up by many ardent spirits, he helped to form land leagues throughout the country, for the purpose of advancing the cause of liberal legislation. "Unlock the Lands" was the watch-word of the party thus formed, which may be regarded as the first definite organization of the Liberal party in Victoria. They petitioned Parliament, and held indignation meetings against the bill. The most important feature of their opposition was the Land Convention, held in Melbourne in July, 1857. In the Convention, presided over by Mr. Gray", was concentrated the intelligent and irresistible opposition of the entire country. Delegates from all parts of the colony assembled in Melbourne, for the first time, on 15th July. On the evening of that day 67 delegates met in conference. In a few days afterwards the number of delegates was increased to 88. This Convention constituted a virtual Parliament, sitting co-temporaneously with the legal Parliament. The virtual Parliament represented the feelings, instincts and sympathies of the nation. The majority in the Assembly represented personal interest, and political corruption in its worst form. Whilst the clique in the Assembly was bartering away the landed inheritance of the people—or to use the graphic words of Mr. Michie in his wild tirade against Captain Clarke's resolution—"giving the heritage of their children for a mess of pottage"

Hansard, Vol. 1, p. 159.

, the Land Convention adopted the following resolutions as the basis of a land bill suitable for the requirements of the colonists:—

- Free selection for the actual settler, at one uniform price without auction.
- All unsold crown lands to form one open pasturage free to the people.
- No new pastoral tenancies to be created when land occupied under license was resumed by the crown.

The principles embodied in these resolutions formed the alpha and the omega of Liberal Land Reform Associations in Victoria for many years, and Wilson Gray lived to see the majority of those principles recognized in the statute book. Nor, were the labors of the Convention without immediately good results.

The bill remained in committee for three months, and underwent a considerable amount of modification

and amendment. On the third reading its principal provisions were as follows:—1. Repeal of Orders in Council. 2. Licensed occupants to obtain certificates of occupancy for pastoral purposes, on applying with in three months to hold their runs against all squatters for two and a-half years in the intermediate districts, and for five years in unsettled districts; rent £23 per year for every 1000 sheep or 200 head of cattle, runs were capable of depasturing, to be estimated by arbitration. 3 At the end of terms of two years and a-half and five years respectively, runs to be put up to auction, to give new comers an opportunity of competing with old occupiers. New tenants to be compelled to take the stock and improvements on runs they purchase, at a valuation and cash payment. 4 Old and new tenants to be liable to have their runs entered upon by persons wishing to seek for metals, to cut drains, or watercourses, and to take timber or stone. 5. Portions of runs near townships to be taken for commonage purposes without compensation. 6. Licensed land to be liable to be entered upon by the Crown, when required for public purposes; unoccupied and unlicensed land, or forfeited licensed land, to be exposed to public auction, and let in runs on certificate. 7. Existing agriculturalists to be able to put up for auction any portion of a squatter's run, adjoining his own land. 8. A moiety of country lands to be divided into special lots of from 20 to 160 acres, two lots to adjoin one another, and a purchaser of a special lot to occupy adjoining lot for five years, for pastoral purposes, at a rent of 6 per cent, of price of purchased lot; new clause proposed by Mr. Heales, and supported by the Government. 9. Town and suburban land to be sold by auction; country land if not bought when offered at auction, to be sold by private contract, upset price not less than £1 per acre, one fourth of purchase money to be paid at sale and the remainder, within a month.

The third reading was carried by a majority of 30 to 23, the division list being as follows:—

Ayes.—Messrs. Moore, Clarke, Ebdon, Haines, Michie, Adamson, Goodman, Sitwell, Anderson, Heales, Sladen, M'Culloch, Service, Smith Rutledge, Sargood, D. S. Campbell, Findlay, Beaver, Embling, Henty, Langlands, Griffith, Wills, Johnson, C. Campbell, Ware, Davis, Quarterman, Lalor.

Noes.—Messrs. Wood, Blair, Ireland, Syme, Fife, Owens, Evans, Wilkie, Brooke, Greeves, Hughes, Grant, Hancock, Harker, Phelan, Duffy, Aspinnall, Myles, O'Brien, Foster, O'Shannassy, Snodgrass, and Humffray.
vol. 1. p. 1213.

On the 23rd September the bill was debated in the Upper House, the second reading being moved by Mr. (now Sir W. F.) Mitchell, the ministerial representative, who, in doing so, described it as the People's Bill, the Working Man's Charter. Unfortunately the hon. member did not disclose much grounds for so describing it. Mr. Fawkner moved that the bill be read a second time that day six months, and took the opportunity of making an attack on the squatters, the equal to which is perhaps not to be found on record in Hansard. In taking this stand he denied that he was allying himself with the Land Convention. In fact he held the Convention in contempt, as they wanted the land of the colony to be thrown open as one vast commonage. He objected to the bill because it perpetuated the old squatting monopoly, under which the colony had been groaning for many years. If the bill did not give the squatters all they expected, it gave them the means of preventing the settlement of the country for many years to come. He believed the interest of the colony would be best served by the land being leased or sold in small blocks from year to year. The squatters opposed the clause which allowed a poor man to lease an adjoining allotment at 6 per cent, of the market price, but he contended that the whole lands of the colony should be so let.

Mr. Henry Miller declared that the bill would neither suit the miner, the agriculturalist, nor the squatter. He objected to conferring rights on the squatters which they were not entitled to, and which would involve great loss and expense to the country. In support of his contention he quoted the Duke of Newcastle's despatch. Their licenses were not intended to facilitate their indulging in land speculation; least of all was it intended that their temporary occupation should be allowed to impede the progress of the country. A good argument against the valuation proposals was supplied by Mr. Miller. He pointed out that the whole of the leased runs would be put up for sale at the end of two years and a-half and five years. To purchase the stock and improvements of these vast properties would take millions of money, and the money must be paid down at once. Who could pay such enormous valuations as £77,000, to which men like Mr. Edward Henty would be entitled? The bill in fact would hand the land over to the squatters. On this ground alone the bill should be thrown out. This was a very high stand to take, and it was all the more forcible coming from Mr. Miller, who, when in the old Council, voted for the abolition of the assessment on stock.

Mr. Hood considered that the bill would not produce the revenue expected, and its details were defective. He knew one person who would pay Is. per acre per year in advance for all the unsold land in his district, and no doubt others would be equally ready. Mr. Hodgson thought it was a matter of perfect indifference to the squatters whether the bill passed or not, and as it was opposed by the people he would vote for the amendment. Dr. Tierney supported the amendment, as the bill virtually gave the squatters a tenure of 10 years, and the mode of arbitration was worthless, leaving room for the squatters to bribe the arbitrators. Mr. Urquhart said the squatters had been unjustly charged with being parties to a compromise, and he would vote against the bill. Mr. Guthridge pointed out that, judging from the number of petitions presented to Parliament against the bill,

nine-tenths of the whole population had protested. It would be monstrous to pass a bill in the face of such a fact. Mr. McCombie in a long and able speech condemned the bill as containing every bad feature in the old squatting system, with no redeeming clause interposed to render it practicable and likely to promote public interest. Messrs. Strachan and Power were the only private members who spoke in favor of the bill. The result of the division was that the amendment was carried by 21 to 6 votes. The bill was therefore lost. The Convention was triumphant. The country rejoiced at having escaped the calamity of a bill which was even denounced in the Council by friends and foes of the squatting party.

The session terminated on 24th November, but Parliament was again opened on 3rd December for the purpose of passing the estimates, and several measures for the reform of the constitution of the Assembly prior to a general election, it being generally conceded that the House should be reformed, and an appeal made to the constituencies before the land question was again tackled. This led to a postponement of the settlement of the matter for three years. In view of this a bill was passed for the purpose of increasing the assessment on stock depastured on crown lands in licensed occupation. The assessment was fixed at 9d. per head on sheep, 3s. per head on cattle, and 6s. per head on horses, making a total estimated revenue of £260,000 per annum.

The Government introduced three measures of constitutional reform this session. The first was the duration of Assembly Bill, reducing the term of existence of the Assembly from five to three years. This was passed by both Houses but not by absolute majorities and could not be reserved for the Queen's Assent. The second bill was the Increase of Members Bill. The third bill was the Election Regulation Bill. This measure was framed on the principle of the representation of minorities. The Assembly Members' Increase Bill provided the mode in which the district should be divided and represented. It proposed that the division should be based mainly on population. The colony was divided into 22 districts set forth in the schedule, each to return a certain number of members according to the population of the district. The clauses of the bill having been passed, Mr. Haines moved that the schedule be adopted, offering to consent to its amendment in any way hon. members wished. Captain Clarke opposed the schedule, as tending to centralize the electoral power in Melbourne and disfranchise distant constituencies, and he proposed a new distribution, giving either 2, 3, or 5 members to each district, allowing the principle of cumulative votes in order to secure the representation of minorities, preserving existing districts and creating new districts. The amendment was on a division carried by 26 to 17, Messrs. O'Shanassy and Duffy voting with the Government, and Mr. Chapman not taking part in the division. Great surprise was expressed at the result of the division by Mr. Haines and Mr. O'Shanassy; and several hon. members were charged with having violated the principles they professed to hold. Mr. Haines moved that progress be reported, and next day, 24th February, the government resigned.

Mr. Chapman, who had opposed the representation of minorities, was called upon by Sir Henry Barkley to form an administration, and he performed the task. He appointed his old chief, Mr. O'Shanassy, to the post of Chief Secretary, himself taking the Attorney-Generalship, the other offices being allotted as follows;—Mr. Ireland, Solicitor-General; Mr. Harker, Treasurer; Mr. Duffy, Land and Works; Mr. Miller, Trade and Customs; Dr. Evans, Postmaster General. Thus came into existence the second O'Shanassy ministry.

A new bill was brought in to alter the electoral districts, increasing them to 38, and to increase the number of members of the Assembly to 88, eliminating the principle of representation of minorities. The bill was passed through the Assembly, but rejected by the Council. In order that the Electoral Bill and the Duration of Assembly Bill might become law before an appeal to the country on the Land Bill, a third session of parliament was inaugurated, and these two measures were re-introduced, and passed through the Assembly, and were again sent to the Council. The Assembly Duration Bill was passed (without amendment) by absolute majorities, and became law. The Electoral Bill was amended and passed. The session was prolonged till the 24th February, 1859, owing to other important measures having in the meantime engaged the attention of Parliament.

Prior to the prorogation, with a view to dissolution, Mr. O'Shanassy, in compliance with a promise, explained to the House that the Ministry had agreed to a general plan of the land system, which they intended to submit to the next Parliament. It was intended that the measure should embrace the following provisions:—1. That large *areas of agricultural* land shall be pro claimed near the chief centres of population, within which areas ordinary farm lots, in no case exceeding 320 acres, will be *open to selection by bonâ fide* settlers, without auction, at a fixed price of £1 per acre. 2. That within these areas the unsold land shall constitute a *free commonage* for the settlers, subject to regulations to be made in an agricultural municipality. 3. That an *enlarged municipal system* be constructed, embracing agricultural districts as well as towns, under which system the inhabitants will possess a direct control over the local expenditure for public purposes, at present defrayed out of the general revenue, such *municipalities to obtain a certain* proportion of *en- dowment* cut of the public estate, and the power of levying an equitable taxation on fixed property, in lieu of the grants in aid now provided for out of the Estimates. 4. That *common pasturage* be secured by law to the inhabitants of all towns and gold-fields where Crown lands exist. 5. That *water frontages* throughout the interior be reserved *in perpetuity for public* use. 6. That all auriferous land be reserved from sale. 7. That all town and suburban lands,

and such other lands as may be rendered peculiarly valuable by their position shall continue to be *sold at public auction*; and that provision be made for *bonâ fide* settlers who may require larger allotments than are provided for in the agricultural areas. 8. That at a period to be fixed by law all preferable occupancy of the public domain by the pastoral tenants now in possession shall absolutely cease and determine. 9. That in the meantime the pastoral tenants shall continue to receive an *annual licence, revocable on such* notice, and held at such rent, as the Legislature may determine." "I also, Sir, deem it my duty "(said Mr. O'Shanassy) "to state that there are one or two special points on which two members of the Government desire me to express their opinions. I do so, because it would be unfair to them if these opinions were not stated to the public. One member of the Cabinet would wish to make the experiment of *deferred payments* in one area; and in reference to the principle of *selection within specified areas*, another member of the Cabinet would prefer the application of the *principle to the whole country*. But both, rather than risk the success of a Bill based on the principles already stated, would support the proposed measure."

So closed the first Parliament of Victoria under the new constitution. Three Ministries had been in office, and neither of them had succeeded in solving the vital question of land reform. The people must be now appealed to. In this momentous crisis the people looked for leaders both in Parliament and in the country. Mr. Gray and his friends in the Convention had done their work well and nobly, but Mr. Gray did not want to enter Parliament; he considered that his work lay in organising and educating the party out of Parliament, and in vigilantly watching the proceedings of Parliament. At this juncture all eyes were directed to Mr. William Nicholson as a possible future leader. Who was Mr. Nicholson? He was the son of a small Cumberland farmer, and was according to the early chronicles

Parliamentary Portraits Melbourne Leader.

a self-made man. He arrived in the colony in the year 1842, and for a considerable time he kept a grocer's shop in Little Collins-street, at the rear of the Congregational Church. Afterwards he opened a more pretentious establishment in Big Collins-street. When the gold discoveries broke out the small trader developed into a great merchant. He became a squatter's agent, and a hank director.. In 1850 he was City Councillor, and became the Mayor of Melbourne. About the same period he was returned to the old Legislative Council as member for North Bourke. The subject in which he interested himself, which laid the foundation of his Parliamentary fortunes, was the ballot—that delicate and important piece of political machinery so neatly described by Cicero as the silent asserter of liberty, *tabella vindex tacita libertatis*. In committee on the Electoral Bill, 18th December, 1855, he carried his ballot clause by 33 to 25 votes. The administration of Mr. W. Clark Haines having opposed it, tendered their resignation, and Mr. Nicholson was suddenly astonished to find himself called upon to carry on the Queen's Government. He failed to form a ministry, and ignominiously surrendered the task, not from the want of material or opportunity, but from sheer want of moral courage. Mr. Haines and his colleagues returned to office. Shortly after this Mr. Nicholson visited England, where he was entertained at a brilliant soiree held at the Freemasons' Hotel. Mr. John Bright and Mr. Richard Cobden were present. Mr. Nicholson was hailed as the founder of "vote by ballot." In July, 1858, the hon. gentleman returned to the colony. His return was looked upon with interest by all parties. The convention men welcomed him, and Mr. O'Shanassy, whose Ministry was at that time very shaky, held out overtures to him, but Mr. Nicholson refused to serve under the Kilmore banner. His principles and popularity were soon put to the test. An election, caused by the resignation of Captain Clarke, took place at North Melbourne shortly after his arrival. Mr. Nicholson contested the seat against Mr. Robert Sterling Anderson. Mr. Nicholson's professions of liberalism, however, were not trusted, and Mr. Anderson was returned as a supporter of the O'Shanassy Ministry. Mr. Nicholson then took a leading part in forming the Constitutional Association, of which he became chairman. The principal object of that organisation was to destroy the O'Shanassy Government at the forthcoming election. That Administration had already outlived its popularity and usefulness. The gross act of political immorality witnessed by the country in Mr. O'Shanassy voting with Mr. Haines in the division which caused that gentleman's defeat, and then becoming the head of a new administration even at the sacrifice of his hobby—the representation of minorities—was never forgotten, and could never be forgiven. Consequently towards the close of the session the Ministry was tottering almost to destruction. Nevertheless, they were allowed to go to the country.

The general election took place in batches. The result was that the Government sustained a most crushing defeat. Four Ministers were rejected by their old constituents. All of them, however, except the Attorney-General, managed to secure other seats. The House was opened on 18th October, 1859. There were only 22 members on the Ministerial side, whilst 44 were arrayed on the Opposition benches. The Convention party was well represented. The extermination of the O'Shanassy Ministry was the first performance of the session resolved upon. Mr. Nicholson was selected to lead the onslaught. Accordingly, he moved an amendment to the address in reply. The charges levelled against the Ministry were—That they had wilfully and needlessly delayed the meeting of Parliament; that they had disgracefully exercised the patronage of the country, and

packed the service with their friends and supporters; that several members of the Government occupied improper financial relations with Mr. Bruce, the railway contractor; that they had disproportionately divided the money voted for education; that they had unconstitutionally spent public money on unauthorised works; that they had improperly reprieved a murderer named Began because he was a Catholic, and that their conduct generally had been an insult and a disgrace to the country. Mr. O'Shanassy replied in a speech of masterly ability and impassioned eloquence, but without avail. Matters were very much complicated by the resignation of Mr. Duffy during the recess, he having had a mis-understanding with the premier, Mr. Duffy alleging that he had to retire because he failed to comply with the request of his chief to throw more land into the market. The result of the division was an overwhelming majority against the Kilmore ministry. For them, 17; against them, 56—majority, 39.

Mr. Nicholson now came to the front. He formed an Administration as follows:—Mr. Nicholson, Chief Secretary; Mr. M'Culloch, Treasurer; Attorney-General, Mr. J. Denistoun Wood; Minister of Lands, Mr. Service; Commissioner of Public Works, Mr. J. C. King; Solicitor-General, Mr. Adamson (without a seat in the House); Commissioner of Trade and Customs, Mr. Pyke; Postmaster-General, Mr. Bailey. Mr. Duffy was asked to join as Minister of Lands. He drew up a memorandum setting forth his land policy, which he submitted to Mr. Nicholson:—"1. That the first measure of the new Government shall be a Land Bill including the provisions of the bill promulgated by the late Government with the addition of an adequate arrangement for the gold-fields and agricultural districts, with free commonage. 2. That the squatting tenure should terminate in 1861. The use of the public grass to be provided for in a separate bill, the opinion of the members of the Liberal party joining the Government being that all exclusive right of occupation should then terminate, but that the use of the grass may be subject to assessment." Mr. Nicholson assented to this. Mr. Duffy next wished to stipulate that Mr. Brook, Mr. Anderson, and Mr. Hood, as representatives of the popular party, should have office with him. Mr. Nicholson offered to take in Mr. Brook, and at that point negotiations were broken off, and Mr. Nicholson secured Mr. Service as his Minister of Lands.

Chapter III. The Nicholson Land Act.

When the Haines' Land Bill was in committee, Mr. Service moved the insertion of a clause which he described as intended "to afford facilities to persons of limited means desirous of settling down to agricultural or pastoral pursuits." It was to the effect that there should be surveyed and marked off in various parts of the colony, and in such localities as should be deemed most suitable without interfering with town or suburban classes, certain lands to be called "farm lands." These lands were to be divided into blocks of a certain area (undefined by the clause), and any person was to be allowed to select a block not previously taken up, at the upset price of 20s. per acre, subject to regulations. This clause was not adopted, as it found only seven supporters besides the mover. However, when Mr. Service moved the second reading of the Nicholson Land Bill (10th January, 1860), he claimed the credit of having three years previously introduced to the notice of the House one of the principal features of the bill, viz., the principle of free selection at an uniform fixed price. Other resolutions which did not come on for debate, consequent on the defeat of the principal clause, contained, Mr. Service said, the conditions of deferred payments. "So that," said he, "in point of fact the two main features on which the Land Bill is based were advocated by me three years ago. Sir, I may come before the House without being charged by any hon. members with inconsistency or with a desire to advocate a doctrine for any other reason than that I think it is the one most conducive to the interests and prosperity of the country at large"

Victorian Hansard, vol 5, p 266.

. It will be interesting to note how far the bill itself tallied with this announcement of its fundamental principles. Subjoined is a synopsis of its leading provisions:—

FREE SELECTION AFTER SURVEY.—The chief feature of the bill was that of free selection over all the waste lands of the Crown in the colony for agricultural purposes, subject to certain conditions with respect to land not surveyed and special lands which might be of special value. "Total abolition of the sale of ordinary country lands by auction" was proclaimed as one of its cardinal provisions. The Board of Land and Works was from time to time to cause country lands to be surveyed to the amount of 4,000,000 acres, in allotments of not less than 80, nor more than 320 acres each. Plans were to be prepared and each allotment divided into four equal portions. Advertisements were then to be inserted in the newspapers published nearest to the lands so surveyed, notifying that applications would be received for any such allotments up to a certain day not less than a month before the date of such proclamation. Any person desirous of purchasing any of such allotments were requested on or before the last day on which applications could be received to send in an application in the form of a schedule of the act. At noon on the day named in the proclamation for opening, the person appointed opened the applications in the presence of the applicants or their agents, and publicly stated the number of the

allotments applied for. If there was only one applicant for an allotment he was declared the selector thereof, provided he had duly paid a deposit at the rate of £1 on every 4 acres applied for; if there were two or more applications for the same allotment then it was to be sold by tender, at which sale only the applicants were allowed to tender. Every person thus declared the selector of an allotment had forthwith to name the sub-division which he elected to purchase. Then he was deemed the purchaser of such sub-division, and stated whether he would purchase or rent all or any of the remaining sub-divisions. If he elected to purchase he paid the same price for every sub-division as he paid for the sub-division, which he first elected to purchase. If he elected to rent all or any of the remaining sub-divisions he paid one year's rent in advance, at the rate of 1s. 6d. per acre. If the selector did not elect to rent or purchase the remaining sub-divisions they were sold by auction, in which only unsuccessful applicants were allowed to bid. No person declared a selector was entitled to tender for any other allotment included in the same proclamation for which two or more applications for any sub-division thereof had been received. After the day fixed for determining applications, the person who made first application for an unsold allotment or sub-division thereof, and who duly paid not less than one sub-division's purchase money at the rate of 20s. per acre, was declared the selector. Every applicant was bound to make a deposit at the rate of £1 for every four acres contained in the allotment applied for. No person was entitled to be the selector of more than 340 acres within a year after the date of the proclamation of a district in which he had selected. Any person declared a selector was entitled at the time he named the sub-division or sub-divisions which he elected to purchase to demand a lease of the remaining sub-division or subdivisions of such allotment. Every lease so granted commenced from payment of the first year's rent, and was for such term not less than five nor more than ten years, as the Governor by proclamation shall have appointed. The rent was 1s. 6d. per acre per year, payable in advance. The purchased and leased land together was not to exceed 320 acres.

FORFEITURE.—Every lease was forfeited if the lessee did not within a year of its commencement effect on the purchased land, on the same allotment, improvements of the value of £1 per acre of such purchased sub-division or sub-divisions. It was likewise forfeited if the lessee used the rented land for any purpose except agricultural and pastoral purposes, or as a garden, or if the lessee failed to pay rent in advance, or if he became insolvent or mortgaged, assigned or sub-let such rented land, or if the same was sold under execution, or if he or his agent had not resided either on the rented land or on one of the purchased sub-divisions of the same allotments at least 200 days every year. Forfeited lands were again thrown open for selection. Clause 49 was an important one. It provided that any person who, within a year after he purchased or applied for an allotment of country land, entered into an agreement to sell or mortgage such allotment, or buy or rent it on behalf of another party, or borrowed money on its security, should be liable to a penalty of, £200, to be recovered in the Supreme Court by any informers; "and every such agreement or any conveyance, lease, or mortgage or other charge made on, or security given over such lands or any part thereof within one year after any such purchase," was declared void. The object of this clause was to prevent dummyism.

PURCHASE OF LEASED LAND.—The lessee at any time during term could purchase the land comprised in his lease at the same rate as that which he paid for the sub-division originally purchased, If the leased land was not purchased the lessee was not entitled to compensation for improvements, but he could remove the improvements within a certain time.

FREE SELECTION BEFORE SURVEY.—If four or more persons paid £416, being .£320 for purchase money, and £96 for one year's rent, they could apply to purchase at the upset price of £1 per acre, not less than 320 acres of the country unsurveyed at the time of payment; and could rent at 2s. per acre an additional quantity of land such as should, with the allotment purchased, amount to 1280 acres, subject to certain conditions, including fencing. The Governor-in-Council was, however, empowered to refuse to survey, sell or lease such land without assigning reasons.

PENALTY FOR NOT IMPROVING.—If within two years after the purchase of any country land, improvements had not been effected on the land so purchased equal in pounds sterling to twice the number of acres comprised in the purchased portion of the allotment, the purchaser or his successor was liable to a penalty of 5s. per acre, to be recovered in any court of competent jurisdiction, half the penalty to go to the informer. The Governor-in-Council could, however, order that such should not be recovered.

COMMONAGE.—The Governor-in-Council was authorised to proclaim that any Crown lands in the vicinity of a town should be a common for the use of the inhabitants of such town, and from the proclamation of a common, all the inhabitants were entitled to depasture their cattle and horses upon it—to be called a "town common." Similar power was given to proclaim any Crown lands near a gold-field as a common for the use of holders of miners' rights, business licenses and carriers' licenses residing on the gold-fields—to be called "a gold-fields common." On the petition of 25 occupiers of purchased land in any agricultural district comprising not less than 500 acres, the Governor-in-Council was authorised to proclaim that any Crown lands in the vicinity should be "a farmers' common." Such persons received licenses, and had to pay certain fees for

pasturage, at the rate of 4s. for every horse and 2s. for every head of cattle.

LICENSES TO OCCUPY.—The board was authorised to grant licenses to occupy, for terms not exceeding seven years, crown lands as sites of inns, stores, bridges or ferries, and toll or punt houses, or for the working of mineral springs, or for such other purposes as might appear to the board to be for the public advantage or convenience, at such yearly fees as the board fixed. This section is worth noticing, as it proved to be one of great power and importance in the administration of the land law as subsequently emasculated

See chapter on Occupation Licenses.

WATER FRONTAGES.—No water frontages or auriferous land were to be alienated, but the Governor-in-Council could sell auriferous and mineral land in town allotments when it was for public convenience to do so.

SPECIAL LANDS.—Special lands were lands within 20 miles of Melbourne or Geelong, or within a certain distance of places mentioned in the schedule, or within certain distances of the River Murray or a railway, or within a mile of purchased land. Once at least every quarter public sales by auction of special lands were to be held. The upset price of special lands was fixed at 20s., subject to increase by the Governor-in-Council. Purchasers had to make a deposit of 25 per cent, of the purchase money at the time of sale, the sale to be completed within four weeks subsequently.

GENERAL PROVISIONS.—Several clauses gave the Government power to take, use and apply and protect lands for public purposes, such as roads, races, drains, dams, reservoirs, &c.; to lease lands for mining for any mineral or metal except gold and silver, and to grant licenses to enter crown lands to search for metals or minerals except gold; to grant permit to enter Crown lands for purpose of surveying and cutting drains, races, dams, or reservoirs; to issue licenses to cut timber on Crown lands, or to dig for gravel, stone, salt, guano, &c. Penalties were provided for unauthorised occupation of Crown lands.

The operation of these main clauses of this Land Bill may be thus illustrated: Country lands were surveyed in allotments of from 80 to 320 acres each, and each allotment was sub-divided into four parts. No one could apply for a block of less than 80 acres in extent nor more than 320. If he paid £1 cash for one fourth of an allotment, say 20 acres of an 80 acre block, or 80 acres for a 320 acre block, he was allowed to lease the remaining three sub-divisions of the allotment at 1s. 6d. per acre. This, then, was free selection after survey, and, according to Mr. Service's "deferred payment." No person could select more than one allotment within 12 months. A tax of 5s. per acre was imposed upon alienated land not cultivated in accordance with the condition of grant. The only approach to anything like free selection before survey was a series of clauses providing for an arrangement of this kind. Four or more persons could select 320 acres of unsurveyed land, pay £320 purchase money and £96 for rent. They were then entitled to apply to purchase the 320 acres and to rent an additional 960 acres at 2s. per acre. These were called the "special survey clauses."

The bill contained no reference whatever to the squatters' tenancy. The Minister of Lands announced that the Government considered that the question of the occupation of lands by the pastoral tenants should be dealt with by separate bill, and in the meantime it could be referred to a select committee.

Whatever were the imperfections of this bill there can be hardly any doubt that it went a long way towards giving practical expression to the land policy promulgated by the apostles of the Convention; and that it contained the feeble germ which subsequently developed into the liberal land laws of this country. Although its provisions did not come up to the demands of the Convention, the bill professed to be modelled in harmony with the cardinal doctrines of the Convention—free selection before and after survey, abolition of the auction system as applied to agricultural lands, free commonage, and deferred payments. Let us see how far these were justified.

The Convention party advocated the abolition of the sale of country lands by auction, and substitution of selection at an uniform upset price, with deferred payments. They objected to the auction system, on the ground that it favored capitalists, and tended to the centralisation and aggregation of large territories in a few hands, whilst free selection favored the industrial classes, and promoted the settlement and cultivation of the soil. The competition at auction was uncertain, and a poor man had no chance of bidding against a rich man. It was no reply to say that the State should sell its land at the highest price. The experience of all young countries (Canada and the United States in particular) had been that to promote the settlement upon the soil of an *industrial, cultivating, consuming and tax-paying* population was more conducive to national prosperity than the mere exaction of a big upset price for the national domain. The great advantage of free selection before survey was that a settler could select any unoccupied block of land which in his opinion suited his purposes and his means. He could do his own exploration and pioneering, and reap the benefit of any discovery of rich track of country which he might make. He was the best judge of his own interests. The system of "selection after survey" led to a general *scramble for land*; but, what was worse, it made the settlers dependent upon the caprice of surveyors and Ministers. They would be able only to cultivate in localities picked for them by a political

department. This, it was contended was unfair and impolitic, and was a serious obstacle to settlement. It could only be remedied by having millions of acres surveyed in advance of settlement, and that was impossible in the existing state of the colony, with such enormous demands for land. Survey would always be lagging behind the applications for land.

The principle of "deferred payment," or "time payment," as applied to land, necessarily went hand in hand with free selection at an uniform price. A poor man or a beginner could neither afford to compete at auction against rich purchasers, nor could he afford to lay out all his capital in buying his homestead. He wanted a little working capital to tide over a few seasons—then he would be able to pay off the balance of his purchase money. To extract from the settler the whole of the purchase money of his land at the outset would be, perhaps, to take away from him the only means he had of supporting himself and family, and launching his venture at a period when a little money was most required. Such a course would deprive him of the means of maintaining that vigorous state of health and spirits which is so necessary when a man is engaged in the difficult task of clearing the land

Canadian Select Committee's Report 011 Land System, 1865.

. Deferred payments was the key-stone of the Canadian and the United States land system. The system of deferred payments, it was urged, would have to be established in Victoria if it was to be a democratic country. "The first step," said Mr. Wilson Gray, "is a great deal, and cultivation should be assisted as much as possible in their weakest day, or it would be useless to throw open the lands. The same will refer to everything in life, and there were many men in the House who had risen to their present positions by their own exertions, who would not have done so, had they been opposed at the first three or four steps they took of the ladder"

Hansard, vol. 5, p. 322. Mr. Wilson Gray's speech on the second reading in the Nicholson Land Bill.

. "Why should poor men be encouraged to take up land at all?" cried the opponents of deferred payments. The reply was, that it was desirable to establish, in this country, a class of cultivating proprietors. The history of the world proved that, "a bold peasantry, its country's pride," had been the bulwarks and backbone of every country in which such a class had an existence. It was that class which conquered at Cressy and Agincourt, for the yeomen of England at that time, were virtually peasant proprietors. They felt that their title was permanent as long as they performed their military duty. According to Fortescue, the golden age of English yeomanry was shortly after the reign of Henry VI., when there were more peasant proprietors or leaseholders cultivating the soil than in any other country in Europe. The peasant proprietors of Austria and Switzerland had proved themselves to be, both in times of war and peace, the most powerful and patriotic classes of those nations. In the United States of America, experience showed that the great success and power of the union lay in the tillers of the soil

Hansard, vol. 1, p. 779. Mr. Lalor speech on the Haines' Land Bill.

"Free grass" or "free commonage" was an item of the Convention programme that was much misunderstood. Of course, it was coupled with the abolition of the squatting tenures, and meant that every farmer and settler should be at liberty to run his flocks and herds in adjacent Crown Lands as was the custom in California.

The Convention party, whilst accepting the Nicholson Land Bill as an instalment of land reform, objected that it did not comply with the foregoing principles, which they considered as essential preliminaries to any successful Land Legislation. The Bill, it was said, did not remove some of the main impediments to free selection. If several persons sent in applications for the same allotment the applicants competed for it by tender. This was only another form of sale by auction, and was a fatal blemish. Where several applied for the same allotment, the difficulty, it was argued, should be settled by lot, as the fairest means. The conditions annexed to special survey, rendered selection before survey almost impracticable. It would be difficult, sometimes, for a man wanting to select a block to get three others to join him. Besides the compulsory fencing would practically render the provisions nugatory. The fencing clauses were intended simply to accommodate the Crown tenant not being necessary for cultivating. In some of the best parts of Europe, it was pointed out, the lands were unfenced for miles. Then how could it be said that there was a recognition of anything like deferred payments, when a selector, after survey, had to pay one fourth of the purchase money, and a years' rent of the remaining sub-divisions in advance; and when a selector before survey had to pay the whole of the purchase money of 320 acres in advance?

The greatest objection, however, taken to the Bill by the Liberal party in the Assembly was the glaring omission of all reference to the squatting tenure. The Government in shirking this responsibility were charged with moral cowardice, and a gross breach of faith with the public, inasmuch as they had by their professions prior to the Ministerial elections led to the belief that they would in their Land Bill provide for the termination of the squatters' licenses in 1861.

On the second reading, the most prominent speakers representing the views of the Convention were Messrs. Duffy, Heales, Barton, Bon, O'Hea and Wilson Gray. Mr. Duffy made a very able speech, in which he; fully

and lucidly criticised the Bill. Mr. Heales considered that the measure was not so comprehensive and liberal as the Haines Bill. Mr. Gray took his seat on the 12th January as successor of Mr. John Everard in the representation of Rodney. On the 13th, he delivered his maiden speech, which was a very masterly criticism of the Ministerial scheme. He charged the Government with intending to abandon the special survey clauses, and condemned them for not dealing with the squatting question. On the Ministerial side, the principal orators were Mr. Michie, Mr. Bailey, Mr. Nicholson, and Mr. Wood. Mr. O'Shanassy spoke in very hostile terms against deferred payments, uniform price, free selection, and advocated the sale of large blocks, say 1000 acres. Mr. John Woods said that if he ever had any doubt as to whether he acted rightly in voting against the late Government, this speech of the hon. member for Kilmore had quite absolved him from any regret on the subject.

The second reading of the Bill was carried without a division.' Two important amendments were made in committee. In clause 21, the words "but if there be two or more applications for the same allotment, then, such allotment, shall be forthwith sold by tender, at which sale only the persons who shall have made applications for such allotment, or their agents, appointed in writing, shall be allowed to tender," were struck out, and on the motion of Mr. Duffy, carried by a majority of 24 to 20, the following provision was substituted:—"Such persons as shall be appointed for the purpose, shall cause lots to be drawn by the persons making such applications in such manner as may be directed from the Board of Land and Works in general instructions to be drawn up by them for that purpose, and the person who is successful in the drawing of such lots shall be declared the selector." The clauses relating to selection before survey were struck out by a majority of five. Mr. Gray asserted that they were lost through the weakness, vacillation, and insincerity of the Ministry, and the Attorney-General in particular.

On the Bill being reported, several clauses were re-committed, including clause 14:—"The Board of Land and works shall from time to time, cause country lands to be surveyed in allotments of not less than 80 nor more than 320 acres;" and Mr. Heales moved that the words 320 be omitted and 640 inserted in lieu thereof. On a division this amendment was carried, by 25 to 20 votes. Other amendments consequential to this were then made. Mr. James Stewart Johnson (St. Kilda) moved an amendment in clause 42, to the effect that a selector should, to escape, the penalty of 5s. per acre, be only required to spend in improvements, pounds sterling "equal to one half the number of acres" comprised in his purchased land, instead of pounds sterling equal to "twice the number of acres" comprising the purchased portion. This amendment was supported by Mr. Service, much to the surprise and alarm of the Convention party. Mr. Gray charged the Government with another breach of faith, contending that the improvements to the amount of £2 per acre should be compulsory as a guarantee of bona fide selection. Mr. Don predicted that if the Bill were kept before the Committee much longer, it would be shaped to meet the wishes of the ultra-squatters of Victoria. He warned the Government that, though it might obtain a majority, then its success would be short lived. So much stress did he lay on this clause that he thought if it were emasculated as proposed, the Bill might as well be given up. Mr. Gray further pointed out that the clause was intended to guard against the encroachment and rapacity of capitalists. As it stood, a man taking up 2000 acres would have to expend £4000 in improvements, and his operations were checked accordingly, but the amendment proposed to reduce the amount to be expended in improvements to £1000. The amendment was, however, agreed to without a division.

On the third reading a warm debate took place, the most remarkable feature of which was that the Attorney-General (Mr. J. Denistoun Wood) spoke against the bill, intimating that he did not concur in its main principles, and that he would only vote for it "because it would have the effect of putting an end to the occupation of a frothy and empty-headed race of demagogues, and the people would find that they had been deceived." Mr. Gray warmly took the Attorney-General to task for his duplicity, reminding him that his cynical remarks against liberal land legislation that evening were fully answered by his own manifesto to the electors of the Ovens, through whose favor he held his scat. The third reading was carried by a majority of 44.

The Land Bill was presented to the Council on 2nd May, 1860, by a deputation from the Assembly, consisting of Messrs. Service, McCulloch, Heales, Bailey, Caldwell, Sergeant. Mr. Fellows took charge of the Bill in the Council, and moved its second reading on 18th May. Messrs. Bennett, Hervey, Mitchell, A. Fraser, Power and Black were the principal opponents. The grounds of objections were, that the Bill tendered to create feelings of animosity between different classes; that it gave undue importance to a particular interest; that it fixed a uniform price of £1 per acre, and abolished the system of sale of land by open competition, which was the best and fairest; that it provided for deferred payments which could never be enforced, because persons when they once occupied lands on lease could never be dispossessed for non-payment of rent; that in the matter of commonages, too much power of an absolutely despotic character was given to the executive; that the power to proclaim fanners' commons might be exercised to ruin the squatting interests; that the Bill was not calculated to facilitate agricultural settlement, because a man could not borrow money on tin; security of his land for the purpose of cultivation. The second reading was carried without a division, on the understanding that numerous

amendments would be discussed in committee.

Clause 13 was what was known as the selection clause, and was considered the essence of the Bill. It enacted that all country lands should be sold by selection at the uniform price of £1 per acre. In committee, on 29th May, the first amendment moved was by Mr. Bennett to the effect that all the words in the clause after "sold" be struck out, with a view to the insertion of the words "as hereinafter provided for." This amendment was carried by 16 to 11 votes. Mr. Strachan then moved the elision of the provisions in clause 14, that each allotment should be divided into four sub-divisions, which was also carried by a majority of 7. The first of these amendments was directed against selection at £1 per acre, and the second against the leasing of unpurchased subdivisions.

Next day the Ministry tendered their resignations to the Governor. After the rejection of two important provisions of their Land Bill, they thought it would be a waste of time to proceed further with it, and they consequently resolved to retire and throw the responsibility of the situation on Mr. Bennett and his friends in the; Council who had brought about the crisis. In the Council the resignation of the Ministry was severely condemned by Mr. Bennett and others who voted for the amendments. They were charged with unjustifiably deserting their post, and thereby attempting to coerce the House and prevent it exercising its undoubted functions.

The Convention party in the Assembly were extremely jubilant and enthusiastically supported the Ministry in the bold and determined stand assumed, and they were urged not to surrender one jot or tittle of the Bill. Lukewarm friends and determined foes of the Bill, however, censured the Government for having prematurely brought both Houses into collision, and ridiculed the possibility of passing "the whole Bill and nothing but the Bill." The Chief Secretary, however, sprang into an unwonted popularity in the country, and his position was rendered all the more secure, and his sincerity more readily believed in, from the fact that it was known that a disagreement had taken place between himself and his Attorney-General respecting the proper course to be adopted. It was well-known that Mr. Wood was not a friend of land reform, and his advice and conduct were regarded with suspicion. Both Houses adjourned for a week.

In the interval, Sir Henry Barkley, who had not accepted Mr. Nicholson's resignation, had interviews with several leading public men, and discussed the probabilities of forming a new Ministry and of the Council passing the Land Bill. He looked upon the suggestion that Mr. Bennett should be asked to form an administration' as tantamount to an abandonment of the old Bill which the Assembly had spent so much time in discussing, and passed by a large majority. Furthermore, he arrived at the conclusion, that in the face of that majority, it would be impossible that any administration which Mr. Bennett might form could carry on the business of the country. The result of his enquiries led him to believe that there was a disposition on the part of several of those who voted against the Bill in the Council, to submit to such modifications of their amendments as would make it acceptable to the Assembly. "Under these circumstances," said his Excellency, in a memorandum addressed to Mr. Nicholson, "I trust that on viewing the whole position of affairs, and seeing the loss of time, exasperation of feeling, and the serious injury in many ways to the community which must ensue from any attempt at a change of Ministry at the present juncture, you will consent once more to resume charge of the Land Bill, so as to afford an opportunity of learning what the views of the Legislative Council really are, by how many members they are shared, and in what shape the measure will be finally suffered to leave that House."

Mr. Nicholson complied with the request of the Governor, and withdrew his resignation, and thus a crisis was averted by the friendly intervention of the representative of the Crown. The popular party was exasperated beyond measure. When the announcement of the withdrawal of the resignation was made in the Assembly, Mr. Duffy, Mr. Gray, Mr. Barton, Mr. J. Woods, and Mr. Don charged the Chief Secretary with having compromised the House and betrayed the country by his want of firmness and his change of front, Mr. Nicholson and Mr. Service denied that the Government had made any compromise, and declared that they would not give up one of the main principles of their measure—uniform price, leasing, and commonage. They believed that the Council would yield those parts of the Bill, and hinted at a conference as the constitutional method of arriving at a decision on disputed points. A motion for the adjournment of the House was negatived, but the Chief Secretary sustained a loss of prestige by this sudden change of tactics, which he never recovered, and from that time his administration, which lived on the toleration of the reform party, was doomed.

The Council then resumed consideration of the Land Bill in committee. Amendments were carried to the following effect:—1. That the allotments to be selected should be divided into two equal portions instead of four. 2. That the Government should cause to be surveyed within 12 months 1,000,000 acres only, instead of 4,000,000 acres. 3. That unsold lands within one mile of land already alienated should be declared special lands instead of half a mile. 4. That in case more than one application for an allotment or sub-division were sent in, the same should be sold by auction, at which auction the applicants for such allotment or sub-division, and no other, should be allowed to bid—the land to go to the highest bidder. 5. That the purchaser of part of an

allotment should be entitled to a grazing license for the remaining sub-division for a period of three years, at the rate of one farthing per acre—substituted for the Agricultural leasing clauses. 6. That improvements at a rate of £1 per acre of purchased land should not be compulsory. 7. That the land held on license should be used only for pastoral purposes. 8. Penalties for selling or mortgaging purchased country lands within one year after purchase were struck out. The tax of 5s. per acre on unimproved lands was also struck out. 9. The farmers' common clauses were struck out. 10. On the motion of Mr. Fellows, new clauses were inserted, stating that nothing was to prevent the issue of "licenses to depasture on Crown Lands in the manner heretofore used, but such licenses shall, until it is otherwise provided by Parliament, continue to be issued in the same manner and form as if this Act had not been passed;" that when any substantial building or other improvement had been constructed, or any land occupied under license, and such Crown Lands were sold, a valuation should be placed on the building or improvement in favor of the licensed occupiers. Other material amendments, about 200 in all, were made remodelling the measure, so that its original form could hardly be identified. The Bill was read a third time and returned to the Assembly on 28th June.

Whilst the Council was amending the bill, the question was raised as to whether they were constitutionally entitled to do so, inasmuch as it was contended the Land Bill imposed "a rent, rate, tax, or duty," and thus came within the limitation of section 56 of the Constitution Act. Mr. Nicholson asked the Attorney-General to advise the Cabinet on the point, and Mr. Wood gave an opinion, one of the most extraordinary, perhaps, ever given by a law-officer, in Victoria, to the effect that the Council could not only amend the Land Bill but could amend the Appropriation Bill

Hansard, vol. 6, p. 1441.

. In other words, Mr. Wood considered that the Council were only prevented from amending a bill, which both imposed a tax, and appropriated that tax to a specific purpose. For the redeeming honor and credit of the Nicholson Ministry, it is but fair to state that this monstrous doctrine was not sanctioned by the Solicitor-General, Mr. James F. Martley, one of the ablest lawyers who ever graced the bar of this country. Mr. Martley whilst entertaining the belief that the Council could amend the Land Bill, because it was not a bill whose primary and specific object was "for imposing a rent, rate, tax or impost," merely incidentally doing so, did not think that a bill in order to come within section 56, should both appropriate, reserve and impose taxes; he based his opinions on the distinction between bills "for appropriating" and "for imposing," and "bills appropriating" and "bills imposing." A money bill, he argued, was for appropriating revenue, or for imposing a tax; whilst the Land Bill did neither of these things; the rent and price reserved by that bill was an equivalent for land demised from the Crown, and was not a rent within the meaning of the section.

On the motion that the amendments of the Council be taken into consideration, a stormy debate; took place. Special objection was taken by Mr. Gray to the new clauses introduced, which, he said, were intended to perpetuate the squatters' titles. The hon. member bitterly accused the Attorney-General of treachery; he asserted that those clauses had been introduced in the Council at the instigation of the chief law officer of the Ministry. An amendment moved by Mr. Duffy, that the House disagree with the amendments of the Council, was negatived by a majority of 14.

The House rejected the Council's amendments substituting limited auction for the lot system; rejected the sub-division of allotments into two parts; rejected the Council's amendment omitting Is. 6d. for every acre leased in a sub-division, and substituting one farthing per acre for three years, and in lieu thereof inserted one shilling per acre, and restored the pre-emptive right of purchasing at the end of seven years, consenting to the leased land being used for pastoral purposes only; disagreed with the Council in striking out the compulsory improvement clauses; adopted the compensation for improvement clause; rejected the clause relating to the issue of licenses as heretofore. Several of the Council's amendments altering the machinery of the bill were accepted, and the bill was returned to that chamber.

The Council decided to insist upon its principal amendments and the bill was again returned to the Assembly. These negotiations terminated in a conference between the two Houses, at which a compromise was arrived at. The result was that on 18th September, 1860 the amended and severely mutilated bill became law.

Some of the details of this prolonged struggle have been given in order to show the difficulties which the Land Reformers of 1860 had to contend with, and to explain how far the Land Legislation of that period failed to come up to the programme of the party. The Act was an affair of shreds and patches, almost completely destitute of sound principle, and it proved a most deplorable failure accordingly. There were few traces of identity between the bill as originally introduced, and the Act which became law.

Chapter IV. The Occupation Licenses, and the

Duffy Land Act.

The Nicholson Administration having carried their Land Bill, Parliament was, on 18th September, prorogued till 20th November, when the necessity of providing for the exigencies of the public service compelled them again to meet the Assembly. Their career was doomed to be cut short. The Administration had, at no stage of its existence, been a strong one. Its history was one unceasing struggle. Its poverty of definite principle left it with few warm friends, and many vigorous foes. The Land Reformers were offended with the Chief Secretary and the Attorney General, on account of the pusillaninity and want of earnestness of one and the unmitigated treachery of the other. At that time the Convention Party held the balance of power in the House. Having no faith in Mr. Nicholson and his colleagues they determined to join the straight opposition, led by Mr. O'Shanassy, in order to expel the Ministry from office. Accordingly an amendment was moved to the address in reply to the Governor's speech. Mr. J. H. Brooke, member for East Geelong, and a prominent Land Reformer, was entrusted with the amendment. The grounds of attack were that the Ministry had not declared their policy on the question of the occupation of Crown lands for pastoral purposes; that they had unsatisfactorily administered the Land Act; that no intimation had been given respecting the necessary re-adjustment of the financial system of the colony, and generally that the Government did not possess the confidence of the country. Mr. O'Shanassy seconded the motion, which was carried by a majority of 13.

The Ministry resigned, and Sir Henry Barkly then invited Mr O'Shanassy, as head of the previous administration, and Mr. Elden, as leading seceder from the Ministerial ranks, to form a Government. These gentlemen declined to undertake the task. Mr. Brooke was then entrusted with the important duty. Knowing that he merely occupied the position of nominal leader of the majority, he convened a caucus of the opposition, at which the members of the incoming Ministry were nominated and elected by ballot. Mr. Brooke then met the gentlemen so elected, and arranged the distribution of port-folios. He was not allowed to grasp the coveted prize of the Chief Secretaryship. Mr. J. S. Johnson, of St. Kilda, was offered it, but had not the courage to accept it. Mr. Richard Heales became Chief Secretary, and the other offices were distributed thus:—Mr. Brooke, Minister of Lands; Mr. Ireland, Attorney-General; Mr. Verdon, Treasurer; Mr. Johnson, Commissioner of Public Works; Mr. R. S. Anderson, Commissioner of Land and Customs; Mr. Thomas Loader, Commissioner of Railways; Mr. J. B. Humphray, Minister of Mines. Thus came into existence the celebrated Heales' Ministry—a Ministry intended by the squatting party to be a kind of *ad interim* arrangement to prepare the way for a true-blue Conservative Government. Instead of occupying that despicable position it became one of the most popular Ministries that ever ruled Victoria. It laid the foundation of Liberal Land Legislation, and left an honorable and enduring reputation.

The name of Mr. Richard Heales is still a house-hold word in Victoria. It is still respected by thousands who in years past were guided by his example and encouraged by his manly exhortations. He was a temperance advocate, a social reformer, and a man of the people. He arrived in the colony in 1842, a coach-maker by trade. The story of his adventures and privations; his gradual progress from 6s. per day, the wages of a day labourer, to the post of Chief Secretary of "the People's Ministry" is one of the most extraordinary in the annals of Australian biography. He entered the Assembly as member for East Bourke in 1857, when Mr. O'Shanassy first appealed to the Constituencies on behalf of his ministers. On that occasion he defeated Dr. Greeves, Commissioner of Customs of Mr. O'Shanassy's Government. In September 1859, Mr. Heales was returned for East Bourke Borough and on the 26th November, 1860, he became Chief Secretary of Victoria. During his Parliamentary career he had always sided with the cause of the masses, and took great interest in the Land question. Not having been in office prior to his advent to the Chief Secretaryship, he was not familiar with political red-tapeism; yet in his official life as leader of the House and head of the Cabinet he displayed an amount of tact and plodding ability that delighted his friends, and disappointed his foes. Having marked out and adopted a Liberal policy, he proceeded to give effect to it; nor was he unsuccessful; although harrassed on all sides by implacable and powerful enemies.

The new Ministry was not long installed in office before the defects of the Nicholson Land Act, and its utter inability to meet the requirements of the country with regard to the settlement of the people on the soil, became glaringly apparent to them. It was found that the eliminations effected by the squatters and largo landed proprietors in the Upper House, assisted by a powerful minority in the Assembly, had left the measure a shameful abortion. Fine Agricultural lands were thrown open for selection in order that persons who desired to become farmers and raisers of produce might have every opportunity of doing so if they could according to law; but most of the land so offered passed to the squatters. Land unfit for cultivation remained uncalled for

Statement of Mr. Brooke, Minister of Lands. Hansard, vol. 8, p. 75.

. The so-called system of "limited auction" proved a disastrous blunder. The squatters competed for almost

every valuable allotments put into the market, and drove out the small cultivators. A return prepared by an officer of the lands department showed how the land went into large estates.

At a place called Muntham, County Dundas—13,388 acres were proclaimed, and it was supposed that the pastoral tenant, Mr. Henty, had obtained 11,146 acres. At North Wilgul, County Grenville, about 11,000 acres were proclaimed, the whole of which was supposed to have become the property of Messrs. Rowe, McVean and Faris, pastoral tenants. At South Wilgul, Grenville, about 6,500 acres were proclaimed, the whole, excepting about 300 acres, supposed to have fallen into the hands of the pastoral tenants, Messrs. Elder and M'Vean. At Warracborunah, Grenville, about 14,000 acres were proclaimed, the whole supposed to have fallen into the hands of the pastoral tenant, Mr. Timms. At Gala, Hampden, 38,000 acres were proclaimed, of which about 25,000 acres were supposed to have become the property of the pastoral tenants, Messrs. Anderson, Wilson and Mack. At Mannibadar, Grenville, 16,000 acres were proclaimed, nearly the whole of which had, it is supposed, become the property of the pastoral tenants, Messrs. Baird, Rowe, Mack and Clark. At Turkeeth, Grenville, 19,000 acres were proclaimed, nearly the whole of which was apparently taken up on behalf of the pastoral tenants, Messrs. Armytage, Beale, Calvert and Dennis Brothers. At North Poliah, Grenville, 11,700 acres were proclaimed; 6,000 acres were supposed to have fallen into the hands of the pastoral tenants, Messrs. Mack, Rowe and M'Vean. At Cressy and Yarima, Grenville, about 24,000 acres were proclaimed, of which 13,500 had been taken up—the greater portion by and on behalf of the pastoral tenants, Messrs. Bell, Elder and Russell. At Ondit, Grenville, about 16,500 acres were proclaimed, of which about 13,000 acres appeared to have fallen into the hands of the pastoral tenants, Messrs. Bell and Calvert. A poor man could not buy a farm in any part of the Agricultural districts without having to run the gauntlet of competition at auction against, perhaps, the richest man in the place, whose interest in a neighbouring run gave him a strong inducement to bid high in order to keep off introducing selectors. The cost of country land was frequently as high as £5, £6 and £7 per acre; the average cost being £1 19s. 4d. per acre. In this way there was little difference between the mode of alienating country lands, and that of alienating special lands. Free selection at an uniform price had no existence in law or in fact. A difficulty equally as serious as that which stopped agricultural settlement also arose on and in the vicinity of gold-fields. Thousands of miners and other persons being unable to buy freeholds at auction built and settled upon crown land without having a scrap of title, they planted vineyards and orchards, cultivated little plots of ground, and thereon established their hearths and homes. Their occupation was utterly illegal and in defiance of the executive authority. But what could be done? Were these unfortunate people to be turned out of their houses and gardens into the wilderness simply because an unrighteous legislature had neglected, or refused to provide for their simple wants?

It was under these circumstances—seeing that the intention of the Land Act to settle the people on the soil, at the uniform price of £1 per acre had been defeated, and that a large class of the population were compelled to occupy Crown Lands in defiance of the law, owing to the default of the law—that Mr. Heales and his Minister of Lands, Mr. Brooks, guided by the advice of the Attorney-General, Mr. Ireland, adopted the expedient now famous in the history of Victorian Land Legislation, known as the "occupation licenses." By section 68 of the Nicholson Land Act, the Board of Land and Works was authorised to grant licenses for terms not exceeding seven years, to persons to occupy Crown Lands for the sites of inns, stores, bridges, or ferries, &c., "or for such other purposes as may appear to the said board to be for the public advantage or convenience." On carefully considering this section, Ministers arrived at the conclusion that its general power might be made use of for promoting *bona fide* selection. The whole question was one of legal interpretation. What was the meaning of the words "or for such other purposes as may appear to the said board to be for the public advantage or convenience?" Would those words include a license to a miner to occupy a residence area? Would they enable the Minister to grant a license to a farmer to cultivate? "I think that the true interpretation of the section," said the Attorney-General

Mr. Ireland's opinion. Hansard, vol. 8, p. 73.

, "will appear if it is observed that the common point of agreement among the different classes enumerated is that they each imply an enterprise which is undertaken primarily indeed for the private benefit, but which tends to produce some public advantage or convenience." In his opinion the clause was applicable to any species of industry which was primarily for the benefit of the individual, but ultimately for the benefit of the community at large.

On the strength of this section, with its convenient interpretation, the Ministry resolved to issue licenses legalizing the goldfield holdings referred to, as well as to enable persons to select small farms. On the 23rd May, 1861, a proclamation was published in the Gazette to the following effect:—

"FEES FOR THE OCCUPATION OF CROWN LANDS FOR OTHER THAN PASTORAL PURPOSES.—In accordance with the provisions of the Act, 24 Victoria, No. 117, the Board of Land and Works has directed the fees hereinafter mentioned to be charged for the occupation of crown lands for other than pastoral purposes, subject to the conditions hereinafter prescribed." Then followed the schedule of purposes with rent, including among

others:—"For residence and cultivating on the Gold-fields—£10 per annum payable quarterly, in advance, authorising the holder to occupy and cultivate two acres of land in such position as may be approved by the Board of Land and Works, and to erect a residence on such land, together with an additional fee computed at the rate of 5s. per acre per annum for every additional acre enclosed by the holder of the license subject to the conditions, that the total number of acres so occupied shall not exceed 20 acres. Conditions.—The Government may, at any time, survey and alienate by way of auction or otherwise, any of the lots so occupied, subject to the conditions of a valuation for improvements. The Crown reserves the right to survey and dedicate to public use such roads as may be deemed essential for public convenience, through any of the allotments so held without payment for any improvements that may be found on such roads when so set out. The Government shall have full powers to withhold the issue of, or revoke any, of the licenses aforesaid when deemed expedient to do so."

This announcement did not attract much attention in the Assembly when it was first made. Little importance was perhaps attached to it by the opposition, as a formidable and determined effort was on the point of being made to drive the Ministry from the treasury benches. On Friday, 13th June, Mr. Hedley, member for Gipps Land, was put forward to move a long threatened vote of want of confidence. It was supported by Mr. O'Shanassy, Mr. Duffy and other leading members who had helped to place Mr. Heales in office. Mr. Higinbotham, then a new member, disapproved of the trick by which it was proposed to effect a change of Ministry, though he was by no means an ardent supporter of theirs. Mr. Heales manfully defended his Government, but the traitors and apostates in his camp were too many for him. The motion was carried by a majority of 18, at a sitting which commenced at half past four on Friday afternoon and lasted till 13 minutes past one o'clock p.m. on Saturday.

On the following Tuesday the House was startled by an announcement that Ministers had obtained a dissolution, which would take place as soon as the Appropriation Bill was passed. The majority who had voted against the Government adopted an address to Sir Henry Barkly protesting against the proposed dissolution, and asking that Parliament should be called together as early as possible after the general elections. Not content with this, they inserted, on the motion of Mr. Nicholson, an unprecedented clause in the Appropriation Act, providing that no money appropriated by the Act, should be available for payment after 31st August, unless Parliament was then sitting. These outrageous proceedings elicited a dignified rebuke from the representative of the Crown, and excited strong expressions of indignation throughout the country.

Mr. Heales appealed to the country mainly on the land question; his policy was free selection before survey, uniform price, and periodic payments. The issue of occupation licenses was the main administrative act for which he claimed approval. The regulations of 23rd May were amended and improved by others proclaimed on 28th August. It was announced that residence and cultivation licenses would be issued to occupy country lands not situated within seven and a-half miles from existing gold-workings and not proclaimed for selection. The limit of area for which a license could issue was not less than 40 acres and not more than 160 acres. The licenses were not to be transferable without permission of the Board of Land and Works. No person under the age of 21 years could obtain a license. The licenses were to be from year to year for a period not exceeding seven years. Licensed land could be alienated by auction at any time, subject to a valuation for buildings, fencing, and improvements, but the government undertook not to sell such land during the currency of the license, unless, on the applications of or with the consent of the licensee. If a number of applications were received simultaneously for the same piece of land, the name of the successful applicant was to be determined by lot. The fees for residence and cultivation licenses of country lands were fixed at the rate of 2s. 6d. per acre per annum, payable in advance. Licenses were to be forfeited (1), if the land described in the license was taken in collusion with any person other than the person named in the license. (2). If more than one allotment were occupied, or more than one license obtained by the same person. (3). If land for which a license was granted were sub-let. (4). Non-residence upon the land or neglecting to make improvements thereon, within a reasonable period after issue of the license to occupy same, precluded renewal of any residence or cultivation license. Licenses could be issued to occupy land before as well as after survey. The system of land settlement promulgated by these regulations was a startling revolution compared with the obstructive policy that had so long predominated in the colony. Now it could be said, with truth, that the lands had at last been unlocked; the poor and struggling classes were no longer shut out from enjoyment of the inheritance bequeathed to them by the British Parliament.

The result of the appeal to the constituencies was an overwhelming verdict in favor of the Ministry and their land policy. The large majority of members returned were pledged to support the occupation licenses, and the Government which introduced them. Ministers met parliament triumphantly. The speech placed in the hands of the Governor stated that the demand for occupation and cultivation licenses was so great as amply to vindicate the necessity and expediency of their issue. Such was the general satisfaction evinced by miners and others desirous of providing homes for themselves and their families, but who had been hitherto practically denied the opportunity of substantial settlement, that it was deemed desirable to extend the advantages of the

system to persons who wished to engage in agricultural pursuits, under regulations framed to prevent speculation, and undue competition, and to promote the occupation of the lands by those who actually cultivated and resided on them. "I trust," said his Excellency, "that this,—the most liberal land system in the Australian colonies,—will not only be duly appreciated and extensively resorted to by our own population, and that the exodus of those unsettled portions of the people who, having no fixed attachment to the country, are led away by every rumour of a newly-discovered gold-field, will be checked, but that it will be a powerful inducement to intending emigrants to make this favoured land their home, who might otherwise have directed their course elsewhere. It is not too much to hope that the prosperity of the country, retarded by the want of facilities for settling on the soil, will rapidly advance under the operation of the new system."

The new system, however, was destined to undergo many assaults. No sooner had the Assembly met for business (12th September), then Mr. Duffy moved a vote of censure against the Government for undertaking to issue the occupation licenses announced in the *Gazette* of 28th August. In this movement, Mr. Duffy was supported by Mr. O'Shanassy, Mr. Haines, and the land monopolist party, with which Mr. Duffy, at this time, began to identify himself and his political fortunes. Hitherto he had co-operated or pretended to co-operate with the Convention party, and, in fact, acted as one of their leaders in the House. By degrees, however, he parted company with the land reformers and threw himself into the arms of the squatters. He was now selected to attack the occupation licenses. The grounds of attack were:—1. That the regulations should have been approved by the Governor-in-Council, whereas they had been promulgated on the sole authority of the Board of Land and Works. 2. That the Land Act in no way authorised or contemplated the exercise by a Minister of such tremendous power as that assumed by the regulations. 3. That the words of the 68th section "for the public advantage or convenience," did not mean general purposes, but purposes of the same kind and character as those comprehended by the preceding words of the section—such as "inns, stores, bridges, or ferries." 4. That if those words would authorise the; granting of licenses for cultivation and residence they would also legalise the granting of pastoral licenses. 5. That the Government had been guilty of a gross contempt of Parliament in attempting to effect such a serious change in our land system on the eve of its assembling without seeking its sanction. The Government defended their action on legal and political grounds. The country, they said, had approved of their policy, and as regards the legal aspect of the question they had acted on the opinion of their Attorney-General. In the meantime however, Mr. Ireland had resigned the Attorney-Generalship, and had been succeeded by Mr. B. C. Aspinall, The late Attorney-General defended the legality of the licenses, but considered that the Government ought to have consulted Parliament before adopting them. Mr. Aspinall very ably vindicated the policy of the Government. Mr. Heales described the licenses as "the fulcrum for settling the people on the lands," and he solemnly warned the House not to surrender the advantage which it had gained over the other chamber. Mr. Graham Berry, just returned as a colleague of Mr. Charles Jardine Don in the representation of Collingwood, distinguished himself in this debate. He deeply regretted the secession of Mr. Duffy from the ranks of the land reformers. Attributing his hostile action to the desire for office, Mr. Berry reminded the member for Villiers and Heytesbury that he ought to have been contented to have clone as Mr. Wilson Gray, the member for Rodney, had cheerfully done—content to light in the ranks, allowing men to occupy the Treasury Benches who had no stronger claims than himself, but who had been placed there by the force of circumstances. "The hon. member," said Mr. Berry, "knew well the power of the immense monopoly against which they were struggling, and, therefore, it would have been more to his honour if he had joined hon. members on his (Mr. Berry's) side of the House"

Hansard vol. 8, p. 145.

. "Through the great power and influence of this party," continued the member for Collingwood, "the House was legislating, not as it would, but as it could after every other resource had been exhausted, after the country had been brought to its present state; after the popular party had been brought weaker and weaker every day, while the party against which they were fighting was increasing in strength and in magnitude every day." "Victoria had now an unworkable constitution. The constitution had given them an Upper House, which would do nothing itself, and would prevent the Assembly from doing anything—an Upper House, composed of men determined to hold the land at all hazards against the people of this country." The division took place at 20 minutes to 5 o'clock on the morning of Saturday, 20th September. The resolution and several amendments to it were negatived by large majorities in favour of the ministers.

The enemies of the ministry, open and secret, perceived that the occupation licenses were too popular with the country to be trifled with, but they were determined to oust, by fair means or foul, the men whose administration of the public lands would be so fatal to the aggregation and maintenance of large estates. The financial scheme of the Government had scarcely been placed before the House by Mr. Verdon, when another raid on the Treasury benches was commenced. On the order of the day for going into committee of Ways and Means, Mr. O'Shanassy moved.—"That this House having maturely considered the estimate of income for 1862 submitted by the Government, is of opinion that it is unreliable and unsatisfactory. It is further of opinion that

the inconsistent policy upon which such estimate is founded, gives no assurance of raising the country from its present depressed condition, and this House, therefore, declines to enter upon its consideration." Mr. Nicholson seconded the motion. The Victorian Association formed for the purpose of buying the votes of members in the interest of the squatters were victorious. Messrs. O'Shanassy and Nicholson found a pliant majority at their command. The Ministry were defeated by needy schemers, notorious renegades, apostates and traitors, who, for place, pay, power and patronage, sold themselves and their constituents, and brought into contempt the representative institutions of the country. "Never," said the Chief Secretary on the eve of defeat, "never in the history of responsible government had liberal and political principles received such a blow as by the change of the hon. members who were elected to support the Ministerial programme, but who had distorted the professions of the Government, and lived on the hope that some little thing would turn up to enable them to solve their consciences, and show their supporters that they had a plausibility to justify their change; in that respect the country had been deceived, and those hon. members had inflicted a great blow upon responsible government. It was for the Government to take the verdict of the House, and leave the country to decide." The resolution was carried by 40 votes to 34, and next day 12th November, Mr. Heales resigned office,

Mr. O'Shanassy then formed his third and last Cabinet, the offices being distributed as follows:—Mr. O'Shanassy, Chief Secretary; Mr. Haines, Treasurer; Mr. Duffy, Commissioner of Lands; Mr. Ireland, Attorney-General; Mr. J. D. Wood, Minister of Justice; Mr. Johnson, Commissioner of Works; Mr. Anderson, Commissioner of Customs; Mr. Nicholson seat in the Cabinet without office.

Meanwhile the question of the legality or otherwise of the occupation licenses, was decided by the Supreme Court in the case of *Fenton v Skinner*, (5th December). The Court held that the words in the 68th section of the Land Act, "such other purposes as may appear to the said Board to be for the public advantage or convenience," meant purposes *ejusdem generis* (of the same kind) with those enumerated in the same section, and that a license for "residence and cultivation" was not *ejusdem generis*, and was therefore void. The entire fabric of the land system constructed by the Heales Government thus tumbled in ruins, by the defeat of the Ministry and the decision of the Supreme Court. Not only did Mr. O'Shanassy and his colleagues suspend the operations of the regulations, but, actions for trespass were commenced by pastoral tenants in all directions against unfortunate holders of licenses who resided on and cultivated parts of runs. The new Government, however, did what they could to discourage these actions, and resolved to protect the occupation licenses by special conditions, to be inserted in the pastoral licenses of the following year.

Several useful purposes at any rate were served by the occupation licenses. They alarmed the Upper House; they induced the squatting party to negotiate for a new land bill on a more liberal basis; they supplied the precedent and model of future land bills; they recognised the principle of leasing Crown Lands in small allotments, subject to an annual rent; they suggested the stringent conditions under which agricultural settlement should be enforced, and they placed many hundreds of families upon the soil

1718 Licenses were taken out, comprising about 172,000 acres of land.

On the 28th January, 1862, Mr. Duffy introduced a land bill, having for its avowed objects the amendment of the defects of the Nicholson Act, and the adjustment of the terms of pastoral occupation. The bill dealt with the entire territory—pastoral as well as agricultural lands. At this time about 4,500,000 acres of the public estate had been sold; about 1,500,000 acres were reserved for commonage; about 500,000 acres were occupied and worked as gold-fields, making altogether nearly 7,000,000 acres occupied in a useful and productive manner by the great masses of the population. There were 35,000,000 acres occupied for pastoral purposes, yielding an annual revenue of £250,000, whilst 13,000,000 acres were unoccupied, and produced no revenue whatever. Of the 35,000,000 acres of pastoral country 10,000,000 acres were considered to be of pre-eminent value for agricultural purposes. By the Duffy Land Bill it was proposed to reserve these 10,000,000 acres for proclamation in agricultural areas, and not less than 4,000,000 acres were to be surveyed and open for selection, within three months of the passing of the Bill. The agricultural areas were to be surveyed in allotments of not more than 640 acres, and not less than 40 acres each. Persons wishing to select an allotment were required to "make a written application" to the nearest land office. The next principal feature of the scheme was that of the system of sale by auction was abolished, and if more than one application for the same lot were received by the land officers on the same day, during office hours, the officer determined by lot which of the applicants was entitled to priority. A selector could pay the purchase money, £1 per acre, for the whole allotment, or could pay the purchase money of half and lease the balance for eight years at a rent of 2s. 6d. per acre, payable in advance. The rent went towards the purchase money of the leased land. At any time during the term of the lease the purchaser of the first moiety, his heirs or assigns, was entitled to a grant of the leased moiety as real estate, on payment of the difference between the amount of rent actually paid, and the entire sum of £1 per acre. "The occupation license," said Mr. Duffy, made the licensee liable for a rent of 2s. 6d. per acre while he was in possession, but that rent was not reckoned as part of his purchase money for the land. Now, the Government

proposed that every 2s. 6d. paid in the shape of rent should be regarded as an eighth of the price of the land"
Hansard, vol. 8 p. 348.

. The conditions attached to selection were:—1. No infant or married woman living with her husband could select. 2. No person could select more than one allotment of 640 acres within a period of twelve months. 3. Every selector was bound (*a*) to cultivate one acre of every ten selected within a year after selection, or (*b*) erect a habitable dwelling thereon, or (*c*) enclose such allotment with a substantial fence. 4. If any land within an agricultural area remained unselected after the expiration of one year from its proclamation it could be sold by public auction. 5. The Bill required an intending applicant to make a declaration on oath, that he applied on his own behalf and not as agent or trustee for any other person, a false declaration rendering him liable to prosecution for perjury. Provision was made for protecting the rights of holders of occupation licenses. Those who had received licenses for agricultural land were allowed to remain in occupation for 8 years at 2s. 6d. per acre, or they could at once come under the operation of the Bill. Every applicant for a license who received a certificate of having applied prior to 18th November was placed in the same position as the holder of a license. The second part of the Bill provided for the sale of special lands by auction at an upset price, to be fixed by the Governor-in-Council, not less than £1 per acre. The third division of the Bill established a system of letting public lands by lease or license for several useful purposes and enterprises, such as the growth of olives, vines, mulberries, hops, &c. The fourth part made provisions for commons and placing them in the control of local managers. The fifth part dealt with pastoral occupation of the country.

The precarious and doubtful nature of the pastoral tenancy has been already described. Owing to difficulties explained, Mr. Latrobe refused to issue 14 years leases to the squatters under the Order in Council of March 1847. On 10th June, 1850, another Order in Council was promulgated by the Queen in Council authorising the Governor to grant leases of waste land for periods not exceeding one year for pastoral and other purposes and further authorising the governor to sell to a leaseholder any part of the land comprised in the lease. The squatters therefore held their runs under this annual licensing system up to the date of the bill now under discussion, for, although the Imperial Statute 9 and 10 Victoria, cap. 104, under which the Orders in Council were framed, was repealed by the Imperial Statute 18 and 19 Victoria, cap. 56 (the Victorian Constitution Statute), the fourth section of the last named Act expressly preserved the Orders in Council until repealed by the Victorian Legislature and those Orders were left unrepealed by the Nicholson Land Act. There was a general impression abroad that the squatting system would terminate in 1861 or 1862. This feeling which was very strong among the members of the Convention party may be thus accounted for. The leases contemplated by the Order in Council of 7th March, 1847, were not issued, but, notwithstanding that the squatters continued in occupation as annual tenants. Had they held the 14 years leases which they claimed, those leases would have terminated by effluxion of time in 1861. On 28th July, 1852, however, the Legislative Council in Victoria passed a resolution by which it was determined that the leases should issue, as of 7th April, 1848, so that if this was to be regarded as a pledge given by Parliament the leases should not have been treated as expiring before 7th April, 1862

Mr. Ireland's opinion. Hansard, vol. 7, p. 67.

This was the position of the pastoral question, when it was approached by the Duffy Land Bill. There were then 981 runs, upon which assessment was paid, embracing 35,000,000 acres, yielding a rental of about £250,000. Of these runs, 285 were returned as carrying less than 4000 sheep; 400 carried less than 5000 sheep; and 250 carried more than 5000 and less than 10,000 sheep. The amount of stock, including horses, cattle and sheep, depastured on the licensed Crown Lands of the Colony at this period, showed an equivalent in sheep of 7,827,889, but there were strong reasons for believing that this amount was far below the grazing capabilities of the licensed land. The bill proposed to grant licenses to occupy for pastoral purposes to persons in licensed occupation of runs for that purpose at the time of the passing of the Act. These yearly licenses were to be issued every year, for 10 years—terminating in December, 1871. The rent to be paid was at the rate of 1s. 6d. per sheep, or 2s. for every head of cattle which a run was capable of carrying. No license issued for a run was to prevent any part of it from being sold, leased, or proclaimed a common, or occupied under miners right, or license for other than pastoral purposes. Crown land not occupied under lease or license could be submitted to auction in pastoral runs of such extent as the Governor in Council saw fit.

Among other general provisions of the bill was one repealing the Orders in Council, and providing for the compensation of squatters for improvements on parts of their runs, which might be reserved or leased. A portion of the revenue derived from land was appropriated for the purpose of assisted immigration.

The main objections to this scheme were raised by Messrs. Heales, Brooke, Wilson Gray, and Berry. It was contended that the bill was framed essentially in the interest of the squatters and wealthy classes, and that a few liberal clauses were thrown in as a sop to the farmers. Whilst the people expected that the squatting tenure was to terminate in 1862, and that thereafter the whole of the Crown Lands of the Colony would be thrown open for

free pasturage, the Bill proposed to give to the squatters what was virtually a perpetuity of title. If the system was to be continued the runs should have been sub-divided and the rent determined by public competition and not by arbitration as the measure contemplated. Farmers were to buy small allotments whilst squatters were to rent large sections, whereas, the two pursuits, agriculture and pasture, should have been united; at any rate, one class of men should not be allowed such a great advantage over another. Another objection was that if agricultural lands were not selected within one year after proclamation, they might be put up for sale by auction. According to this arrangement land was only available for free selection during one year; the result would be to enable squatters to buy up whole territories. As to the provision that one person could not select more than 640 acres in a year, that was absolutely futile, as there was nothing to prevent the owner of one allotment from mortgaging it to another, as was done under the Nicholson Act. The action of Mr. Duffy was severely criticised; he was reminded of having denounced the Haines Bill as a swindle, because it proposed to give the squatters annual leases for seven years; he was reminded that he had, on the same occasion, declared that the squatters had no rights under the Orders in Council, yet, he now asked the House to give 10 years licenses to the squatters with the right of compensation for improvements. Mr. Heales declared that this bill gave the squatters advantages which the Haines Bill never proposed, whilst Mr. Gray asserted that Mr. Duffy's Bill was inferior to the Nicholson Act.

The second reading was carried by 38 to 26 votes. In committee, several amendments were made, owing to the persistency and energy of the opposition. The clause providing for the sale by auction of land unselected within one year after its proclamation as part of an agricultural area was amended so as to allow proclaimed land to remain open for selection for three years. The term of squatters' licenses was reduced from 10 to 9 years—terminating on 31st December, 1870. On the motion of Mr. M. J. Cummins (member for South Grant), a new clause was carried, giving persons who were the owners of freehold, purchased, the right to select an allotment of Crown Lands equal in size to their freehold lot, and not exceeding 320 acres, lease it on the same terms and conditions as selectors under the new Act. Before so selecting these freeholders were required to produce a certificate from the Crown solicitor showing their qualifications. Mr. Gray endeavoured to carry an amendment limiting the maximum area of an allotment to 320 acres instead of 640 acres, but it did not meet with strong support. Mr. Gray proposed a clause to the effect that no Crown grant should issue to any person selecting lands until twelve months had elapsed after the date of such selection, and until such twelve months had elapsed, it should not be lawful for such selector to sell, convey, lease, mortgage, charge, encumber, or to agree then or at any future time to sell, lease, mortgage, charge, encumber the same, or any part thereof, and every attempt or agreement so to dispose of or affect the same, should be illegal and void. The clause was negatived, but the time came when the want of such a clause became deplorably manifest.

The bill was passed through the Assembly, and strange to relate, received the assent of the Council without amendment, and became law on 18th June, 1862. This circumstance of itself was extremely suspicious. It can only be accounted for by the supposition that the nine years licenses were baits too tempting to the squatting majority of the Upper House, and that they had full confidence that the Act, as it had passed the Assembly, could be worked in the interest of their friends. With the passage of this measure two great political organisations became defunct. The Convention party was dissolved, Mr. Wilson Gray leaving Victoria to seek his fortunes in New Zealand. The Victorian Association, more popularly known as the bribing confederacy of the White Hart, adjourned *sine die*. Their work was done and well done, the £30,000 spent in debauching constituencies and bribing politicians was, for the purposes of the Association, well invested; the gold of the squatters exercised a more potent influence than the agitation of the Convention or the thunders of the liberal press.

It is now necessary to see how the Land Act operated, and it will, on examination, be seen that some of its most fatal blemishes completely escaped the vigilance of the Liberal party in the Assembly. In accordance with the requirements of the Act 4,000,000 acres were thrown open for selection in agricultural areas. Then began a land racket unparalleled in the history of Australia. The land offices were rushed by crowds of dummies who selected the best land on behalf of the pastoral tenants. On most of the principal stations gangs of dummies were organized and sent to the neighbouring land offices to out-number the *bona fide* selectors, and swamp them in the drawing of lots. At one office (Camperdown) the dummies mustered in such strong force on the day proclaimed for the reception of applications that the few *bona fide* applicants present were absolutely prevented from lodging their forms during office hours. The Act was not in force many months before it was completely and ignominiously riddled, and its brilliant framer and adroit administrator became the subject of universal execration. Before Parliament was again called together over 1,000,000 acres of the best available agricultural land were mopped up by squatters. The weak points of the Act may be shortly summarised. There was nothing in it to render personal application for land necessary. Consequently a squatter could send his agents and emissaries all over the country, and put in applications, so as to be able to compete with *bona fide* selectors in the drawing of lots. Indeed the *bona fide* cultivator, who made personal application, was placed in a worse

position than under the limited auction system, whilst the squatter was better off, having the chance of getting land at £1 per acre. The squatter could put in 50 or 60 applications for one allotment (through his dummies), and by that means the straightforward, honest applicant had very little chance of succeeding. It subsequently transpired that Mr. Duffy had acted on the opinion of the Attorney-General in deciding that there was nothing in the Act to compel the personal attendance of applicants. This was one of what Mr. Higinbotham described as "numberless loop-holes through which unprincipled persons might find the means of evading the provisions of the Act." A still more alarming defect was soon discovered. It was found that by a most extraordinary oversight a word had been allowed to creep into the Act which allowed dummies to transfer their land without difficulty or delay under the sanction of law. The fatal word was in a clause which stated that "on payment of the last sums due on account of the rent so reserved, or at any time during the term of payment of the difference between the amount of rent actually paid and the entire sum of £1 per acre, the purchaser of the first moiety, his heirs or assigns shall be entitled to a grant of the remaining or leased moiety as real estate." The word "assigns" in that clause enabled a dummy to take up land in his own name and afterwards assign the lease to his principal, who could, on paying the balance of the purchase money, get a Crown grant. In this way unrestricted and unqualified power of assigning leases was given. Nor was this the worse aspect of the power of assignment. The Nicholson Act provided that a lease should become void if a lessee or his assigns did not, within a year of its commencement, effect on the purchased sub-division of the allotment improvements of the value of .£1 for every acre of such purchased sub-division. Under the Duffy Act the "selector" only, and not the "assign," was bound to carry out the improvement conditions. There was no obligation imposed upon the assigns of a purchaser to make any improvement at all. The lamentable result was this—that where a purchaser became fraudulently possessed of land, his legal liability to improve it ceased the moment that he sold it, or transferred it to the person for whom he was acting. A fraudulent selector could assign his land immediately he took it up; his assignee was not liable or compellable to carry out improvements; the very act of assignment destroyed the operation of those conditions of occupancy. It was the selector only—the *bona fide* cultivator who took up land and remained in possession of it without assigning—who was subject to those conditions. In respect of improvement conditions also the Duffy Act was inferior to the Nicholson Act, bad as that was. By the Nicholson Act a selector was bound to reside on his rented or purchased land, otherwise the lease was liable to forfeiture. The necessity of personal residence was omitted from the Duffy Act, which merely provided in an alternative form that a selector should either cultivate one acre in ten during the first year after selection or erect a habitable dwelling on the allotment, or enclose it with a substantial fence. Here, again, the provisions of the Act were eminently favorable to the land monopolist. Residence was not compulsory. A slab hut, or a bush fence, was a sufficient legal compliance with the requirements of the remaining alternatives, but even one of these could not be enforced as against an assign.

In its penal clauses the Act broke down also. An applicant had to sign a declaration that he applied for an allotment on his own behalf only, and not as agent or trustee for any other person whatever. A false declaration exposed him to prosecution for perjury. Two persons, named Taylor and Curtis, were prosecuted and convicted of conspiracy to procure persons to become selectors of allotments for persons other than themselves; of procuring false statements in a declaration made by the selectors under the Act; and of procuring false declarations. The Supreme Court, however, quashed the conviction on the following grounds:—That the Land Act, 1862, did not forbid all purchases of land by trustees, but on the contrary, by particularly forbidding in section 20 only such purchases on behalf of infants and married women not judicially separated from their husbands impliedly permitted such purchases on behalf of all others; the schedule to the Act, so far as it added a declaration that the applicant applied "not as agent or trustee for any other person whatever," was repugnant to the Act itself, and in derogation of common law rights; that the schedule was of inferior degree to the Act, and should yield to it, and was of no avail to make selection by an applicant as an agent or trustee unlawful; that a false statement respecting an act which the statute did not prohibit ought not by implication to be deemed a mis-demeanor under the statute, and that as the conspiracy charged was based on an act supposed to be unlawful but not illegal, the charge could not be sustained.

Wyatt and Webb's reports, p. 23, Law.

The Duffy Land Act thus became an absolute wreck of Legislation. The numerous swindles that were perpetrated under it will never be forgotten or forgiven. Those swindles are still called to remembrance with sorrow and indignation by politicians who know with what wholesale fraud and audacious perjury the people of the colony and unborn generations were deliberately robbed of nearly 1,000,000 acres of land, constituting the garden of Victoria. Friends and foes of the O'Shanassy Ministry admitted that the Land Act was a disastrous failure, if not a political crime. The *Argus* declared that the settlement of the country was not advanced one step by the sales effected; that the stability of the public revenue was seriously impaired and that emigrants when they arrived hereafter would only come to find the best of the land already alienated. The *Ballarat Star*

expressed its opinion that the lands of the colony were being locked up more effectually than ever. "The speculators," said that journal (12th September, 1862), "have high o'er leaped all bounds; they have burst through Duffy's securities, and have by their agents obtained possession of a very large portion of the agricultural lands thrown open for selection. The £22,000 taken at the land sale here on Wednesday were in a very small portion paid by intending cultivators. The 1600 acres that were alienated in one day at the Land Office have not been purchased by those who mean to use them for themselves, but in the larger number of cases by the agents of squatters who have found ready tools to use for their work." On the 13th of the same month the *Star* said—"The great land swindle goes on prosperously. Dummies are a positive drug in the market, and the squatters and their agents carry everything before them." The *Bendigo Advertiser* (15th September, 1862,) declared—"The Land Act is a mockery, a delusion, and a snare. The wrong men have got the greater part of the first land thrown open, and if the system of gazetting agricultural areas continue after the same prodigal fashion he will be a fortunate farmer who draws an allotment in the future." The *Grenville Advocate* (13th September) said—"The new Land Act is a miserable failure. It does not facilitate the acquisition of land by *bona fide* cultivators, and it does facilitate its acquisition by squatters and speculators." The *Ballarat Tribute*, of the same date, asserted—"Fraud is a success, the Land Bill is a delusion, and the country is robbed." "Is Mr. Duffy a rogue? is he a fool? or is he a compound of both?" asked the *Geelong Advertiser* (17th September). The *Ararat Advertiser* (16th September) wrote—"Never did the speculator or squatter find himself so well adjudicated for as in the present instance, and never was any measure so completely overridden and laughed at by cute Attorneys or exulting sheep farmers as the last effort of Charles Gavan Duffy. The working of the people's measure has inaugurated a perfect millenium for the squatters." The *Leader* (20th September) affirmed that—"By his (Mr. Duffy's) stupidity, or rascality, or a compound of both, he has brought on the colony a dire calamity." The public lands, added that journal, were in process of rapid confiscation through the utter collapse of all Mr. Duffy's securities. All the limitations and conditions proposed by Mr. Gray and his friends were contemptuously rejected by Mr. Duffy, whose purchased majority enabled him to overturn all opposition. The Land Act was the master piece of his folly, the partition of the public lands was the compact, the paid hirelings of the Victorian Association voted as he bade them. The *Age* was equally as severe in its condemnation of the Act and its administrators. Mr. Higinbotham afterwards expressed his opinion that the Act was one of the greatest and most mischievous blunders ever committed by the Legislature of any country.

Chapter V. The Land Acts of 1865 and 1869.

The Duffy Land Act was described by its author as a compromise, the result of a compact between the squatters on one side and intending agricultural settlers on the other. The squatters received nine years secure tenure with compensation for improvements; the farmers were to have facilities for selecting agricultural land. The powerful moneyed class, however, had the lion's share of the public spoil, the fruits of this bargain. When the attention of the country was fairly directed to the scandalous immorality by which the proprietors of large estates were adding square mile after square mile to their broad acres an universal demand, which no Government could resist, arose for an amendment of the Act. Accordingly in February, 1863, Mr. Duffy brought in an amending bill, but it did not reach its second reading, owing to the defeat of the O'Shanassy Ministry on the cognate question of the assessment of stock. Under the Land Act the rent of a run was at the rate of 1s. 6d. per sheep and 2s. per head of cattle which it was capable of carrying; and the grazing capabilities of the run were determined by arbitration. The Ministry expected to obtain about £500,000 per year as rent of runs. But when the awards were made by the arbitrators it turned out that the revenue from this source would not nearly come up to the estimate. The Government then brought down a resolution for the purpose of reviving the system of assessment and license fees which previously prevailed, and under which the pastoral tenants paid rent, not on the grazing capabilities of their runs, but on stock actually depastured thereon. The resolution was negatived by a majority of 16, and Mr. O'Shanassy and his colleagues resigned. Mr. M'Culloch then formed his first Government, consisting of himself, Chief Secretary; Mr. Higinbotham, Attorney-General; Mr. Richard Heales, Commissioner of Lands; Mr. Verdon, Treasurer; Mr. Francis, Commissioner of Trade and Customs; Mr. Grant, Commissioner of Railways; Mr. Sullivan, Minister of Mines; Mr. Hervey (Legislative Council), Commissioner of Public Works. One of the first acts of the new Ministry was to introduce a Bill for the amendment of the Land Legislation of 1862. Its principal provisions were:—1. That selectors could apply for land in blocks of from 40 to 640 acres each at the price of 20s. per acre, and, in the case of plurality of application for one allotment in the same day, priority was determined by lot. 2. The selector paid down 5s. per acre of the purchase money, and the balance by annual instalments of 2s. 6d. per acre, the mortgaging or selling of selections being prohibited. 3. The conditions of selection were cultivation and residence. If these conditions were not complied with during the six years allowed for payment of the balance of purchase money the State

could take back the land. 4. Lands thrown open for selection could not be sold by auction till after the lapse of three years from proclamation. 5. Selectors on fencing in their allotment were to have all the rights of owners against trespassers. 6. No infant or married woman could select. 7. Arbitrators appointed to determine the grazing capabilities of runs were empowered to go below the assessment of 1861, and power was given to the individual and to the Government to appeal to the Supreme Court to review any arbitration which was "fraudulent, erroneous, and unjust." The Bill was, however, rejected by the Legislative Council by a majority of six.

In February, 1867, Mr Heales brought in a second Land Bill, dealing with pastoral and agricultural lands. There were several new principles incorporated in this Bill which are entitled to notice. In the first place it proposed a system of selection by leasing instead of by conditional sale and it reduced the size of agricultural allotments. A person could apply for a lease of 320 acres in a proclaimed area on which he had to pay a rent of 1s. 6d. per acre for five years. At the end of that time if he had complied, with the conditions of occupancy he could get the crown grant at the upset price of £1 per acre. The conditions were:—1. That the land should be fenced in within one year after selection. 2. That the selector resided on the land for three years. 3. That the selector should not mortgage or assign his lease. 4. The Minister of Lands should be satisfied by proof that the settler had complied with, and had not violated any conditions before his right to the freehold was admitted. The Bill also proposed to enable the Government to grant 10 years leases of grazing farms, containing four blocks of a mile square each—2560 acres. This Bill was passed by the Assembly but was thrown out by the Council. Parliament was shortly afterwards dissolved. The cardinal questions submitted to the country were the revision of the tariff and the amendment of the Land Act of 1862.

Mr. James Macpherson Grant, who became Minister of Lands on the retirement and death of Mr. Richard Heales, unfolded the Ministerial Land scheme on the occasion of addressing his constituents at Inglewood. "I have adopted in this scheme," he said, "that is propounded on behalf of the Government, this principle of selection—that *bona fide* settlement should precede alienation of any description; that not an acre fit for agricultural purposes shall be alienated until the person who selects it shall have given evidence to the State; and the best evidence to the State, that he is a *bona fide* selector, by the improvement that he puts upon his allotments." "I am not a theoriser or a philosopher," the hon. gentleman went on to say, "but I pretend to be what I am, a practical man, and I endeavour, when I find a system which has produced good results, to extend and improve it." Ministers were returned with a substantial working majority, and 011 7th December, 1864, Mr. Grant moved the second reading of their Land Bill. It will be here convenient to consider the various aspects of the land question which at this time commanded the attention of Parliament.

At the passing of the Nicholson Act about 3,944,139 acres of Victorian land had been alienated, and at the passing of the Duffy Act, that number had been increased to 4,896,044 acres—in round numbers. Under the Nicholson Act 4814 selections were granted, comprising an area of 410,600 acres of purchased land, and 1807 sub-divisions were rented at 1s. per acre per annum, comprising an area of 147,172 acres. Under the Duffy Act, 8008 ordinary selections were made, comprising an area of 1,363,243 acres. In 1862, when the Duffy Act became law, 651 pastoral tenants were set down in returns compiled by the Lands department as owners of 1,934,300 acres of pastoral lands on which a rebate of assessment was claimed. In addition to this it was estimated that 300,000 acres had been purchased by pastoral tenants whose runs had been absorbed by the pressure of gold-fields population, and this land was not included in the returns referred to. Another return prepared by the Lands department showed that 110 pastoral tenants had selected 932,000 acres under the Duffy Act. In other words, of about one and a quarter million acres sold under that enactment, nearly a million went to 110 persons. This made up an approximate total of over 3,000,000 acres out of 6,000,000 acres alienated which were taken up by large landed proprietors up to December, 1864

Returns placed before the Assembly by Mr. Grant. Hansard vol 11, p. 53.

. Such were the results of sales by auction under Imperial legislation, of limited auction under the Act of 1860, and of selection at an uniform price combined with the lot system under the Act of 1862. The average price of country lands sold by auction up to that date was only £1 7s. 6d per acre, and yet the advocates of the auction system clung tenaciously to it as the only sound principle according to which land should be dealt with. Let there be free trade in land, they urged; let land be treated as every other article of commerce, let it go to the highest bidder. On the other hand the Liberal party contended that the price of land afforded no adequate consideration equal to the settlement of people on the soil. Suppose, they asked, if instead of selling 3,000,000 acres to six or seven hundred persons at £1 7s. 6d. per acre that land had fallen into the hands of the 600,000 persons at £1 per acre, would not that have been a result infinitely more advantageous to the State for all time to come? How then had not satisfactory settlement been secured under the measures of 1860 and 1862, which pretended to promote and facilitate that progressive policy? Because, the reply was, the conditions under which land was selected for cultivation, and the tests of the *bona fide* character of a selector were not sufficiently stringent to battle against the superior power of money coupled with fraud, perjury, and every form of cunning.

It was to remedy these defects that Mr. Grant now brought in his amending Bill.

The Bill proposed that there should be free selection after survey in proclaimed agricultural areas, and that selectors should be entitled to take up allotments of from 40 to 640 acres in extent. Each allotment was to be held on lease for five years at 2s. per acre per annum rent. Applications for leases had to be made in person to a land officer. On the day appointed for receiving applications for leases, if two or more applicants attended the land office, the order of application was determined by lot. Every lease when granted contained covenants:—1. For payment of rent, half yearly, in advance. 2. For non-assignment of lease within one year of its commencement, and not then, unless certain improvements had been carried out. 3. For personal residence during three years after which he could buy at £1 per acre, without competition. 4. For the carrying out, within two years, of improvements to the value of £1 per acre of the leased land. 5. If a lessee effected, within one year, these improvements—consisting of clearing, fencing, draining, building, making reservoirs, &c.,—he could have the improvements valued and the allotment put up to auction at an upset price of £1 per acre. No person was allowed, within any period of twelve months, to become lessee, sub-lessee, or assignee of more than 640 acres. No infant or married woman living with her husband could become the lessee, sub-lessee, or assignee of an allotment, nor could any person lease land as the agent, servant, or trustee, of another. One important clause, known afterwards as the 42nd, gave the Governor power to grant licenses for a period of one year, which entitled the holders thereof respectively to reside on or cultivate any land, on any gold-field, or land adjacent thereto, not exceeding 20 acres in extent, subject to payment of such fee and on such terms and conditions as should be approved of by the Governor. Another clause appropriated land revenue towards assisted immigration. Forfeited land and land opened for selection and not selected for 12 months could be sold by auction to the extent of 400,000 acres per annum. Lessees were to have all the right of owners, except the right of impounding, and they obtained that as soon as they fenced their allotments.

There are several features in the outlines of the Bill above sketched which deserve attention, as they contained the germs of very important principles of land legislation, which afterwards developed into full bloom. In the first place, it will be seen, that the Bill provided for residential and non-residential selectors. If a man resided on his selection for three years and improved it to the value of £1 per acre, he could purchase it at the upset price of £1 per acre at any time after that during the currency of the lease. To enable professional men, tradesmen and miners who could not reside on country lands to take up allotments it was provided that if a lessee made improvements to the value of £1 per acre within two years of the commencement of the lease he could then have his improvements valued and the land put up to auction at the upset price of £1 per acre. If he did not become the purchaser he received the value of the improvements. A new mode of determining the order and priority of selection within an agricultural area was introduced by this Bill. Under the Dully Land Act if there were a number of applicants for one allotment, priority was determined by lot. The consequence was that the moment a land office was open for the reception of applications it was rushed by an excited crowd; the strongest got in first and the weakest went to the wall. Dummies also applied for one allotment, so as to out-number the *bona fide* applicant and reduce his chances in the ballot box. When Mr. Heales second Land Bill was before the House (25th February 1865) Mr Berry suggested that these evils might be remedied by a simple expedient. Let all the selectors who made applications at one office on the same day be placed on an equal footing—each having a chance of obtaining the right of first selecting any allotment in the whole of an agricultural area thrown open for selection. By this means the order of selection generally, and not the right to any particular allotment, would be fixed by lot. By this means also, it would be according to the doctrine of probabilities almost impossible for any organization to succeed in taking up a large number of contiguous allotments for the benefit of a particular squatter or land speculator

Hansard, vol. 10 p. 140.

. Thus the man who obtained the first chance would be entitled to examine the plans first and select which allotment he wanted, whilst the other applicants would select in the order determined by the drawing of lots. This was the plan adopted and incorporated in the Land Bill now under consideration. The 42nd clause was evidently founded on the principle of the occupation licenses. It was a short clause of a few lines surrounded by no conditions, giving few legal rights, enabling no resort to the Supreme Court, to justices, or arbitrators, yet it contained, within itself, the seed plot of a power not then fully understood. That clause, simple though despotic as it undoubtedly was, conferred on the Minister of Lands a power as great as that attempted to be exercised under the occupation licenses, and it proved the salvation of the Act of 1865

Mr. Higinbotham on the Land Bill of 1869. Hansard, n. vol. S, p. 986.

. It was suggested to Mr. Higinbotham by a public servant at Day lesford, who informed the Attorney-General, that a number of persons were occupying Crown Lands on and near goldfields which they would be glad to pay for provided they could obtain security of tenure. Mr. Higinbotham placed the proposal before Mr. Heales, and it was adopted by his successor, Mr. Grant.

The gist of the Bill was the provision relating to probationary leases. The rent paid during the currency of a

lease was not to go towards the purchase money. A selector was to remain a Crown tenant for a certain time, during which he had to show, by residence and improvement, that he was not a dummy, but occupied the land for his own use and benefit. Objection was raised to this proposal by Mr. O'Shanassy and others, who used arguments which are generally raked up in opposition to every scheme for the preservation and protection of the lands of the State. It was contended that the State would not be able to collect the rents; that causes would arise, such as bad harvests, sickness and disaster, which would prevent the punctual payment of rent, and then political influence would be brought to bear, and the rents would be waived or made part of the purchase money; or that if the rents were regularly paid during the five years, many farmers would make use of their leases to exhaust the soil, and then lease the land. To this it was answered that the rents or instalments of purchase money were regularly paid under the Nicholson and Duffy Acts, and that there would be no more difficulty experienced in securing the payment of rent than payment of successive instalments of purchase money. The rents payable under the occupation licenses were also collected without any practical difficulty. To say that tenants would exhaust the soil which they expected to buy was contradictory of the results of human experience. As regards the possibility of agitations for the conversion of rent into purchase money, the success of such a movement would depend upon the will of the majority of the people and the honesty of the legislature, and there was no reason to believe that the majority of the population would allow the Legislature to violate the terms of a solemn contract dealing with the property of the state.

The Duffy Land Act set apart 10,000,000 acres for agricultural settlement, and none of the land comprised within this area so reserved could be sold by auction until after it had been proclaimed and open for selection for three years. That Act also rendered it imperative that at least 2,000,000 acres should be always kept open for selection in agricultural areas. But by Mr. Grant's Bill, these reservations and distinctions of land were abolished. Any of the land delineated on the map mentioned in the 12th section of the Act of 1862 could be sold by auction after the lapse of 12 months from the passing of the amending Act. So that under the law as proposed by this Bill the best part of the country could, at the discretion of the Minister, be sold by auction. The Bill truly provided that persons should be able to select land in proclaimed areas, but it failed to state to what extent land would have to be proclaimed as open to agricultural selection. The quantity of land which might be sold by auction was practically unlimited. "In principle," said Mr. Gillies, member for Ballarat West, "it is an auction bill, and selection is its incident"

Hansard, vol. 11, p. 61.

. "The measure," said Mr. Berry, "is simply auction in disguise"

Id p. 70.

. It was asked—How was this Bill consistent with Mr. Grant's speech at Inglewood, that not an acre would be alienated until *bona fide* evidence was given that the land would be settled and cultivated? But this pre-disposition in favor of the auction system was not the only characteristic of the Bill which favored the squatting party. Auction was to be applied universally inside and outside 10,000,000 acres; at any rate, that area was not absolutely set apart for selection; to that extent the squatting tenure was rendered more secure. The squatters then occupied 32,231,000 acres, and paid £228,000 rent per annum, or £55,000 less than what they paid under the system of assessment. The Duffy Act failed to secure a rental equivalent to the estate or the security of title given to the squatters. The McCulloch Ministry did not ask the House to revise the system of valuation of runs, because they said it would amount to repudiation to depart from the terms of the settlement made by the Act of 1862. In reply to this excuse for not grappling with the question, Ministers were taunted with having been placed and kept in power by the squatters, who having made use of Mr Duffy, coalesced against him when he proposed to re-adjust the rent on runs. Besides, it was urged with unanswerable force, if the Land Act, 1862, was passed, as it was said to have been, by bribery and corruption, it ought not now to be flung in the hon. members' faces to prevent them from securing a fair equivalent for the public territory.

The Bill was read a second time without a division. On the motion that the Speaker leave the chair, however, Mr. John M'Gregor, member for Rodney, moved—"That inasmuch as the means provided by the present Land Act have failed in obtaining a fair and sufficient rental for the pastoral lands of the Crown, and as that measure distinctly provides that no occupier of land for pastoral purposes shall, by reason of its being hereafter repealed or altered, be entitled to any compensation, this House is of opinion that it is just and expedient that provision should at once be made for securing to the state the payment of an increased and adequate return for the use of the public lands for pastoral purposes." The amendment was negatived by a majority of 27.

Some important amendments in the Bill were made in committee. The term of five years for leases was extended to seven years. The period of one year within which no assignment of a lease should be allowed was extended to three years. In the clause allowing non-residential selectors, who had improved their allotments to the extent of £1 per acre, to apply to have the land put up to auction with a valuation for improvements after the expiration of a year from the beginning of the lease, the term of three years was substituted for one year. The

clause relating to the sale of forfeited and un-selected land was amended so as to allow such land to be open for selection for three years instead of a year, and reducing the amount of land that could be sold by auction "from 400,000 to 200,000 per year. The clause which was complained of as abolishing the reservation of the 10,000,000 acres delineated in the map, mentioned in the 12th section of the Duffy Act, was amended so as to provide that none of those lands except those reserved for towns and villages should be sold by auction unless such lands as had been proclaimed open for selection on lease for a period of three years, save in special cases.

The Bill passed through the Assembly, and its second reading in the Council was carried without a division. Several amendments were made, to which the Assembly refused to assent, and a conference was held. The points in dispute were settled as follows:—1. The Council agreed not to insist on its amendment that land unselected or unleased within one year "after proclamation should be put up for sale by auction, the original term of three being retained. 2. The Council gave way to the question of fencing roads, and consented to the provisions against such fencing being made applicable to surveyed roads. 3. The Assembly agreed that compensation should be given for entry on lands sold under the Act of 1862 by the licensees of dams, races, and reservoirs; that no members of Borough or Shire Councils, or Road Boards, should be managers of commons, and that section 47 of the Act of 1862, known as the "novel industries" clause should be repealed.

The principle of probationary leases embodied in the Land Act of 1865 appeared to be a sound one. It was founded on the desire of, and necessity for, the State as landlord, to keep a hold on the selector and to fully control him, and to see that he performed the conditions prescribed by law before giving him a Crown grant. It is a melancholy duty to relate that wise, fair, and apparently effectual as this probationary condition seemed, it was not able to defeat the fraudulent schemes of those determined to defeat and degrade the law. The skilful wire-pullers of the dummy system discovered a means of turning the amended law to their own advantage. They caused their hirelings to select land as hitherto, and fulfil the conditions in a perfunctory manner; meanwhile, they either secured secret transfers, to become operative at the end of the probationary period, or manoeuvred to get the selection forfeited, and sold by auction. The control over the great body of selectors which it was expected the minister would be able to exercise was more fictitious than real, owing to want of sufficient discretionary and inquisitorial power. Thus, whilst the new system was evaded by determined opponents, its penal clauses pressed heavily on *bona fide* settlers who had neither motive nor capital to avoid fulfilling its conditions. While some political prophets were predicting with indignation what actually took place, that selectors would in time, begin to agitate that the rent should go towards the purchase money, they overlooked the circumstance, that by the Act of 1865, the rent of 2s. per acre for three years when added to the purchase money, £1 per acre, actually raised the price of land to .£1 6s. per acre. They further neglected to consider the fact, that, whilst a farmer had to pay 2s. per acre rent to the State and carry out valuable and expensive improvements, a pastoral tenant was allowed to occupy Crown Lands at a rental of 1¼d. per acre without being required to improve them. Again, by the Land Acts of 1860, and 1862, under which the most valuable land in the country was taken up, the periodic payments were not treated as rent, but part of the purchase money. So it followed that under the Legislation of 1865, an agriculturalist had to pay 6s. per acre extra for land inferior to that which could have been selected under the old law. In truth opinions were for a long time divided as to what would be the practical result of Mr. Grant's first Act. The circumstances under which the McCulloch Ministry obtained office gave rise to the suspicions that their Land Bill was framed pre-eminently in the interest of the squatters. The large power of sale by auction claimed by the Bill seemed to give color to the suspicions. As against that, were the re-iterated assertions of the Minister of Lands that not an acre of land should be alienated until the *bona fide* intentions of applicants were evidenced by settlement. It was not until the Act came into operation that the dubious and dangerous nature of some of its details became apparent.

It was found that the conditions of, and impediments to, selection, were sufficiently exacting and stringent to press heavily upon men of small means, but that they did not extinguish the dummy system. The squatters, by the aid of dummies, were still able to carry on their systematic frauds. In some districts the general selection clauses of the Act were productive of a vast amount of good, but in other districts thousands of acres opened for selection during the first year of the operation of the Act, fell into the hands of squatting proprietors. The obstacles in the way of selection were it was asserted, considerably increased by the dilatory conduct of the Minister of Lands in not surveying, and proclaiming for selection, the quantity of land directed to be so open by the Act. Section 10 of the Act provided that not less than 4,000,000 acres of land should be open for selection within three months after the Act became law, and that 2,000,000 acres should be constantly kept open. This provision was completely ignored, notwithstanding, that Parliament voted £2,000 in order to expedite the surveys. Many of the so called agricultural areas were mere sham areas, consisting only of nine or ten allotments. Selectors travelled about the country, spending their money in vain, seeking for land. Under the Act of 1862, no land within the 10,000,000 acres area set apart for the agricultural purposes could be sold by auction until they had been opened for selection for at least three years. After the passing of Mr. Grant's Act,

land which had been proclaimed open for selection under the Act of 1862, but which had not been selected was immediately closed against selection and sold by auction. Thousands of acres were selected by dummies and left unimproved, for the very purpose of inducing the Minister to forfeit the selections and sell them by auction and in numerous cases this dodge was eminently successful. The conditions of probationary leases were as severe upon *bona fide* settlers as they were favorable to dummies, whose object was to secure the forfeiture and sale of selections by auction. These were some of the early criticisms passed upon the Act, and Mr. Grant's administration of it. His defence, if not quite satisfactory, suggests at any rate the peculiar difficulties of the situation and its problem. When the first selections took place at Hamilton and Camperdown it was found that the land officers in their endeavours to comply with the provisions of the Act, had unwittingly thrown open the whole of certain runs. He then resolved, subject to the approval of the Assembly, to exercise his discretion as to what portion of the public territory should be thrown open for selection. Had he carried out the strict letter of the law by proclaiming 4,000,000 within three months he would have ruined hundreds of squatters, and he considered that the good sense and feeling of the community suggested that it was improper this should be done.

What is to be specially noted however, is the fact, that notwithstanding the delicate consideration shown by the Minister of Lands to the interests of the pastoral tenants in his neglect to carry out the commands of an Act of Parliament, these gentlemen did not show a corresponding respect to the law of the country, or the terms of the compact, by which they obtained their nine years leases. The land racket commenced under the Duffy Act was continued with aggravated energy. Persons, drafted from nearly every class of the population, were yarded up as it were for the purpose of acting as dummies. Taverns were kept open for the accomodation of gangs of dummies; stage coaches were with unblushing effrontery engaged from day to day to carry the dummies from sale to sale. Here, again, comes in another explanation by Mr. Grant, to account for the paucity of allotments thrown open for selection. He was compelled, he said, to withdraw from selection a large number of proclaimed areas when he found that the provisions of the Act did not protect *bona fide* settlers.

Two clauses of this Act which became potent agents for the distribution and loss of the public estate deserve special attention in this sad record of the embezzlement of the lands of the state—the solicitors' certificates, and volunteers' certificates, are now referred to. By the Land Act of 1862, any person seised in law or equity. of lands in fee simple within the colony purchased prior to the passing of the Act of 1860, was entitled to select and lease an allotment of Crown Lands in any agricultural area, and hold the same under lease on the same terms and in the same manner as ordinary selectors, but the area which such an owner could select and lease, was not to exceed the extent of land of which he was seised, and in no case could it exceed 320 acres. This clause, known as Cummins' clause, was passed in order to confer certain advantages upon people who had, prior to 1860, purchased land at high prices and without deferred payments. Certificates, enabling holders of land coming within the meaning and qualification of the clause to exercise this privilege, could be obtained from the Crown Solicitor, but it was obligatory on them to apply for the certificates and use them within 12 months from the passing of the Act. This provision, which was said to be justifiable on reasonable grounds, and was supported by Mr. Wilson Gray, who thought it might assist *bona fide* settlement, was eventually converted into a cunningly devised scheme for the aggregation of squatting properties. When the real effect, and possible use, of this clause became evident to the world, it was boldly asserted that it had been placed in the Act as nothing more nor less than a bribe to the landed proprietors to induce them to help the squatters to obtain a good Land Act, and this statement was not successfully contradicted. The jobbery and corruption which took place in connection with these certificates became a notorious public scandal. It must be observed that there was a limit of time within which these land certificates could be applied for and used. Owing to the sudden suspension of selection under the Duffy Act, many scores of persons entitled to certificates did not apply for them, whilst many who had obtained them, did not, and could not select within the time limited. Mr. Richard Heales, whilst in office, denounced the unused certificates, and said they were not worth the paper on which they were written. This brought them into general disrepute as securities. But the Land Act of 1865 re-enacted Cummins' clause in a modified form. Section 7 provided that any person who had, before the passing of this Act, become entitled, under the Land Act of 1862, to select or purchase land within twelve months from the date of the Act, and the executors, administrators, and assigns of such person might, subject to all the limitations, conditions, restrictions, and obligations attached by the Act to such selection or purchase, exercise the right of selection or purchase, upon making application to the Board of Land and Works at any time within twelve months after the passing of the amending Act. A stringent provision was added giving the Board of Land and Works power to make regulations for the purpose of enforcing the conditions and obligations attached to selection, and of preventing the violation or evasion of any of the provisions of the Act of 1862. These certificates were assignable, and they soon became the subjects of an enormous amount of traffic. The squatters bought up every available certificate at prices ranging from 5s. per acre represented in each certificate. A legal difficulty of an unexpected character arose which somewhat disconcerted the proceedings of the pastoral

tenants. Were persons who selected land by virtue of certificates in the same positions as regards rights and duties as ordinary selectors under the Duffy Act? If so they would have to comply with the conditions of occupancy prescribed by section 36 of that Act.—" Every selector of an allotment, as aforesaid, within one year after he becomes a selector, shall cultivate at least one acre out of every ten acres thereof, or shall erect thereon a habitable dwelling, or shall enclose such allotment with a substantial fence." By sec. 126, a selector who did not, within one year, either cultivate, or build a dwelling, or fence in his allotment, was liable to a penalty of 5s. per acre. It was generally admitted that owing either to design or accident, the improvement clauses of the Duffy Act could not be enforced as against the assigns of original selectors, and seeing that certificates could be assigned, the grave question was raised, whether the conditions could be enforced against the assigns of certificate holders. The proviso referred to in the 7th clause of the Act of 1865, enabled the Government to insert conditions in leases to be granted to certificate holders and their assigns, for the purpose of preventing evasions and violations of the Act of 1862. Among other things, the Government inserted a covenant in these leases by which the lessee undertook "to cultivate one acre out of every ten, or erect a habitable dwelling, or enclose with a substantial fence". In one case an applicant for a lease refused to subscribe to this covenant, and on the Government declining to issue the lease without it, he commenced a suit against the Crown to compel the issue of the lease. The Full Court, reversing the decision of the primary judge, decided that the conditions which the plaintiff had been asked to sign were wise and fair, just to the state, and not unjust to the selector, and perfectly legal

Kettle v. Queen, 3 Wyatt, Webb and A' Becket Reports.

. This decision proved a great blow to the holders of certificate selections, as it compelled them to carry out the condition of improvement which they were anxious to escape. A bill was then brought into the Assembly by Mr. R. B. Tucker, of Kyneton, to relieve them from the awkward dilemma. It was entitled "a bill to quiet the titles of selectors of land under certificates." From the outset it was plain that this bill was not introduced in the interests of the original holders of certificates. They had sold out long previously at reduced prices; the squatters and money lenders had got hold of bushels of these certificates which they wanted to convert into leasehold, or freehold security on easy terms. Whilst the Bill was under discussion, the lobbies of the House were invaded by the minions and agents of the squatters, and bank managers were actively engaged in beating up recruits to vote for it. Notwithstanding the earnest and indignant protests of Mr. Grant and Mr. Higinbotham, the second reading was carried by a majority of two. The Bill, however, was lost in committee, and subsequently, Mr. Charles Edwin Jones was expelled the House for having accepted a bribe to vote for it. The rebuff thus received by the certificate system, no doubt, saved many thousands of valuable acres to the country. As it was no less than 3,841 selections comprising 616,415 acres were made under the provisions of the Act of 1862, and 1865, relating to solicitors' certificates.

As an illustration of the chicanery and fraud which squatters practised to defeat the law and rob the state of its land, some of the expedients adopted may be mentioned. In order to comply with the condition of fencing, the pastoral tenant would enclose large tracts of Crown lands with very suspicious structures, and within these tracts they would select on certificates. These so-called fences were then claimed and set down as a compliance with the requirements of the certificate leases, although as a matter of fact, they did not touch the boundaries of the selected allotment. Yet it was said that as the fences included these allotments, together with Crown lands, therefore the selected allotments were fenced. In cases where these fences were disallowed or were inconvenient to adopt, the pastoral tenant erected "a habitable dwelling" upon the allotment of the following description:—He had a small movable house, made of a light deal frame, covered with galvanised iron, nine feet long, seven feet wide, and six feet high to the wall plates, formed in six pieces, consisting of two sides and two ends (with gables), and two sides of the roof. Taken to pieces, it was carried on a dray to the allotment selected. Four blocks were sunk in the ground about eight or nine inches, and standing from three to five inches out of the ground. The sides and ends of the house were quickly fixed on the blocks, and fastened together by screws; the two portions of the roof were affixed in like manner; a small iron fire-place screwed on, a nail driven through the footplates into each block, and the building was then pronounced by the builders complete. It had a door, and an aperture covered with calico, for a window. It took about twenty minutes to erect, was at once taken down, put on the dray, and removed to another allotment to undergo the same operation. The builders made notes of the erection of this "habitable dwelling" upon each allotment, so as to be prepared to prove that it had been erected upon the specific allotment on the day noted. This one dwelling served to prove compliance with the certificate leases of selection in the several areas, and was of course a very convenient and happy mode of defrauding the country. In other parts of the country where this mode of compliance with the law was too civilized and scientific for adoption, an ordinary bark hut was erected and described as a habitable dwelling. On easy terms such as these, the pastoral tenants exercised the privilege of free selection.

By the 5th section of the Act of 1865, every officer, non-commissioned officer, and member of the Volunteer Force of Victoria who was unpaid, who was enrolled at the passing of the Act, and who served as an

effective for not less than five years, was entitled to receive a certificate equivalent in value to £50 towards the purchase money or rent of any Crown Lands. At the time this clause was passed there were 2900 effective volunteers in the colony, and if that number remained effective for the period mentioned, they would receive grants of land equal to £145,000 in value. This provision was never applied for by the volunteers; it was a gift on the part of the House. When it became law it was found to be of little avail in promoting settlement. Most of the volunteers were young men residents of and engaged in business in towns, who were unable to work 50 acre farms. It was not long, however, before an effort was made to render these volunteer certificates negotiable, like the certificates under Cummins' clause. They were unassignable at law and an attempt made to carry a resolution in the Assembly affirming the desirability of rendering them transferrable was defeated. The law was evaded with the usual dexterity. Although the Minister of Lands could prevent the sale and transfer of certificates, he could not prevent the sale and transfer of lands purchased by the certificates. Volunteers who wished to turn their certificates into cash instead of land sold to land owners the authority to buy on their behalf and gave the certificates into the bargain. Certificates representing land worth, £50 were passed to those not intended to be benefitted, who only paid from £30 to £40 for them. The traffic in certificates increased to such an extent that the liability of the country for land under this head became somewhat alarming. The number of certificates issued in 1867 was 719, representing £35,950; in 1868, 276, representing £13,350. Up to the time of the financial statement in 1869 the value of land appropriated in this way amounted to about £100,000. It was found that the volunteers had not, as expected, taken up, and settled on, the land covered by the certificates but had sold it to the squatters. The unfortunate experiment added another to the long and melancholy catalogue of injurious land laws.

After this wearisome review of legislative disasters, ministerial blunders, dummyism, bribery, corruption, land certificates converted into transferable scrip and sold like green-backs, and of every form of legalised iniquity, it is a relief to turn to a section of Mr. Grant's Act which slipped in without notice and without debate, and yet which, as previously hinted, proved the salvation of the measure, placed thousands of people upon the soil, and saved Mr. Grant's name from absolute disgrace. The 42nd clause became a household word throughout Victoria before the Act was long in force, and it was particularly popular among goldfields' population, for whose benefit, no doubt, it was specially designed. This clause took the place of, and carried on, the great work of settlement so well begun under the occupation licenses. It was founded on the principle of those licenses. Its general terms gave the Minister enormous power and almost unfettered discretion. Although the terms of the section prohibited the granting of a licence covering more than 20 acres the Minister was not thereby prohibited from granting more than one license to one applicant. The rule was laid down that the Minister would allow four licences to each *bona fide* applicant, thus enabling him to select a farm of 80 acres in area. The rent charged was 2s. per acre per annum. By virtue of the power conferred on the Minister, regulations were promulgated from time to time, prescribing the manner and conditions of selection under this clause. Its operation was not confined to goldfields, or even to localities within close proximity to goldfields. The Minister, in the exercise of his discretion, proclaimed areas open for selection under this clause distant as far as 30 miles from goldfields. The facilities for agricultural settlement presented by this law were swiftly recognised and largely embraced by the industrial classes. In less than three years 25,000 licenses were issued to 13,000 *bona fide* cultivators.

The total amount of selection which took place during, and under the operation of, this clause from 23rd March, 1865, to 31st December, 1869, was—17,038 holdings, containing 786,088 acres, the average size of each holding being 46 acres. During the same period only 5,900 ordinary selections were made, comprising the gigantic area of 1,499,910 acres. The secret of the success of the 42nd clause was that it gave the head of the department responsible to Parliament complete control of the leased land, and he could prevent it from being misapplied, or transferred to land sharks and dummy-mongers. It was the only redeeming feature of the Land Act, 1865; it suggested the leading idea of, and prepared the way for, the Land Act of 1869.

Neither the general principles nor the administration of the land Act of 1865 gave satisfaction to the country. The rent of 2s. per acre that did not go towards the purchase money pressed heavily on selectors, and hundreds of holdings taken up by steady, honest, hard working men were forfeited, together with improvements, which went to the state. The value of improvements thus confiscated under this Act amounted to £100,000—a tremendous sum, when it is remembered that it was drawn from the savings of ruined families. The enormous quantities of land thrown into the market and sold by auction gave rise to a suspicion which soon grew into a strong belief, that the popular minister was playing into the hands of the capitalist, whilst professing to be; the people's friend. More land was sold by auction during Mr. Grant's long reign in the land department than during the term of office of any other Minister of Lands in Victoria. Under his Land Act 680,607 acres were sold under the hammer, whilst the alienation by that mode under preceding Acts were—Land Act, 1860, 398, 862 acres; Land Act, 1862, 456,705. It was, therefore, not surprising that long before the time fixed for the expiration of the Acts of 1862 and 1865, strong organisations were established throughout the country in favor

of a radical change in the existing land system. On 1st December, 1868, a conference of land reform delegates representing associations all over the colony was held at the Albion Hotel, Melbourne. There were twenty delegates present. The following scheme was unanimously adopted:—That at the expiration of two years after the land has been taken up, if the selector has satisfied the Board of Land and Works of his having carried out the improvements required by the present Amending Land Act, the rent from that date shall be credited to him as part of the purchase money, and that all payments shall be at the rate of 2s. per acre per annum, and that the Act be made retrospective. That, at the expiration of two years after the granting of the lease or license, upon the *bona fides* of the selector being proved, a certificate of title upon payment of the first instalment of ten yearly payments of 2s., be issued to the holder of the said lease or license. That selectors under the 42nd section of the Act have the right of purchase at the fixed price of 20s. per acre at the end of three years, if they have complied with the conditions of the Act. That selectors under the 42nd clause be allowed to select annually.

These proposals were embodied in a memorial and presented to Mr. Grant who promised to place them before the Cabinet. They formed the basis of a bill, which Mr. Grant brought in on 24th May following, to amend and consolidate the laws relating to the sale and occupation of Crown lands. The Bill was divided into two parts, the first dealt with agricultural settlement and the second with the squatters' tenure. It was proposed to abolish selection by lot introduced by the Act of 1862, and the probationary leases, arid non-residence selections which formed the main feature of the Act of 1865. In place of those systems it was proposed with certain reservations to extend the principle of selection before and after survey, and the operation of the famous 42nd clause over the entire territory with this difference—that the intending settler would be able to select 640 acres on license, and that after paying rent at 2s. per acre for three years, and residing on and cultivating the allotment during the same period, the rents would cease, and he would be able to purchase the Crown grant of the lands at £1 per acre each, or pay the purchase money in instalments at the rate of 2s. per year. The Governor-in-Council was vested with the solo and absolute power of determining whether a licensee fulfilled the covenants of his license or not; whether he was a dummy or whether he was guilty of any fraud, or trickery. Such questions were to be for ever withdrawn from the jurisdiction of the ordinary courts of law. The Minister of Lands was, in future, to exercise the duties and functions of state landlord. With regard to the pastoral tenure, the bill proposed that the squatters licenses should be renewed for ten years at a rental of 8d. per sheep and 4s. per head for cattle and horses.

At the time of the introduction of this bill the territory of Victoria stood as follows:—9,750,409 acres were alienated by auction and selection; 484,520 acres were used as roads, etc.; 2,000,000 acres were reserved as commons. The remainder of the public estate was either unoccupied or was held as pastoral runs. The country under pastoral occupation was as follows:—

The unoccupied country was thus classed:—

In round numbers 10,000,000 acres were alienated; 2,000,000 acres appropriated for commonage; 27,000,000 acres were under the occupation or in partial occupation of pastoral tenants; 16,000,000 acres were unoccupied. It will be seen from the above returns that the amount of arable land suitable and convenient for cultivation left unalienated was comparatively small. The best land of the colony was indeed parted with under the Land Acts of 1860, 1862, and 1865. The agricultural land available for settlement under the proposed legislation of 1869, was far removed from the great centres of population, situated either in treeless and rainless regions, or in thickly timbered, and impenetrable forests. This circumstance, of itself would probably have been sufficient to disarm opposition from the squatting party to the proposed new land law, but when it was coupled with the proposal to renew the pastoral tenancies for ten years, it was quite secure from any demonstration of antagonism from that quarter.

The principal objections raised against the bill on the second reading debate were:—(1) By the Liberal members of the House to the continuation of the squatting system; and (2) by Conservative members to the endowment of the Minister of Lands with arbitrary power. By those members, like Mr. Everard and Mr. Longmore, who represented the old views of the convention, the proposed renewal of the squatting tenure was strongly opposed. They contended that the squatters' tenure was finally settled by the Act of 1862, and that after the expiration of that tenure, the pastoral tenants of the Crown had no right either legal or equitable against the community. Further it was urged that the squatters had cut off all hope of sympathy and support from the people of Victoria because they had plundered and divided the public inheritance, and outraged every form of law, and order, by their criminal practices. The opponents of the old squatting system were, however, divided in opinion as to what should be done with the waste lands of the Crown if the squatters were driven into the Yarra, or across the Murray. One section wanted the country thrown open for free grass, but they were not quite agreed about the details of the scheme. The leading argument in its favor was that the industrial classes would not then be embarrassed in their effort to settle upon the soil; that free selection would have a fair trial, and that the squatters not being located upon the lands of the colony with their flocks and herds would have no strong motive for seizing every available block. Another section advocated the sub-division of existing runs into small

squattages, whilst a third party objected to this proposal, on the ground that it would multiply impediments in the way of selection, by creating a numerous and more powerful body to oppose and resist popular legislation. What would be better than this, it was argued, would be to sell existing runs by auction or tender. In this diversity of opinion the squatting interests prevailed. There were at that time about 1040 pastoral tenants. The revenue derived from pastoral occupation in 1868 was £177,643. The capabilities of runs for carrying sheep were as follows:—There were 254 runs which carried less than 1,000 sheep each. There were 182 runs carrying under 2,000 sheep; 71 runs carrying under 4,000; 101 runs carrying under 5,000; 120 runs carrying under 7,500 sheep. Altogether there were 824 runs carrying less than 7,500 sheep each. There were 71 runs carrying under 10,000 sheep; 80 runs carrying under 15,000; 40 runs carrying under 20,000; two runs carrying under 30,000; three runs carrying under 40,000; and there were two runs carrying under 50,000 sheep. It was estimated that there were 6,500,000 sheep depastured on these pastoral runs, and the amount of money invested in the property or represented by stock was about £3,000,000. "True," said Mr. Grant and the friends of the ministry supporting their Land scheme, "we may have a legal right to deal with that interest as we think fit, but as legislators, as statesmen as men having all the interests of the colony under our charge—would it be a wise thing suddenly to put this vast property in a condition in which it might be exposed to serious danger? If all these runs were let by tender or auction the State would be a great loser, because the only persons who would bid for them would be the present occupants. At all events we should not, in my opinion, be a gainer by the transaction. But, apart from this, let us consider, as wise men and as statesmen, whether we should deal with that interest suddenly. If we do, we shall produce such a commercial panic in this country as never has had a parallel in the southern hemisphere, and probably would never have again."

With regard to the enlarged discretionary power which the bill gave the Minister of Lands, objection was taken to this part of the measure by Mr. Duffy, Mr. Edward Langton and other hon. members, who asserted that a political head of a department should not be called upon to exercise judicial functions, and that under the new system the right of a selector would be placed at the mercy of a minister. If this bill became law, it was said, a free selector, after he has lived three years upon his land, made his improvements—complied with the conditions—and then desires to purchase the fee simple instead of being enabled to do so in the ordinary course of law, could only do so by the personal permission of the President of the Board of Land and Works. Mr. Higinbotham vindicated the policy of the bill. "All our land legislation," he said, "had failed so far as it had failed through the competition of wealth against poverty, and fraud against simplicity." The Nicholson Land Act was hardly passed before a number of squatters and capitalists, availing themselves of the legal machinery provided by the Act for all, succeeded in securing for their exclusive benefit, and at a cost less than the real value of the land, a large portion of the territory. The Duffy Land Act was followed by the same disastrous and melancholy consequences. The great defect of these acts, in Mr. Higinbotham's opinion, was the want of some strong central authority, in whom could be vested a power not merely to carry out the wishes of the House, but to give effect to those wishes and sustain them through all opposition coming from whatever quarter, and set in operation by whatever means, legal or illegal. "It is idle," said the hon. member, "to say that the land legislation can meet and defeat the various contrivances of fraud. Those contrivances are so numerous, and the means of resisting them, if absolute power be not given, so weak, that—I care not how carefully your acts are framed—if men are tempted by strong inducements of avarice, and are provided with legal means to effect their object, the State will be defrauded, and the poor man for whom you wish to legislate will be utterly defeated. Therefore, I avow that while I regard these large powers as an essential part of this Bill, I am prepared to support the Bill because it contains these powers, and I should not be prepared to support any Land Bill which did not contain them."

Mr. Berry was equally emphatic in his support of this principle of the bill. "I would warn hon. members," said that gentleman, "who are new in land legislation, who are sincere in their desire to promote the settlement of the people, and who admit a large amount of settlement has taken place by the use of the discretionary power vested in the Minister of Lands under the existing law, that every attempt made by the Legislature to tie the hands of the Minister, to give him no discretionary power, but to insist that he shall follow the strict letter of the law, has altogether failed. If it has failed in the past, we have no guarantee that it will not fail in the future. I believe, however, that not only is their no objection, but it is desirable to extend the discretionary powers at present vested in the Minister of Lands provided that they are exercised publicly. I think that we should constitute the Lands office something more of a court than it is at present. It will have to deal with questions of a much larger and more important nature than hitherto. Every year, as free selection and the settlement of the country progress numerous questions will arise which can be much better settled in the Lands-office than in the court of law."

An amendment proposed by Mr. McGregor, member for Rodney, declaring that the administrative powers proposed to be conferred by the Bill, arbitrary and excessive, was negatived by a majority of 26, and the second reading was carried. It would be beyond the scope of this work to follow the fortunes of this measure through

committee of the Assembly or to trace its progress in the Upper House, and in the conference of both Houses until after many additions and modifications, it became law on 28th December, 1869, when the Macpherson Ministry was in office. It will be sufficient for the purpose of this work to give an outline of the framework of this Act, which was supposed to incorporate and concentrate all the good results of our previous experience and observation in land legislation.

Any person not being under 18 years of age, or a married woman not judicially separated from her husband, could peg out and apply personally to a land officer for a license to occupy an allotment of land, before or after survey. The Governor could, if he thought fit, issue a license to occupy an allotment applied for not exceeding 320 acres in the whole, for a period of three years at 2s. per acre payable in advance. Every license contained conditions:—1. For payment of license fees, half-yearly in advance. 2. That the licensee would not assign, or transfer, or sub-let the allotment during the currency of the license. 3. That the licensee would, within two years, enclose the allotment with a fence, and, during the currency of the license cultivate at least one acre out of every ten. 4. Conditions for re-entry in case of breach of covenant, or in case the licensee did not occupy the land within six months from the granting of the license, or in case he did not carry out improvements to the extent of one pound per acre before the end of three years. 5. A condition that if the licensee occupied, fenced, and cultivated, and proved to the satisfaction of the Board of Land and Works that he had complied with the law, he would be entitled, within 30 days after the expiration of the three years' license, to obtain a Crown grant of the allotment on paying 14s per acre, or otherwise that he might obtain a lease of the allotment for seven years at 2s. per acre, the rent to go towards the purchase money. Besides this every license might contain such other conditions and provisions, not inconsistent with the Act, as the Governor approved of. Every applicant was required to make an affidavit that his application was in conformity with the law. 6. Assignment of an allotment by act of parties or operation of law was utterly inoperative. No person could select more than one allotment, or allotments, to the extent of 320 acres. Persons whose allotments were forfeited for evasion of the Act should be unqualified to select again. Persons who had selected under previous Land Acts the maximum number of acres allowed by this Act were not entitled to apply for licenses. No one could apply as agent or trustee of another. Licenses obtained contrary to law could be forfeited with all improvements on land so licensed. Contracts made in violation the Act were void. A licensee, lessee, or assign of an allotment had all the rights of an owner as against trespassers except the right of impounding, and that right was acquired as soon as the land was fenced in. Licensees of land under the 42nd clause of the Act of 1865, who occupied for two years and a-half, and erected buildings and other improvements on the land, were entitled, if there were no objections to the alienation on the ground of its being auriferous, to have the exclusive right of purchasing the allotment at a price determined by the Board not exceeding the upset price of the nearest land sold by the Crown before the issue of the license, and the rent previously paid by the licensee was credited as part of the purchase money. The 42nd clause was reproduced with amendment in section 49 of the new Act—by which it was provided that one person could not hold more than one license, covering 20 acres. As in the Act of 1865, the quantity of land that could be sold by auction in one year was limited to 200,000 acres. The Governor was authorised to issue yearly pastoral licenses to persons who at the time of the passing of the Act were in the licensed occupation of runs for pastoral purposes. The licensed land, however, was still available for sale, or for selection, or for proclamation as commonage, or for occupation under miners' rights, or business licenses. The rent in each run was fixed at the rate of 8d. for every sheep and 4s. for every head of cattle, which it was determined to be capable of carrying. Unoccupied Crown lands and forfeited runs could be converted into runs and exposed to auction in areas sufficient to carry 4,000 sheep, or 1,000 head of cattle. General provisions were made for the proclamation of commons and other reserves, and for the issue of leases of land, for other than agricultural or pastoral purposes.

From the above analysis it will be noticed that the Act of 1869 differed in the following respects from the law which it succeeded:—1. Introduced free selection before survey; abolished agricultural areas; terminated selection by lot, and gave allotments to first applicants leaving it to the land-officer or minister to decide in priority. 2. Reduced the size of selections from 640 to 320 acres. 3. Applied the rent paid during the probationary period of licensed occupations towards the purchase money. 4. Made the Minister of Lands for the time being supreme judge of the performance of conditions and covenants. 5. Imposed the conditions of residence, cultivation, and fencing as absolutely necessary to entitle a lessee to a lease or Crown grant.

So came into force the great Land Act of 1869. It was supposed to embody the highest wisdom of the Victorian Legislature derived from our own memorable experience in land legislation, as well as from the study of the land systems of other civilized nations. The debates which took place in connection with the bill displayed avast amount of political knowledge on the part of the hon. members; nor was the bill hurried through Parliament. For nearly eight months it was under the consideration of the Legislature, of the press, and of the people of the country. Surely this ought to have given universal satisfaction? As already indicated when the land Act of 1869 was passed the best of the agricultural lands forming the garden of Victoria was sold, the bulk

of it being locked up in large; pastoral properties. The classification of available lands given on a preceding page shows that the Act of 1869 had not the same ample scope of rich and fertile country upon which to operate that was open in the experimental period of Victorian land legislation. This must be borne in mind in any critical examination respecting the efficiency and success of its principles.

The Act came into force on the 1st February, 1870. It took two or three months to get it into working order. Applications for licenses began to pour into the department in April. Between that date and December, 1874, 4,501,968 acres were selected. Three years probation being required, the first applications for leases, or Crown grants were not sent in till April or May, 1873. In 1870, 320,719 acres were selected; in 1871, 477,685 acres; in 1872, 780,819 acres; in 1873, 1,041,779 acres; in 1874, 1,809,668 acres. In December, 1874, the number of selectors' leases applied for represented 570,591 acres, and the Crown grants applied for comprised 82,415 acres, making a total of 653,006 acres, which, within four years passed from the control of the department. From these figures it will be seen that the provisions of the Act were extensively made use of from the beginning of its operation, and that there was every prospect of its popularity continuing. Notwithstanding this in September, 1873, Mr. J. J. Casey, Minister of Lands of the Francis Government, brought in a Bill to amend the Act, by increasing the area which a person might select from 320 to 640 acres, and to alter the conditions of tenure. The reason alleged for the proposed alteration was that the quality of land then available for selection was not nearly so rich and convenient as that already alienated; and that in order to make farming pay, a selector should be allowed to take up an increased area. Mr. Higinbotham then took the opportunity of drawing attention to the alarming rate at which the public lands were being alienated and the necessity of some radical reform by which the state would not part with all its territory for ever. he proposed the following new clauses:—Whereas it is expedient, for the purpose of maintaining and increasing the public revenue, that the State should retain in perpetuity so much at least of the lands of the Crown in Victoria as shall not be required either for permanent reservation for a public purpose or for alienation by license or lease under sub-division 1 of part 2 of the Land Act, 1869, and this Act, and that the sale by auction of Crown lands in fee-simple should accordingly be forthwith discontinued, and that Crown lands should henceforth be sold by auction for a limited term only, and should from time to time at the end or other determination of such term, revert with all improvements thereon to the State: Be it therefore enacted that sections 34 and 35 of the Land Act, 1869, shall be and the same are hereby repealed, and the two following sections shall, from and after the passing hereof, be and be deemed to be the 34th and 35th sections respectively of the said Act:—All lands of the Crown in Victoria, wherever situated may be sold by public auction for any term not exceeding 21 years from the date of such sale, subject to such covenants, conditions, exceptions, and reservations as the Governor may direct; providing that all such lands shall be sold at an upset price of £1 for each acre, or at such higher upset price as the Governor may direct, exclusive of any rent that may be reserved in respect thereof. Once at least in every quarter of the year there shall be holden one or more public sales by auction of lands for a limited term as in the last section mentioned; and any person authorised by the said board may hold such sales without having an auctioneer's license or incurring on that account any penalty; and notice of every such sale shall be given in the *Government Gazette* within three months and before one month thereof, and every such notice shall declare, with all practical precision, the time and place at which such auction will be held and the lands to be offered for sale thereat and the lots in which the same shall be offered, and the upset price for each lot, and the amount of the deposit required; and no upset price shall be altered without as full notice of such alteration by advertisement and otherwise being given as was or should have been given to the original upset price.

A long and important debate took place on these amendments, but they were ultimately negatived by 9 votes to 44. The Bill, however, was lost. The Council insisted upon adding certain amendments, curtailing the power of the Minister of Lands and giving the right of appeals against the decision to the ordinary courts of law. The Assembly rejected the new clauses, on the ground that they would substitute for a responsible minister irresponsible bodies and place the administration of the land law beyond the control of Parliament, whilst the right of appeal to a court of law, proposed to be given in all cases and in all stages would lead to endless and costly litigation, impose insuperable barriers in the way of selectors, frustrate the policy of settling the people on the lands, and confine the alienation of public lands to the wealthy and propertied classes.

In June, 1875, the same land Minister brought in another amending land bill to increase the size of selection to 640 acres, and lengthening the period of probation from three years to six years, giving the selector a non-transferrable lease for seven years at the end of the probationary period; and the providing for the issue of non-resident licenses within proclaimed districts. In committee on on the Bill, Mr. F. R. Godfrey, member for West Bourke moved an amendment in favor of leasing instead of alienating Crown lands, but it was rejected by a large majority. The Bill was discharged from the notice paper on the break up of the Francis Administration.

The years 1877, and 1878, were periods of great depression among the farming population, owing to want of rain, and bad harvests. In consequence of this unfortunate state of affairs, hundreds of selectors were compelled to mortgage their leases in order to raise funds. During the year 1877, 1,616 mortgages, representing

318,797 acres, were registered in the lands department. In the first nine months of 1878, 3,018 mortgages were registered, covering 646,104, acres. In February, 1878, there were 38,800 licensees and lessees of land, and of that number 13,623 were in arrears of rent to the amount of £158,066; in September, 1878, 41,820 licensees and 15,771 lessees owed £196,462 in rent. In these times of hardship many selectors found the fencing conditions press very heavily on them, as the cost of a substantial fence round 320 acres was little less £200. Complaints were also made that they could not under the stringent resident conditions leave their homestead for short periods to take work and earn a few pounds to help them onwards. These questions of grave importance were inquired into by a commission, under the presidency of Mr. W. J. O'Hea, appointed by the Berry Ministry. The commission found that generally speaking the settlement effected under the Act of 1869 was *bona fide*, and permanent did not admit of doubt, but it was doubtful whether it would continue in consequence of the pecuniary embarrassment in which a considerable number of selectors were involved. The necessity of carrying out improvements on their land within the time prescribed by law had plunged them into debt, whilst the prolonged drought had proved fatal to their crops and stock. The consequence was that many of them were deeply in debt to the banks, to money-lending agents, and to storekeepers; and there was much danger that a considerable number of these indebted selectors would not be able ultimately to discharge their pecuniary obligations. In that case they would lose their land, which would thus fall into the hands of their creditors, and pass from these into the possession of persons who apply themselves to aggregate extensive areas of land in the form of large private estates. "In this way," the Commissioners reported, "the wise and beneficent policy of the State, namely, to settle a numerous yeoman class upon the soil, it is to be feared, will be in a great measure frustrated, and the State will lose both its property in the land and the consideration for which that property was parted with, namely, a settled agricultural population, unless some means be devised for averting this calamity. The primary cause of this unfortunate state of things is the very limited capital—sometimes the absence of capital—with which selectors enter upon their holdings, combined with what is, under such circumstances, the burthen-some character of the conditions of settlement imposed by the Land

The remedies recommended by the commission were that the conditions of settlement should be so modified as to lighten the burden of selectors during the most onerous years of their occupancy. This could be best done by extending the preliminary period of license from three to six years, during which the improvements could be made and by reducing the payments to the Government on account of purchase from 2s. per year to 1s. per year. In that case the selector would be 20 years in possession—six years by license and 14 years by lease—before he got a Crown grant. These recommendations formed the ground work of the amending Act of 1878, brought in by Mr. Longmore, Land Minister of the Berry Government. In addition to giving effect to the scheme as proposed by the commission of lengthening the term of occupancy preliminary to the issue of the Crown grant and reducing the annual payments to 1s. per acre per year, the amending Act allowed a licensee on giving personal notice to a land officer to absent himself from his allotment during three months of a year. Selectors under the Act of 1869 whose license had been issued within three years from the commencement of the amending Act, were enabled to surrender their old licenses and obtain new licenses under the relieving Act. On the surrender of the old license every year of occupation under it was allowed to count as two years in the computation of time for which the new license would have to be issued. Licensees of residence sites under the 49th section of the Act of 1869 also received some concessions. On proof of occupation during a continuous period of three years and on payment of all fees due, they were entitled to demand and obtain a Crown grant of the site, provided it were not auriferous, or required for mining or public purposes, or not situated within any city, town, or borough. Power was given to issue "non-residence licenses." The terms of these were that the licensee paid 2s. per acre towards the purchase money for six years; that he improved the allotment to the extent of £1 per acre during the first three years of the currency of the license; that, before the end of the sixth year of the currency of the license an additional £1 per acre should be spent in improvements; that the entire sum payable in respect of the purchase money should be £2 per acre, and that residence or occupation was not necessary. This Act and the Act of 1869 are at present in force in Victoria, but a Bill to supersede them, brought in by Mr. Walter Madden, Minister of Lands of the O'Loughlen Government, is now before the Legislative Assembly. From 1st February, 1870, to December 1881, 8,700,806 acres were selected, and 949,181 acres were sold by auction, making a total of 9,560,077, acres alienated under the Acts now in operation.

Chapter VI. Results of Victorian Land Legislation.

A general review of the operation and results of Land Legislation in Victoria will be of some service in

drawing attention to salient points which require a separate conspectus in a complicated narrative of events extending over fifty years of memorable history. The land question has been the great battle ground of parties in Victoria ever since the foundation of the colony, and will continue to be so for all time. In this country, as in others, it is the one grand and enduring political problem which periodically reappears and asserts its importance. Superficial politicians occasionally express the wish that the whole difficulty were settled by the sale of the last acre. Those who think the question will be laid to rest for ever in the colony of Victoria by the sale of the last acre must have either not studied the history of the human race at all or studied its lessons in vain. The history of revolutions has been the history of land tenure.

The sale of Victorian soil began under Imperial Land Acts which continued in force until the colony secured responsible Government. The system established by that legislation was sale of land in fee simple by auction at an upset price, beginning at 5s. per acre, then advancing to 12s. per acre, ultimately the minimum upset price being established at £1 per acre. One half of the proceeds of the sale of land was devoted to assisted emigration, and the balance was applied to public works. Assisted emigration was adopted as a counter-poise to the inducements offered by the sale of land at a cheaper rate in Canada and the United States. The result was to draw to these shores the out-pouring of British workhouses, multitudes of the poor, the needy, and the destitute, who became a burden and a curse to the struggling young community and the servile dependents of those who acquired land by free gift or at cheap rates. Hundreds of enterprising emigrants who came here to seek their fortunes, and well able to become good colonists, were compelled to leave because of the difficulties thrown in the way of settlement, by cliques of monopolists aided and abetted by corrupt and incapable Government officials. The squatters were in possession of nearly the whole of the territory. It was their interest to discourage settlement, and they succeeded in doing so, until the discovery of gold. Then came the social revolution. Thousands of able and sagacious emigrants arrived in Victoria, and the cry "unlock the land" was raised in tones too emphatic to be resisted. After a long struggle the Nicholson Land Act was passed in 1860. At that time 3,944,237 acres of the pick of Victorian soil had been sold by auction. The system of sale by auction, as it then existed, was an easy method of handing over vast blocks of land to wealthy buyers, against whom small and struggling adventurers had no chance. A loud outcry was raised against it, and free selection at a uniform price with deferred payments was demanded by a landless population. The Nicholson Land Act pretended to give this so called liberal land law, but it was a delusion and a snare. It allowed a man to take up 640 acres at £1 per acre, and if he could not pay the whole of the purchase money at once, he could lease a moiety of the allotment for pastoral purposes only, at 1s. per acre per annum. If more than one person applied for the same allotment it was sold by auction, at which only applicants could compete. This was called "limited auction." It did not favor settlement more than sale by auction in open market, because *bona fide* applicants were out-numbered and out-bidden by capitalists. The size of the allotments open to selection made the squatters more eager to absorb and save their runs. Capital was overwhelming, and destroyed the good intentions of the framers of the Act. Some slight settlement, however, took place under an obscure clause, which gave the Land minister power to issue occupation licenses. These licenses presented a most satisfactory solution of the land question but they were declared illegal by the Supreme Court. The break-down of the Nicholson Act led to the passage of the Duffy Act, which granted to squatters nine years licenses, and introduced a system of determining priority of selection by lot; fixed the size of allotments at 640 acres; prescribed certain improvements to be carried out; gave the selector the option of paying the whole of the purchase money at once, or purchasing a moiety, and leasing a moiety for 8 years, at a rent of 2s. 6d. per acre, the rent to go towards the purchase money. No person could select more than one allotment of 640 acres in one year. This Act marked the inauguration of dummyism in its most repulsive form. It collapsed ignominiously after about 1,000,000 acres of good land had filtered through it into the hands of large landed proprietors. It failed to effect substantial settlement, and facilitated dummyism; because it did not enforce personal application; because personal residence was not required as a test of *bona fides*; because the condition of improvement did not run with the land, but was personal to the selector, and worst of all because the selector could transfer the land as soon as he took it up. Next came the Land Act of 1865. Its fundamental principles were that allotments of 640 acres could be leased for seven years at a rent of 2s. per acre; the order of application to be determined by lot; conditions—rent to be paid half-yearly in advance; non-assignment for three years, residence for three years, and improvements, to the extent of £1 per acre, within two years. On fulfilling the conditions of residence and improvement the selector could buy the allotment without competition at £1 per acre. At the end of three years, if the selector had improved the land to the extent of £1 per acre, he could have the land sold by auction with a valuation in his favor. Even by this Act residence was not made an inexorably necessary condition precedent. The extensive power of sale by auction of unselected and forfeited allotments, dummyism, and evasion of covenants helped to swell the large estates, and defeat the policy of the Legislature, whilst the necessity of improvements within a short period, the payment of high rent, which did not go towards the purchase money, and the obligation to pay the purchase money in a lump sum, pressed heavily on selectors. The only part of this

Act which operated with undoubtedly successful results was the 42nd clause, founded on the model of the occupation licenses. The Land Act of 1869 embodied the leading principle of the occupation licensing, and 42nd clause system. It reduced the area of selections to 320 acres; required residence upon the allotment; cultivation of one acre in ten; fencing and improvements to the extent of £1 per acre during a probationary period of occupation under license at 2s. per acre, which went towards the purchase money; and if at the end of that term the licensee occupied, fenced, cultivated and improved, as required, to the satisfaction of the Minister, he could either get a crown grant on payment of the remaining 14s. per acre or take a lease for seven years at 2s. per acre, the rent to go towards the purchase money. No person could select either in his own name, or in the name of any other person, more than 320 acres. The squatters' licenses were renewed for ten years. By the Amending Act of 1878 the probationary period was extended to six years, the term of lease to fourteen years, and the rent was reduced to 1s. per acre, thus payable over 20 years. The following table shows the progress of sale and selection, from the earliest times up to 31st December, 1881:—

Of this unappropriated area 13,033,371 acres are hold under pastoral license, and 9,262,623 under grazing license.

The settlement of the land question in Victoria was from the earliest times, clogged and embarrassed by several adverse circumstances, principal among which were the squatting interests, the limited extent of our territory, the want of rivers and of an abundant water supply. The squatting interest alone was a formidable obstacle. But for that, Victoria might have had, in 1860; the Land Law of 1878, and with such a system, defective as it is, the history of the colony would have been very different from what it has been. In 1878 the squatting party was almost a party of the past, and a liberal Land Law in favor of settlement and against the aggregation of large estates became possible. The squatters no longer were driven by motives of avarice or self-preservation, to grasp every available inch of public territory. By that time the earth hunger was nearly satisfied; most of the good land previously held on license was turned into freehold; the selectors were driven to the burning plains of the North West, and the impenetrable wilderness of Gippsland. What then has been the real practical out-come of twenty years bitter experience—twenty years struggle to place a prosperous agricultural population upon the soil Unhappily, it must be admitted that the able legislation of 1869, improved by that of 1878, came too late to promote in a substantial manner the lasting welfare of the colony. Let us first see what has been done, and contrast it with what might have been done.

From the year 1851, just before the discovery of the gold-fields to end of the first half of the year 1864, when our population was 601,343, Victoria had spent the sum of .£11,000,000 in the importation of bread-stuffs. At that time there were 17,679 agricultural holdings, exceeding one acre in extent, covering 5,554,531 acres sold and in actual occupation for agricultural and pastoral purposes, of which 507,798 acres were cultivated. In the year 1880-1 when our population was 858,850, the value of exports of Victorian produced bread-stuff's, viz., biscuits, flour, and grain was £905,403; in that year the number of agricultural holdings exceeding one acre in extent were 49,637 covering 18,141,124 acres sold and in actual occupation for agricultural and pastoral' purposes, of which 1,997,943 acres were cultivated, and 194,140 acres were in fallow. The cultivated area included land applied to the growth of all kinds of crop—wheat, oats, barley, maize, potatoes, turnips, onions, beet, carrots, cabbages, hay, green-forage, tobacco, vines and other fruit trees. The value of grain and pulse exported in 1875, was £7,623, and in 1881, £668,234; flour exported 1875; £15,011, 1881, £206,932. These figures are significant as showing the great increase in agricultural production which took place subsequent to the land legislation of 1869.

Although there has thus been a very substantial and prosperous increase in the agricultural productions of the colony, the results are by no means so satisfactory as might have been expected. Undoubtedly, a great amount of profitable settlement took place under the Act of 1869, notwithstanding the inferiority of the land available compared with that sold under previous Acts. This suggests what might have happened had the same class of industrious farmers been able to obtain land at an earlier period. Still, of the nine or ten million acres disposed of, or in course of alienation, by virtue of the provisions of the law now in force, it is to be feared that large numbers of holdings are passing away from their original holders. The evidence which justifies this apprehension is to be found in the official statistics of the colony. According to the Government Statist, Mr. Hayter, there were in 1870, "when the Land Act of 1869 came into force, 31,842 agricultural holdings, exceeding one acre in extent, and including 9,530,638 acres; in 1881, the number of holdings had increased to 49,637, covering 18,141,124 acres, showing an increase of only 17,795 holdings. But the departmental statistics show that during the period between 1870 and 1881, 70,371 selections were granted. It thus appears that fully 50,000 of these selections, are not accounted for in the official returns; what became of them? The number of holdings has not increased proportionately with the number of selections granted, and the number of acres selected. The calculation may be carried backward with still more disquieting] results. The total number of selections taken up under the three Acts of 1860, 1862 and 1865, was 39,631, embracing an area of 4,679,251 acres. This number added to that of the applications for allotments, granted under the Act of 1869, should have

made the total number of agricultural holdings in the colony, in the year 1881, about 109,631. Instead of that, according to Mr. Hayter, there are only 49,637 agricultural holdings of over one acre in size. The Lands department has no record of transfers under the Acts of 1860, 1862 and 1865, with the exception of holdings under the 42nd section of the last mentioned Act. There could, however, be no legal assignments, or transfers of leaseholds, under the Act of 1869, without the consent of the Minister of Lands. The number of transfers of leaseholds, registered up to the 30th September, 1882, was 9,932, embracing 1,673,561 acres; up to the same time, 3,396 Crown grants were transferred, including 374,482 acres. This makes a total of 2,048,043 acres selected under the Land Act of 1869, which are actually registered as having passed from the original holders. The rest of the unaccounted for holdings, must have been either abandoned or forfeited, or transferred to large landed proprietors, subsequent to the issue of the Crown grants. Of the rapid increase of large estates in Victoria, owing to the unscrupulous abuse of liberal land laws, there is an abundance of evidence. There are 951 estates of the average size of 7,238 acres. These estates which include 6,882,815 acres, are owned by 833 proprietors, whilst their total capital value is about, £12,000,000. Another item of testimony that the aggregation of estates has been increasing more rapidly than the number of holdings, is the fact that in 1860, when the first land Act was passed, there were 13,653 holdings, covering 3,517,033½ acres, in agricultural and pastoral occupation, whilst in 1880, there were 49,637 holders, and the number of acres in agricultural and pastoral occupation was, 18,141,124; during that period, therefore the number of holdings was considerably diminished in proportion to the number of acres sold.

We are now in a position to notice the defective character of our land systems, and the various insidious influences which operated against *bona fide* cultivation of the soil. It is impossible to avoid the conclusion that the dream of the Land Convention has not been realized. The very laws which were designed to establish an extensive peasant propriety in Victoria have assisted to consolidate gigantic properties. Free selection at a uniform price, with deferred payments, has been resorted to more freely and more effectually by capitalists than by the artisans and working men of the colony. The state has sold nearly 20,000,000 acres, and instead of the country being crowded with farms and orchards, it can only boast of a cultivated area of 1,997,943 acres. Capital has been triumphant everywhere. It was successful under the limited auction system of the Nicholson Land Act; and it was still more successful, with dummyism as a potent ally, under the lot system of the Duffy Land Act. After that, a new and unforeseen danger appeared on the scene. The people, in whose favor Parliament legislated became traitors to their own cause. The demoralization and immorality of the land racket became universally contagious. Thousands of persons with little energy and limited resources took up land on speculation, and afterwards sold out to those who were only too eager to buy. The high price of land, caused by the great demand for it, facilitated this species of speculation, and men who got their land from the state at £1 per acre, readily bartered it away at a profit, after formal compliance with the requirements of the law. Selectors, the class intended to be benefitted, and upon whom was conferred the bountiful liberality of the nation, sold for a mess of pottage the birthright which belonged to them and their children. The prodigality of the state in parting so extravagantly and incautiously with the common inheritance of all, has been only surpassed by the profligacy and the ingratitude of those who were the objects of the paternal care and anxiety of Parliament.

These statements can be proved, not only by the evidence of friends of the free-selection system, but by that of those organs of the press whose proclaimed policy for many years has been to favor free-trade in land. The *Argus* of 11th November, 1881, thus describes the results of our land legislation:—"But we know that the attempt to create a yeomanry on a large scale has only been partially successful. Selectors struggle on until they can get a title, and then in too many instances their holdings, which they have been granted on easy terms, in the hope they would be attached to the soil, go to swell the estates of the large land owners. Then with a sum of money in their pockets, which they have acquired in a great measure at the expense of the general body of the Victorian taxpayers, they take their departure for the neighbouring provinces, where the capital with which we have furnished them can command greater advantages." The *Sydney Morning Herald* of 24th February, 1882, gave the following testimony that Victorian selectors were selling out and settling in New South Wales with money realized by the sale of Victorian land:—"All those men who transferred their holdings in Victoria had no chance to select again. The law prohibited such a process. It was necessary for them to seek another colony, and the great majority were drawn across the Murray by the superior inducements of the land and land law of New South Wales. Immigrants to Victoria, having in Victoria acquired capital by selling out, came to us with their earnings and their energies and their experience as land speculators. Five years ago we felt their influence in a new flush of prosperity, especially in our south-western district. While Victoria was mourning their departure, our land and customs and railway returns were rapidly increasing; our free and comparatively illimitable land reserves were acting as a sponge, and we were becoming moist at our neighbours' expense. To some extent, the same conditions still exist. They might be perfectly satisfactory if only the present were to be considered; but it must be recognised that surely as Victoria has met her reckoning day so are we advancing on ours. Land

monopoly is not unknown in New South Wales. Dummyism is a very familiar word in our vernacular; the process begun across the border is continued here; land is going for a fraction of its value to incorporated companies and non-resident landlords. The lesser matters of continuous strife between selector and squatter, and consequent waste of energy, might be forgotten could it be shown that we have in any degree learned the lesson Victorian history teaches, or that our selectors were as a body honest home-makers and tillers of the soil, and not merely birds of passage and transferrers." The reckoning day of Victoria has arrived. The land laws of the past have been examined, and reason enlightened by a sad experience has found them wanting.

A careful study of the history of Victoria leads me to the conclusion that the unfavorable results, which all deplore, and the transparent vices, which all detest, are inherently associated with the principle of absolute sale, on which all those laws were based, It has been found that dummyism was less rampant, and speculative selection less resorted to, the more the control of the state over its land was increased, and the longer the period of probation was extended. Much more, then, would those evils have been mitigated and destroyed, had the state retained an inalienable control over the land that belonged to it. The more one reflects on the question the more does the conclusion appear inevitable, that the policy of alienating the land, in fee simple, has been not only a fearful mistake, but a crime and an injustice, to a large portion of the people of the colony. "What right" Mr. Harker asked on 30th September, 1873,

Hansard, vol. 17, p. 1074.

"had we, as legislators, to alienate any part of that which belonged to the whole community for the benefit of a small portion of the community?" The right to the use of the earth, subject to co-ordinate right of others, is as Mr. Herbert Spencer demonstrates, as much a natural and inalienable right as the right to the free use of the atmosphere and the sea. True, it was the policy of the country to settle an agricultural population upon the soil, but effect could have been given to that policy without sacrificing the public territory, without giving away the land for ever, unrepresented by any adequate consideration. The land could have been leased or sold for farms; the state would then have had the reversion. Virtually, the free selectors and those squatters who availed themselves of free selection, through the agency of dummies, have been buying the land for nothing. The allotments which, under the Act of 1862, were paid for in instalments of 2s. 6d. per acre per annum were worth that much in rent for all time, and now, more extravagant still, a selector is permitted to acquire his absolute freehold in 20 years by paying 1s. per acre per annum. Even this sacrifice would hardly be begrudged, if the persons intended to be benefitted were not guilty of wholesale embezzlement of the estates entrusted to them.

The advantages of a judicious system of leasing the public lands would have been very great. The state would have retained the national domain as a lasting and un-assailable, unpledgable asset, which would have gone on increasing in value from year to year. Instead of a few individuals being enriched by the gradual increase of the value of land, the whole community would have been benefitted. The rent of land would have been a permanent source of revenue. The vast sum of money sunk in the purchase of freeholds would have been available for the employment of labor, and the improvement of waste lands. The state would have remained landlord of the soil, and could have applied every acre of it to the best purposes, compatible with national interest and national prosperity. The wealthy lower orders would not then have been able to plunder the working classes of their birthright, by the despicable aid of fraud, perjury and subornation of perjury. There would not then have been periodical confiscations and sales of commonages; and the abolition of reserves for travelling stocks, followed by their absorption into neighbouring squattages. Under such a system the people would still have left for their use and enjoyment the frontages of the few creeks and rivers that exist in Victoria. Mountain scenery, the charm and gift of nature, such as Macedon and the Hanging Rock, would not then have become private property, so that the owners thereof could warn off tourists and excursionists, or charge for permission to view the wonders of creation. What a monstrous and barbaric law must that be, under which the splendid land between Melbourne and Sunbury, and between Melbourne and Geelong, capable of giving homes and existence to a teeming population, is locked up in pastoral solitudes, whilst the farmers have to seek a precarious livelihood in the hot and rainless regions of the north-western plains! Would it not have been better to grow sheep in the remote parts of the colony, and encourage agriculture near the sea board, and adjacent to large centres of population? It is impossible to contemplate such enormities and anomalies as these, without agreeing with Mr Higinbotham "that the dictum of the French writer, that property is robbery is absolutely true in regard to land"

Hansard, vol. 17, p. 2050.

The stereotyped reply to any argument, that Parliament should stop the further sale of land is, that the land is nearly all sold already; that it is now too late to change the system, and that it is best to settle the question once and for ever, by selling the balance of the land. There are 32,000,000 acres at present unappropriated, of which it is said that 9,000,000 acres are fit for selection. Surely the destiny of such a large quantity of land as this, is a subject well worthy of the anxious attention of the tax-payers of this country. It must be remembered

that when the last acre is gone, the land problem will by no means be then settled; it will then merely enter upon a new phase, and in that form it will be handed down to coming generations. The landless portion of the population will, in the distant future, begin to enquire here, as they are now enquiring in England, Ireland and Scotland, by what title those in possession of land, obtained that possession. Unless the sale of land be suspended, and the further integration of large estates be prevented, either by taxation, or by a law prohibiting the ownership or transmission of land beyond a limited area and value, the time will sooner or later come when the working classes of Victoria will awake to an unpleasant sense of their perilous situation. It is a notorious fact, proved by the history of the world, that oppression and poverty accompany the concentration of wealth and the amassing of grand properties in the hands of monopolists. Landlordism is the curse and ruin of every country in which it becomes predominant. The owner of land can dictate terms to his tenantry, and evict them if they refuse to accept those terms; they must have land or starve. This is the cause of anarchy and murder in Ireland. The landlords of Scotland have expelled their tenant peasantry from their ancient glens in the Highlands, and the homes and haunts of human beings have been converted into sheep runs and deer forests. The pauperism, misery, drunkenness and crime, which abounds in England, is traceable to the despotism of land monopoly, and the appropriation by landlords of land, which in former times belonged to the labouring classes. No political truth is so grim and startling in the uniformity with which it appears from age to age as this—that landlordism and tenancy are ever associated with the pauperism and degradation of an entire population. And this is the condition towards which our free and glorious colony of Victoria will drift, unless its advance in that direction be arrested, by the courage and wisdom of her statesmen, assisted by the patriotism and foresight of her inhabitants. Let it not then be said, that it is too late to save the remainder, or a portion of the public estate. It may be premature to discuss the question of resumption, except to a limited degree, and in special cases, but stern and determined steps should be adopted to suspend the present process of legalized robbery and confiscation of the land of the whole people.

From a revenue point of view the pastoral occupation of the soil has been proportionately more profitable to the State than the sale of lands in fee simple. This seems a startling assertion, and yet it is an unquestionable truth. The revenue derived from the pastoral tenants of the Crown from the year 1840, to the end of the year 1881, amounted to £4,850,165. The revenue derived from the absolute sale of Crown Lands from the year 1830 to the end of the year 1881, was £20,192,791. This sum includes the amount paid on lands purchased on deferred payments, of which the payments were completed up to the year 1881, although the payments extended over a series of years. The area selected of which the purchase was not completed in 1881, amounted to 7,144,362 acres. Deducting 7,145,362 from 19,819,739 the number of acres sold, selected and in course of alienation, it appears that 12,674,377 acres have been sold out-right, yielding £20,192,791. The land sold, and the upset value of selected land in course of alienation by deferred payment represents a total of £27,338,153 as the results of 45 years land sales, against £4,850,165 realized for the use of public grass during a period of 41 years. In round numbers twenty million acres has been parted with for ever for twenty seven million sterling; whilst the grass alone of forty million acres produced during the progress of alienation nearly five million sterling. If we sell our remaining acres what will be done when the land revenue is absorbed? What inducement to immigration shall we have hereafter to offer to the people of the old world? And what security for new loans shall we be able to offer to the money-lenders of London? The land policy of the future should therefore be one strictly of conservation. Nothing will be lost, and we have everything to gain by preserving the state domain from the further grasp of land sharks, and dummy-mongers. Selection of country lands should be stopped for the present, and leases for long terms at easy rents with a valuation of improvements in favor of the occupying tenant substituted. Town lands should be let on long building leases. As a compromise to this sweeping abolition of old usages, and old expressions, the free-hold of town lands might be sold for terms ranging from 20 to 30 years, full compensation for improvements being secured. And with regard to country lands the state might give intending settlers the option of selecting or leasing, reserving to itself the right of pre-emption. Meanwhile every reserve, common and river frontage should be religiously protected, and permanently secured for the lasting use of the people. Steps should also be taken to resume possession of some of the frontages to rivers, which were extensively, and greedily bought up in former years by the squatters for the purpose of making the back country useless for selection by cutting it off from access to water. In justice to the State this extraordinary device to secure the monopoly of vast areas of land at a nominal rent should be defeated. The law which enables the Government to take possession at a stipulated price of private land for the construction of railways or high roads should be brought into operation here, Reserves of ten chains wide and about two miles apart, leading from the back country clown to the river, should be taken possession of by the Government at a fair price, and opened up as roadways through those river-side private lands, to enable the stock travelling from the back country to have access to the river. The improved value and enlarged settlement of the back country resulting from this step, would more than compensate tenfold the cost of the private land resumed, whilst the right of the State to deal with its own lands without being liable to be checkmated by the

overreaching schemes of individuals would be vindicated
See report of Land Commissioners, 1879

Finis.

J. G. Edwards, Bendigo Independent Office, Sandhurst.

Education in Relation to Public Health.

A Paper read before the Waitaki Educational Institute, March 5, 1887,

decorative feature

MR PRESIDENT, LADIES, AND GENTLEMEN,—

The subject which I have chosen for my paper is one full of importance for us all, and one which I trust will commend itself to you for mature consideration in the future.

With you, gentlemen, lies, as you yourselves are quite aware, the moulding of the thoughts and the tendencies of the generations which follow us. I know many of you, possibly all, recognise this, and I have noticed constantly the struggle that you are making to perfect the profession in which you are engaged. It would be a difficult matter to single out the most noble professions in the world: Two are very prominent, and these two are the profession for the treatment and prevention of disease on the one hand; and the arousing of intelligence, the assertion of control, the direction of thought into proper channels, and the desire for knowledge based on good principles, on the other: this latter I would term education. And I am certain that the two go together, and depend much one upon the other, and that working one with the other much will be done. Nay, I am the more convinced that in the hereafter they will work together, and that, too, somewhat on the lines which I propose to indicate to you in my paper this afternoon. Unhappily, as Maudsley says, "We are not yet agreed as to what should be the true aim and character of education. Regarding the subject from a scientific point of view, the best education would seem to be that which was directed to teach man to understand himself, and to understand the nature which surrounds him, and of which he is a part and product. But if this be the true aim of education, how vast a revolution remains to be accomplished! How many things are men taught which they ought not to be taught, and how many things are they not taught which they ought to be taught."

"It will be admitted as regards a knowledge of their own nature and their relations to the law of external nature, man is yet in a position of ignorance very like that in which the savages are in regard to the laws of physical nature. Like them he feels their effects without understanding their nature; like them he cherishes superstitious belief instead of systematically setting to work to enlighten his understanding; like them he suffers from the stern and inexorable laws which he has not been taught to understand, and which he does not even recognise when he suffers by them."

Looking at this in the same light Dr. Humphry, of Cambridge in an address at the Sanitary Congress at Glasgow, said "so close is the inter-dependence of the physical, the mental, and the moral in man that an improvement or a deterioration in one of them is certain to be a deterioration or improvement in the other two. Thus a good sound education and that mental training which gives strength to thought and judgment, and which can only be carried out in the heathful body, will react beneficially upon the body as well as upon the moral tone, and will add to that uprightness of honor and that vigorous bearing which makes the man. No sentimental fancies, of overdrawn apprehensions of interference with the liberties and rights and free actions of citizens should be allowed to hinder the enforcement of those principles and laws which are requisite for the prevention and mitigation of disease. Let the *salus populi* simply, sensibly, and scientifically be really and practically the *suprema lex*. Will the extension of our education system to the masses advance their sanitary and moral condition and therefore prove a great boon to them, or will it not? The answer must depend upon the quantity and quality of that education. Knowledge, conjoined with the power to wield it, brings all nature under her sway. It not only reveals to us the best paths to health and strength of mind and body, but also enables us to follow them. Sanitarians are therefore necessarily educationists, and it is for us to point out and strongly impress upon those who are engaged in education that that education, and that only, is good which stores the mind without injuring the body. "We cannot too often or too forcibly reiterate the statement that the mental and moral qualities are largely dependant upon the physical, and will rise or fall with it, and especially in these days when in the growing struggle for existence, teachers are being ranged against teachers and pupils against pupils in competition for certificates, prizes, and places."

In connection with this Sir T. Spencer Wells's remarks are highly interesting: "We have heard of late much about over pressure from work in schools. This is one of the novelties of our time. No doubt it exists, and I think it may be in part traced to some of our sanitary success. We have reduced the mortality of early infancy. Many children who would formerly have died off hand are now saved, and find their way into the schools.

They are the survivals of the least fitted. They live but they are not strong; not so strong as the average. They have to submit to the same routine and to be forced up if possible to the same standard as the rest. But the effort is too much for them. Their frames are not hardy enough to resist the mental strain. They show all sorts of nerve symptoms; disappoint the teachers, and are the types brought forward as victims of the system.

"The vice of the system is that it is indiscriminate. There is no revision of the recruits, and the tasks are not apportioned to the feeble powers of sanitary survivors."

Allow me to show you how much this, the latest branch of our medical profession—this hygiene or public health—has done for Great Britain. What attracted and aroused attention to the matter? Well it was due to the report of Dr Farr on the vital statistics. It is just 50 years ago, for it was in 1837 that the Registration Act first came into force, and Dr. Farr showed that the death rate was too high. Measures were taken to lessen mortality, with the result that we now know that there is a gain of 20 years in the average duration of life. Fifty years ago the average duration of life was calculated at 30 years, now the health life table puts it at 49 or 50. Again during this 50 years the population of the United Kingdom, although losing vast numbers by emigration, yet has increased about eight millions.

How much of this is due to pure sanitation is difficult to say. Much is of course due to the progress made in medicine and surgery. The mortality from small pox has strikingly diminished, but all those are due in great measure to the attention aroused by Dr. Farr's statistics and sanitary legislation consequent to these. It has been calculated that each individual is worth £150 to the state. Now if we take it at a low figure and claim only two millions out of the eight millions of increase in the population, why then the country has gained clearly a sum of at least £300,000,000!

It cannot be denied that the efforts of sanitarians have done much for the country. They wish to do more, but have been thwarted over and over again by the want of knowledge of the ordinary principles of sanitation which pervades all classes from the lowest up to the legislature. Many beneficial measures have not been passed, others again have been repealed. Wisely did Lord Derby say that sanitary education must precede sanitary legislation. Thus it has been that efforts have been made and with astonishing success in introducing a system of instructing children at school in the elementary knowledge of public health.

Amongst others Mrs Catherine Buckton some 15 years ago, after being elected a member of the Leeds School Board urged the Education department to allow domestic economy to be taught to girls in the lower division of elementary schools by qualified teachers on scientific principles. This was acceded to, and the course included the nature of good and bad air, ventilation, and why we have fevers, cookery, food, especially the feeding of infants and preparing food for the sick. Much more important knowledge this than being able to give the locality, physical features and population, &c., of such places as "Kimberley" and "Penjdeh."

The Manchester and Sheffield School Boards instituted departments for teaching manual work to boys. On this the Royal Commissioner reported as follows:

"That after having had the opportunity of further considering the value of manual work as a part of primary instruction, and after having seen such work introduced into elementary schools of various grades in other countries besides France, are able to express even a stronger opinion in its favor than at the time of their first report."

Mrs Buckton goes on to say that a separate department for the manual instruction for girls should be adopted, to include sweeping, scrubbing, dusting, bed making, washing and ironing, cleaning of utensils, furniture, windows, kitchen flues, boilers, cisterns, and every sanitary apparatus to be found in a cottage dwelling

Two years ago the Lords of the Committee of Council on Education sanctioned the addition of hygiene to the list of sciences towards which aid is afforded by the science and art department. The following is the syllabus: Elementary stage. (1) Food, diet and cooking; (2) water and beverages; (3) air; (4) removal of waste and impurities; (5) shelter and warming; (6) local condition; (7) personal hygiene; (8) treatment of slight wounds and accidents. Advanced stage. (1) Food and adulterations; (2) water and beverages; (3) examination of air, water, chemical and microscopical; (4) removal of waste and impurities; (5) shelter and warming; (6) local condition; (7) personal hygiene; (8) prevention of disease. In addition to these, for honours, questions will be set on trades nuisances, vital statistics and sanitary law.

In Germany Dr. Scholtz of Bremen in an address before the German Teachers Association, follows in the same direction. he recognises that the Education of the body is of as great importance as that of the mind. He asks: "What is hygiene but the establishment of the condition under which man may reach the highest physical and psychical development, the restoration of nature so long opposed and crushed by a degenerate civilisation?" He quotes as a truth the witty aphorism of Baron Liebig that the actual stage of culture a people has, as a whole may be estimated by their consumption of soap, and he propounds four theses: Firstly, that hygiene should be obligatory in all primary schools. Fully recognising the justice of complaints of overwork in schools, he maintains that there are subjects taught of much less value which should be made to give way. Secondly, that

hygiene should be taught as a part of natural science and that in a practical way. He remarks that botany as commonly taught is utterly useless. Thirdly, he insists that instruction on hygiene should be strictly limited to its bearing on health. Fourthly, he maintains that hygiene should be compulsory and an integral subject in the training schools—*i.e.* normal schools.

I see also that quite recently Professor Hutton in an address to the North Canterbury Educational Institute I as advocated reforms in science teaching. I quite agree with him as to the receipts that would accrue from the course he suggests. But I firmly believe that a course of teaching such as I have been indicating would be of much more national benefit than by teaching in our free schools Chemistry, Physics, Botany, Geology, and Zoology. These, useful subjects though they be, belong to a higher education; which, in my opinion, it is not the duty of the State to provide.

Now gentlemen, I have thought it a convenient occasion, and in connection with this address to go into questions of more personal association with ourselves. I have told you broadly something of Public Health and its effects upon the people. Let us see how we ourselves stand and our conditions, and in what regard our respect, or otherwise, for the laws of nature has done for us during the past few years.

Thirty or forty years ago this place wherein we dwell was unpolluted by the touch of civilisation. A few wandering Moriories in the past, followed on later by their masters the Maori, travelled occasionally through this place. They never stayed here for any length of time for this locality did not find them so easily in food as many other places. By this I mean that there was never any great collection of people continuously here leaving behind them sources of disease to affect their after comers. But for the white man there was great attraction. A genial and dry climate and a fertile land, consisting of a considerable depth of black soil with a rich yellow alluvium underlying it, and a substratum of shingle for drainage; a flat surface surrounded with hills to keep off the prevailing boisterous southerly winds and storms; an almost natural harbor with good sea communication; and in the early days at times very difficult access to any port whence they might get their necessaries of life and dispose of their products. What wonder, then, that such a place as this should on the advent of the white man be seized on, settled on, and developed until it has grown into the fair and beautiful looking town that it is. The white man invaded the hitherto sacred precincts of nature; let us see how nature treated this invasion and the respect or disrespect of her own laws.

And now I must ask you to extend me a little latitude, and not be too hypercritical if I am not, perhaps, quite exact, or do not give you information upon any one subject that may possibly strike anyone of you. The subject is an enormous one, and one which I could spend hours in detailing to you, and one in which I have spent a good many hours in working out data in order to give you merely salient points. To be exact, to avoid hypercriticism or the challenges of the would-be-wise, much more would require to be done. I therefore throw myself on your leniency, feeling sure that the interest, and I hope satisfaction, aroused in you will make up for any shortcomings.

I have gone into the vital statistics of the registration district of Oamaru, which includes the county of Waitaki, with the exception of the ridings of Herbert, Hampden, and Moeraki. These are in separate registration districts, and time has not been at my disposal to examine these. It would be impossible to separate, Oamaru town from the district in this matter, as indeed it ought to be impossible in all other matters. The close connection between town and country is not perhaps always and in all matters so recognised as it should be. It is merely a question of time when the distinction will not be so diverse. Really one thinks sometimes that the old story of the "belly and the members" had been told in vain.

My thanks are due to the Registrar (Mr Filleul) and his assistant (Mr Tait) for the kind manner in which they have afforded every assistance in the use of the books in the office.

My researches extend over a period of 11 years from 1876 to 1886 inclusive, and I have compared the result obtained with statistics furnished by authorities in various parts of the world. My estimates of the population are based on the census returns furnished in 1878, 1881, and 1880. The intervening years are estimated on an average taken between these years. And I find that the population has increased in 11 years from 8409 to 11,175. There has been a slight decrease in the population of the town during the last two or three years which has been more than made up for by the increase in the country, and this is as it should be. There are not the public works going on in the town now, which formerly attracted a floating and not altogether a desirable population. In connection with this increase, which amounts to some 3666 person, I find that during the 11 years there have been 4542 children born here, and there have been 1078 deaths among persons of all ages.

Now my principle object in working out this information was to ascertain upon what health footing we are as compared with other places. It is somewhat difficulty to do this fairly, because we are throughout the whole colony a young country and we have only a small proportion of deaths of old people—that is, persons of 60 years and upwards—and this because the colony is not old enough. This has also to be borne in mind when comparing the death rate of last year with the death rate of 11 years ago; on this ground the death rate should

now be higher—on the contrary it is less.

Firstly, let us see what the death rate of ordinary places is: The mean annual death rate of nine principal countries in Europe for twenty-two years is 25.7 per 1000 of inhabitants. The death rate of New Zealand for the last 10 years is 11.27; the death rate of Oamaru and district for the last 11 years is 9.5, and this is a fact which ought to be highly satisfactory.'

It may be argued that this ought to be so. "Well, I suppose we stand in relation to the rest of New Zealand in very much the same position as Brighton, Hastings, Clifton, and other health resorts stand to the big centres—let us see how we compare with them. From a report published in the *Sanitary Record* of August 1886 the death rate of 46 health resorts in Great Britain averaged 15.6 and was considered unusually small; but ours for an average of 11 years is only 9.5, and last year only 8.3. Thus you see we may claim to be living in a very healthy climate, and that our violation of the laws of nature has not done us so much harm as it does in other places.

Now let us go a little further and enquire how long this has been so whether we are improving or falling back. And in dealing with this phase we have to consider whether during the last eleven years any material thing has occurred to increase or lessen our mortality to produce or hinder those diseases generally called Zymotic, which are the penalty laid down by nature for the infringement of her laws. And the answer comes back sharp. Yes there has been something done—something of vital importance; something expensive, but which the bare faced logic of facts and figures show, has done something to mitigate the penalty ordered by the Resident Magistrate of Nature's Court. And I seem to hear the sanitary Counsel for the defence urging the plea of an increased and wholesome water supply. Let us see what he has to plead:—

"Prior to the year 1880, your worship, my clients, the inhabitants of this town, had to content themselves with such water for drinking and washing and for providing their beasts of burden with drink, as your worship's Mistress Dame Nature, chose to provide in the way of rain, they also had in times of drought to fall back on the water supplied by a small stream which ran through their dwellings. In times of scarcity they used to send carts down to a hole in this stream and then fill barrels with the water obtained from this hole, and paid many pounds for water obtained in this way. My clients also, were unable to comply with your regulations and keep their streets clean, and were in the habit of digging holes to put their filth in, and also dug other holes close beside the first holes and called the latter wells and drunk the water. The filth from many of these holes also flowed into the stream whence they bought their water, and they were punished accordingly. For sickness and disease came amongst them. And then they set to work and brought in fresh water; and they did not die, not so many of them &c."

As a matter of fact the mortality for four years previous to the bringing in of the water supply into Oamaru was at the rate of 10.4 per 1000 as compared with 8.9 the rate for seven years after. The infant mortality was also much higher with an exception in 1883 when the mortality was exceptionally high; but this was due to the great mortality amongst children from an epidemic of whooping cough prevalent that year and the dregs of scarlatina introduced the proceeding year from outside sources. I may point out as a most striking fact that in the four years prior to the introduction of the water works there were no less than 14 deaths from typhoid fever, and that for the six years succeeding them there have been only six. The mortality also amongst children from diarrhoea—which is a sure index of the health of the people—has much lessened of late; being only an average of 8 per annum as against 14 before the introduction of the water.

It may appear to you that this is a terrible fuss to make over a difference of one or two deaths in a place. But it is not the deaths only but the corresponding amount of sickness and its cost. Take the mortality amongst typhoid said by some to be one in eleven, by others, one in twenty—but take it as one in fifteen that would give 210 cases of typhoid in four years as against 96 in the succeeding six years.

Typhoid again is at least a three weeks illness and requires four to six weeks more to recover strength. Now this gives us for four years 630 weeks of acute illness with all the attendant expense of doctors, medicines, etc., loss of work; and 1050 weeks more of convalescence during which work cannot be done and money cannot be earned, or a total of 1680 weeks or 32½ years; as against six years, with 200 weeks of acute illness and 400 convalescence or a total of 12¾ years.

Now what has this cost including everything, the actual cost, doctor's attendance, physic and nursing, and loss of work or salary during all that time? It cannot be put down at less than £4 a week, (it has been estimated at £9 7s). Reckoning it very roughly at this rate (£4), and in this crude way there has been a saving to the community of over £4000 on typhoid fever alone during the last six years.

In this connection I may point out that the decrease of mortality can not in any way be attributed to more rain, for from the information kindly supplied by Mr T. W. Parker, I find that the rainfall for the last six years has been slightly less than it was for the four years prior to the introduction of the water supply.

Roughly in this way have I tried to show you the benefits of Hygiene, and practically how much may be done to increase the wealth as well as the health of nations by its means. Sanitary science as compared with

other sciences is a baby in arms, but it is a sturdy chicken and growing very quickly, and showing daily the increased necessity for its welfare.

But now there is another matter bearing upon the subject at issue, upon which I would that I had more time to dilate. It is a sort of corollary of my paper and it is the "effect of teaching on health," and I much fear there is a huge stumbling block in the road. The path of sanitary education is stopped—stopped by the fear of teaching the children how dangerous the present scheme of education is.

Quis custodiet custodes ipsos?

How shall we teach public health when the primary laws are set aside by the heads of department? What folly to teach children that they require 400 cubic feet of air and then only give them less than half!

Our system is too young and the system of registration is too inexact, to in the meantime, permit proper data—and it is too much the custom in this Country on all subjects to think that we are special people—that what applies to other places does not apply to a new Country. We forget that older countries were once new countries; that the laws they have adopted are forced upon them, mainly by force of circumstances, and we do not realise that we are developing at such a rate that the force of circumstances acts upon us with a greater power in proportion to the rapidity of our development.

It has taken many years to develop short sight as a national curse to Germany, but if I may judge from the number of young people" in Otago—particularly in the south who wear spectacles, it has only taken a few years to develop short sight in our young Country. In the Franco-Prussian War, the German soldiers were ordered to fire from the hip instead of the shoulder, and the reason given out was defective ammunition which might burst at the breech and thereby of course be apt to injure their eyesight; but as a matter of fact it would not matter much whether they fired from the shoulder or hip, for the majority cannot see to take aim at more than 300 or 400 yards. How different "this is to the shooting of the Boers, brought up in the fields of nature! History tells us, alas, of the fatal effects of their good eyesight.

And this short sight is only a symptom of depreciation in other respects Time is too short to go fully into this, but I must, quote to you the result of researches made into this subject on the continent of Europe, and this statement is based on the reports published by English, American, German, Russian and French doctors, and is reported in the *Sanitary Record* of June 1835. Firstly, it is that upwards of 56 per cent—more than one half—of scholars generally are short sighted; that these also suffer from bad health. They go on to say that in country schools this short sight is only 1 per cent and increases in porportion to the education from 10 to 25, from 20 to 40, from 30 to 55, and from 64 to 80 and even up to 100 per cent. The young Volunteers (*i.e.* young men of upper classes, and highly educated, who servo one year as Soldiers instead of five) are so imperfectly developed physically, that they are sent back for a year, in twice the proportion of other conscripts. Others show that in consequence of bad seats numbers of children have one shoulder higher than the other, and they point out that owing to the deviation of the spinal column and consequently by pressure of the ribs indigestion and mal-nutrition are the results. Others show that toothache and congestion of the brain and faulty digestion, are observed amongst hard working pupils. They also point out that the pupils of the upper schools are pale, languid, thin, and show anæmic symptoms often the first indices of consumption, and two observers have stated that tuberculosis or consumption attacks especially the hard working pupils, those who fit themselves to be teachers and professors. *Verbum Sapientibus*. Is not all this, however to be more attributed to overcrowding than to over teaching?

Another malady attributed to over education is insanity. And it is really refreshing to learn the opinion of an expert in this subject and one who does not put it down so much to the effect of over education as to the effect of over educating an unfitted class of persons. Dr Savage has had many years experience amongst the insane and as a physician to the Bethlem Royal Hospital—commonly called Bedlam—his opinions are entitled to a certain amount of respect.

He says "Does Education produce insanity? Is the present age of School Boards one in which insanity is manufactured by over work? In my opinion true education—that is, the true development of mind and body—is the best preventative of insanity. Don't develop one side at the expense of the other. The Education which I have seen do much harm is that which may be called education out of harmony with the surroundings of the individual. I have constant examples in Bethlem of young men who having left the plough for the desk have found after years of struggle that their path was barred. Disappointment, worry, and solitude have produced insanity of an incurable type. A strong healthy girl of a nervous family is encouraged to read for examination and having distinguished herself is perhaps sent to a forcing house, where useless book learning is crammed into her. She is exposed, like Strasburg geese to stuffing of mental food in over heated rooms, and disorder of her functions results!

"Education leads men to over estimate their mental acquirements as compared with their bodily action, and with its increase are produced over ambition, feverish pursuit of gain and pleasure, aggregation in towns, celibacy, with vice of one kind and another, and development of religious indifference and general unbelief,

associated with the neglect of general hygienic conditions."

These remarks of Dr. Savage are perhaps open to criticism, but they are on the whole true. At least, my object in bringing these as well as other opinions before you is to awaken thought and reflection. I would advocate teaching our children as they grow up the ordinary principles of the sustenance of their healthy lives. They will then be in a position when they grow up to be able to legislate with wisdom for their children, our grand children.

"Know thyself" was the wise man's saying two thousand years ago, and still we must repeat "Know thyself, thy body, its construction and functions—the conditions of its life; not merely to keep the body in health, but to preserve it as a temple fit for the soul."

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Trade Depression, *Recent and Present*.

By Augustus Mongredien,

Author of

"Free Trade and English Commerce," "Wealth-Creation," &c.

decorative feature *London, Paris, New York & Melbourne*. Cassell & Company, LIMITED:

On Trade Depression.

Chapter I.

The Question Stated and its Solution Set Forth.

WHAT are the causes of the recent and existing depression in certain branches of our trade?

A very natural and very important question! Various answers have been given to it, but it appears to us that the most simple, the most obvious, and by far the most conclusive has not yet been put forward. No doubt that, of the various causes assigned, most of them have concurred, in a certain degree, to produce the result. But they do not nearly cover all the ground, and some far more efficient factor than any hitherto adduced must be sought for.

During the year 1884 there occurred a vast and sudden falling off in our foreign trade in both Imports and Exports. The average Imports and Exports for the four years 1880 to 1883 were £710,293,000, while in 1884 these sank to £685,147,000, exhibiting a sudden collapse of £25,146,000, of which, as we shall afterwards show, £21,622,000 occurred in the Imports, and £3,525,000 in the Exports. Note that there had been no gradual decline in our foreign trade since 1880, culminating in 1884. On the contrary, the amount of our foreign trade in 1883 had been greater (viz., £731,041,000) than in any of the previous years, and therefore, the deficiency of 1884 in our Imports and Exports might have been reckoned as much larger (viz., £45,894,000), if we had confined ourselves to a comparison between the years 1883 and 1884. We deem it, however, fairer and safer to take as a standard for comparison the average Imports and Exports of the four years preceding 1884.

How then stand the facts? Thus: that during the year 1884 there occurred a sudden drop in our Imports and Exports of no less than twenty-five millions sterling in value. It will, we think, be readily conceded that in explaining the cause of this falling-off in our foreign trade we are, in fact, explaining the main, if not the sole, cause of the trade depression into which we are inquiring. That cause is not far to seek. The great diminution in 1884 of our Imports, and consequently of our Exports, was the natural and necessary result of the improved and fairly good harvest with which this country was favoured in that year. No doubt, at first glance, and by some persons, this statement will be regarded as a paradox. "What!" it will be said, "are we expected to believe that our trade was bad because our harvest was good? That the blessing of comparative abundance has been a source of evil and distress?" Our reply is that the distress is only partial, and will be temporary, whereas the benefits of a good harvest are a gratuitous boon to the entire community, and moreover that, even if it were not so, our statement will be found, on examination, to be perfectly and logically accurate.

The connection between the good harvest of last year and the simultaneous diminution of our foreign trade is, we submit, susceptible of easy and conclusive proof. Let us see by how much, in money value, the cereal products raised in the United Kingdom in 1884 exceeded those of the preceding years. That excess is easily measured by ascertaining how much less of foreign cereal products we imported in 1884 than we had imported in previous years. True that we always do, and shall, require a considerable supply from abroad of wheat and other cereals, but our imports are regulated by our requirements, and the more plentiful our own harvests, the

smaller the deficiency that we have to make good by importing. Now the amount of our cereal importations in 1884 was £47,563,000, being £15,719,000 less than the average annual amount of the four preceding years. Here are the figures, taken from the Board of Trade returns, which clearly demonstrate the fact:—

It thus appears that in 1884 our foreign supplies of cereals fell short of the average of previous years to the extent of 15½ millions of pounds sterling; and to that extent, therefore, we may infer that the home harvests of 1884 had exceeded in yield the harvests of the previous few years. Here, then, arising out of the improved yield of our crops in 1884, we have a sudden curtailment to an enormous amount in the importation of the single article of cereals. The effect of so vast a deviation from the normal average, over our total Imports, total Exports and foreign trade generally, we shall now proceed to trace.

Chapter II.

Diminution of Imports in 1884—its Effects in Diminishing the Amount of our Exports—Buying from the World Compels the World to Buy from us.

So far we have only examined the decrease in our importations of wheat and other cereals during 1884. Let us now proceed to examine how far the total importations of all articles fell short, in the same year, of the average importations of the four preceding years. Here are the data by which that question may be solved:

Thus it appears that our aggregate Imports of all articles during the year 1884 were £21,622,000 short of the average annual Imports of the preceding four years (1880 to 1883). Now, of this defalcation in our total Imports, no less a sum than £15,719,000 arises, as we have shown at p. 7, from the defalcation in our Imports of cereals alone. As nearly as possible, three-fourths of the entire falling-off in our total Imports is at once accounted for by the falling-off in our Imports of the single article of cereals. That this falling-off in cereal importations "was the natural and necessary result of the improved and fairly good harvest" of 1884, must we think, be readily admitted, and it thus proves itself to have been by far the most potent factor in causing that depression in foreign trade into which we are inquiring.

It now becomes our business to investigate the effects which this sudden diminution in 1884 of our Imports, to the extent of 21½ millions of pounds sterling, must of necessity produce—(1) on the amount of our exports; (2) on the special industries which are connected with, and dependent upon, our foreign trade; and (3) on the general prosperity of the country. We will take these topics *seriatim*.

1. That the Imports of a country from the world at large are (excepting those sent to pay interest or to make loans) paid for, not in bullion, but by the export of goods to the same amount, has been so frequently shown, and is now so universally established, that it is superfluous here to do more than state the fact. On that principle it is clear that a diminution of 21½ millions in the Imports of 1884 must occasion a corresponding decline in the Exports, and that our sendings abroad must be proportionately curtailed. Let us consult the Board of Trade returns, and see how far this anticipation has, in 1884, been realised by the facts. We may remark, however, that if the diminution of Imports were simultaneously accompanied, or immediately followed, by a corresponding diminution of Exports, we might expect that the 21½ millions diminution of Imports in 1884 was at once met by 21½ millions diminution of Exports within the same year. But, as we shall presently show, some interval necessarily elapses before Imports can act on Exports, and although the cause surely produces the effect, yet a few months must intervene before that effect is fully produced. We now proceed to set forth the figures which show the actual decrease of our Exports in 1884:

Thus it will be seen that out of the expected decrease of 21½ millions in the Exports to meet the same amount of decrease in the Imports, only 3½ millions are accounted for in the returns for 1884. For the remaining 18 millions we have to look elsewhere. We ought to find them in the returns for the earlier months of the present year, 1885. And true enough, on consulting those returns, we see that, whereas the Exports from the United Kingdom for the first six months (January to June) of 1884, had been £149,440,000, the Exports for the same period in 1885 were only £133,474,000; showing a decrease in our Exports during the first six months of the present year of no less than, £15,966,000. If to these 16 millions we add the 3½ millions decrease realised in 1884, we find that out of the 21½ millions decrease which we had looked for, 19½ millions are already accounted for up to this date (July, 1885). The remaining 2 millions, *plus* any additional diminution in Imports that may occur in 1885, will have to be met by a corresponding decrease in Exports during the latter six months of that year. If, however, our cereal requirements should prove to be about the same this year as last, we may expect that the decrease in Imports will soon be checked, and that, in sympathy with them after a certain interval, Exports will begin to rise from the low level to which they had been reduced. We shall have enjoyed

the notable benefit of a large increase in our home produce, and have passed through the temporary evil arising from the diminished foreign trade which it occasioned.

As we have already briefly stated, the influence of diminished Imports in proportionately diminishing Exports does not make itself felt immediately. The reason is obvious. The early indications of a probable good harvest in England make corn-merchants pause in their operations; and by the time that those indications are verified, and that it becomes clear that our grain requirements will fall short of those of previous years, the importations have already been checked, and have, to a great extent, adapted themselves to the contracted scale of our wants. On the other hand, it is months before Exports feel the effects, and they meanwhile go merrily on. After a little time, however, as our importations have diminished, bills on England become scarcer. A sensible rise in the rates of exchange (that unerring commercial thermometer) gives the first note of warning. The foreign buyer has to pay for the British goods which he has imported, but from the scarcity of bills and consequent adverse rate of exchange, he has to pay more of his native coins per pound sterling than he had calculated upon. This raises the cost to him of his British goods to such a point that he makes no profit, or possibly loses money, by them, and he accordingly either stops or curtails his operations. Thus do our Exports get checked and diminished until the time comes when the equilibrium between the goods imported by us and the goods exported by us is restored. Then the rates of exchange return to their average parity, and operations in English goods are resumed under normal conditions.

We hope to be pardoned if we parenthetically remark that it is Imports which govern Exports. A country can, at will, buy from the world at large to the extent of its wants or desires, for there are always sellers. But it can only with certainty export to the extent of its purchases, for buyers are not always in the humour. It depends on yourselves how much you will buy from the world at large; and, to that extent, it depends on yourselves how much they shall buy from you. Every fresh purchase you make compels a fresh purchase from you of the same value. However averse the outer world may be to buying from you, and whatever barriers they may interpose with that object, you at once break through them by the simple process of buying from them. It is only by refusing to sell to you that they can escape buying from you. If they once consent to sell to you, they are utterly helpless; the transaction must of necessity be completed by their making a purchase from you to the same amount. As an old French economist pithily expresses it "*Acheter c'est vendre; vendre c'est acheter.*"

In treating of the foreign trade of a country, it is absurdly fallacious and misleading to look only at its separate dealings with any single other country. We must take its aggregate dealings with the world at large. We must consider not its isolated commercial relations with some particular nation, but the totality of its commercial relations with all nations. What kind of a balance sheet would that be deemed in which the trader omitted his accounts with most of his customers, and only exhibited his accounts with one or two of them? What matters it to you which it is of the hundred different countries of the earth that you may buy from or sell to? For your purpose it is sufficient to know that, by buying goods yourselves from some or all of them, you can irresistibly compel some or all of them to buy goods from you to the same amount in return, whether the sellers and buyers be the same individually or not.

Chapter III.

Diminution of Foreign Trade in 1884—its Effects on the Special Industries Connected with Foreign Trade.

2. WE have now to consider the effect of diminished Imports and Exports on those special industries which are connected with, or dependent upon, foreign trade. A moment's reflection makes it plain that the shipping interest must necessarily be the chief and the earliest sufferers. Here are, in the course of a few months, some 43 millions worth of merchandise less to carry to and fro between the United Kingdom and the rest of the world; 21½ millions of Imports less to bring in, and 21½ millions of Exports less to take out. This is an enormous quantity, and must make a big hole in our carrying trade. Let us try to frame a rough and approximate estimate of the number of shiploads which 43 millions worth of merchandise may represent, and of the consequent diminution it must effect in the demand for mercantile shipping. For this purpose we will take as a criterion the easily ascertainable diminution in bulk of our cereal Imports in 1884, and from this calculate the number of cargoes less of grain alone, that must have been brought to the United Kingdom during that year, than the annual average of the preceding four years. In a foot-note

In the Board of Trade returns for December, 1884, we find that the total quantity (in weight) of cereals (wheat, flour, maize, barley, &c.) imported during the year 1884 was 118,407,000 cwts., and that the value thereof was £47,563,000. On this basis we find, by the rule of three, that £15,700,000 (the amount deficient in 1884 from previous average) represents 39,400,000 cwts. of cereals—equivalent to 1,970,000 tons. There

would therefore be this enormous weight less to transport from foreign countries to the ports of the United Kingdom. How many shiploads does that represent? Taking an average cargo of grain to be 7,000 qrs., and the average weight per quarter of the grain to be 480 lbs., we find that the weight of each cargo will be 1,500 tons. Now, if we divide the above 1,970,000 tons by 1,500 we find that in 1884 we imported, of cereals, 1,315 cargoes, of 7,000 qrs. each, fewer than we had annually imported during the four preceding years. will be found the data and the calculations from which we collect that, of cereals alone, we had, in 1884, imported into the United Kingdom 1,315 shiploads less than the average of previous years. Now, these 1,315 shiploads only represent £15,700,000 out of the total £43,000,000 short imported and exported in 1884. If we take the remaining £27,300,000 of miscellaneous goods, to represent a proportionate number of shiploads, we shall arrive at an additional number of 2,286, making, with the 1,315, a total of 3,601 shiploads less carried during the year 1884 than during previous years.

Something, however, will have to be deducted from that total as affecting British shipowners, because foreign ships have some share (though but a small one) in the ocean-carrying trade, and some share, proportionately small, of the depression would fall upon them.

It is evident that, after making all reasonable allowances, our shipowners have had from 2,500 to 3,000 fewer cargoes to carry during 1884 than the average of previous years. To what extent so sudden a collapse must have injuriously affected shipowners may be vaguely imagined, but can never be accurately assessed. A number of their vessels must have remained totally unemployed, and have been laid up in expensive idleness. But this disaster forms only a part of the losses which accrued to the shipowners. A still greater loss to them resulted from the very reduced rates of freight to which they were compelled to submit. The demand for ships having largely fallen off, the keenest competition ensued among owners to secure what freights there might be offering. One would bid against the other until the rates were cut down to the lowest endurable point. Owners are naturally very reluctant to incur the great loss and inconvenience of laying up their ships, and keeping them like unemployed horses in a stable, that "eat their heads off." In preference, they in many instances accepted unremunerative and even losing freights. How much less money was actually received for freight by shipowners in 1884, as compared with 1883, who can tell? But it is certain that, what with some of their ships earning no money at all, and the rest barely paying their expenses, their cash receipts last year must have shown a lamentable falling off from those of previous years. We think that it has now been made quite clear why, and in what way, shipowners were heavy sufferers by the suddenly diminished foreign trade of 1884.

Among other cognate interests which also suffered extensively from the same causes, the ship-builders stand prominently forward. For several years previous to 1884, our shipbuilding yards, in England and Scotland, from the Thames to the Clyde, had enjoyed unprecedented prosperity. They could hardly supply ships fast enough to meet the demand, and good profits and good wages made both masters and men happy. But when, from causes which we have already explained, early in 1884, first Imports and then Exports suffered a great decline, the demand for ocean conveyance declined in similar proportion. Ships became redundant, orders for building new ones ceased to flow in, and the yards, which had lately presented such a busy scene of industry, became comparatively silent and desolate. Heavy losses fell on the master-builders which, however, their solid wealth from previous accumulations enabled them to bear, while the working shipwrights, the wage receivers, thrown out of employment by no fault of their own, underwent severe distress during the gradual displacement of their labour into other channels of employment.

As a natural consequence, the diminished construction of ships (in which the consumption of iron enters so largely) occasioned a proportionate falling off in the demand for that metal, so that (other concurrent causes assisting) the wave of depression extended to the iron trade, and then spread to the closely connected coal producing industries and others which they influence more or less directly.

Moreover, it would necessarily follow from there being between 2,500 and 3,000 fewer cargoes to load and unload at our chief ports, London, Liverpool, Glasgow, &c., that there would be less demand for persons living by that kind of labour, so that a number of dock-labourers of all sorts would be thrown out of work, and. would have to endure much privation till reabsorbed into other openings for their labour.

We have now enumerated, not indeed all, but the chief industries which might, *a priori*, have been expected to suffer by the diminished Imports and Exports, three-fourths of which diminution arose directly, and much of the remainder indirectly, from the increased produce of our harvest in 1884. Let us now see how these forecasts tally with the actual facts as they occurred. On examination we find that the industries which really did most suffer during the "recent and present" depression are precisely those which we have enumerated above. The loudest and most justifiable complaints of distress have proceeded from the ship-owning interest, the ship builders and their artisans, the iron and coal industries, the dock-labourers, and a few other classes more or less dependent on foreign trade. From the great manufacturing districts there came but few complaints. The agricultural classes were better off than usual. The retail traders throughout the country, a large and sensitive class, were in a flourishing state; the miscellaneous labour-sellers, with the few exceptions to which we have

referred, were well employed and well paid; and the general prosperity of the country was unimpaired. How it came to pass that so large a diminution, within so small a space of time, as 43 millions in our foreign trade, should have produced so little derangement in our internal economy as it did, will form the subject of our next chapter.

Chapter IV.

Diminution in our Foreign Trade Amply Made up by the Good Harvest of 1884 and the Consequent Expansion of our Home Trade—Effects of this Substitution on the General Prosperity of the Country.

3. WE have now to consider the effects which the good harvest of 1884, and the consequent decline, in that and the present year, of our foreign trade, produced on the general condition of the country. It will easily be made clear that the partial evil which the improved harvest caused by diminishing foreign trade, was more than counterbalanced by another and far happier effect of the same cause, viz., an active and prosperous home trade. The £15,700,000 worth of cereals, which we in 1884 raised at home instead of importing from abroad, were still exchanged (as they would have been in the latter case) for various commodities, the produce of British labour and capital, but with this difference: that the exchange now took place between the British manufacturers and the British agriculturists at home, instead of taking place between the British manufacturers and the agriculturists of America, India, Russia, &c. That large sum chiefly went to improve the condition and to increase the purchasing power of the agricultural classes, while the manufacturing classes obtained a home market for their wares, to at least the same extent as they would if those wares had been sent abroad to pay the foreigner for his grain, instead of remaining at home to supply the increased demand from the agriculturists. This sum of £15,700,000 was, in both cases, spent in paying British wages of labour and profits of capital, with the great additional advantage of its, at the same time, relieving the burdens and contributing to the comforts of the land-cultivators, on whom a succession of bad harvests had pressed so heavily. Moreover, to manufacturers and dealers it afforded the advantage of selling at home what they otherwise would have sold abroad. To them the home is always preferable to the foreign trade, because, in the former, transactions are more rapidly closed, and the risks from fluctuating markets, bad debts, political complications, &c., are very much less. Thus it is clear that, on the whole, the good harvest of 1884 has proved a blessing all round, as indeed all increase of production from the same expenditure of capital and labour must ever prove, in every branch of wealth-creation.

Of course there were exceptions to this general state of well-being. All improvements, while beneficial to the entire community, must of necessity cause to some, a displacement of labour and capital, and therefore entail partial loss and temporary suffering. We have already pointed out the classes which have mainly been affected by the abrupt falling-off in our foreign trade. Ship-owners, ship-builders, iron-masters, &c., and the artisans and labourers connected with these, have, in the present conjuncture, had to bear the chief brunt. To these we might here properly add another class whose case is less pressing, but is not less pressed, whose losses are comparatively much smaller, but whose impatience of them are quite as great. We mean those foreign merchants, brokers, and agents through whom Imports and Exports percolate, and those bankers, money dealers, &c., whose business is curtailed by the curtailment of foreign trade. These are mostly well-to-do persons who can, without much inconvenience, await the return of the tide, which has, for the moment, receded from them. It is, however, from the capitalists and extensive traders who largely constitute the upper middling class, that the cry of "bad times" most loudly proceeds. The comparative prosperity of the less wealthy classes is hardly a consolation to them for the slower accumulation of their own wealth.

Thus, then, did there, in 1884, spring out of the soil an addition of £15,700,000 to the wealth of this country, as compared with the soil's produce during preceding years; and thus were we well able to endure the consequent falling off in our foreign trade. How different would be the effects of diminished Imports and Exports were they caused, not by the bounty of Nature, but by the artificial restraints of man! In the latter case, the good would be eliminated and only the evil would remain. An import duty would cause no increase of production from the same amount of labour and capital, but would simply constitute a poll-tax on every bread-eater, that is, on every man, woman, and child in the country, with the result of increasing landlords' rents. Against such a poll-tax innumerable Wat Tylers would arise.

The foregoing considerations account for the curious contrasts and apparent anomalies which Mr. Goschen and others have noticed when comparing the collapse of our foreign trade with the simultaneous prosperity of

our home trade. In 1883 our total foreign trade (Imports and Exports) was £731,041,000. In 1884 that foreign trade suddenly fell to £685,147,000—a diminution in the course of a few months of no less than £45,894,000! Such a drop as this from one year to another never before occurred in the history of British commerce. Even in 1878, a year of universally great commercial and agricultural prostration, our Imports and Exports only exhibited a decrease from the preceding year 1877, of 35 millions, viz., from £646,000,000 to £611,000,000. In proportion, then, we might have expected that the prosperity of the country would have received a far ruder check in 1884 than it did in 1878. But such has not been the case. On the contrary, the Income Tax returns show that the profits, both from trade and from agriculture, had increased, the increase being greater, as a percentage, on small than on large incomes. The savings of the people have continued to accumulate; pauperism has declined, and the consuming power of the country has been as great as ever except in the article of alcoholic liquors; and who is there that will repine at that exception? Labour, save in the few and partial instances that we have pointed out, has been in better demand and has obtained, on the whole, better remuneration than before, while the retail traders of the country have enjoyed special prosperity. When have the masses, the labour-sellers, the pith and marrow of the nation, been so well off? The improvement in their diet, their dress, their education, their habits, their tastes, and their self-respect, must deeply impress those who remember the condition of the same classes some thirty, forty, or fifty years ago.

At first sight it appears difficult to reconcile this general well-being with the fact that its existence was simultaneous with an enormous falling-off in our foreign trade between the years 1883 and 1884. But further reflection shows us that the good harvest of 1884, as it was the direct and chief cause of our diminished foreign trade, so it also was the redeeming circumstance which counteracted the injurious effects of that diminution. Indeed, it not only cured the wound it made, but it also infused fresh strength and vigour into the social frame. True that some few suffered, but, through the impulse given to the home trade, its beneficial effects were widely diffused among the less affluent and more numerous classes of the country.

Chapter V.

Inferences as to the Future—Summing up and General Remarks.

IT now remains to inquire what are the inferences as to the future that may be drawn from the facts and reasonings that precede? Of course, the immediate future, as far as this inquiry is concerned, must depend on the nature of the harvests in the United Kingdom during the next two or three seasons. These may prove to be (1) about the same as that of 1884, or (2) inferior to it, and only about equal to the average of those of 1880-1-2-3. Or (3) they may be abundant and in excess of the harvest of 1884 to the extent, say, of 10 to 15 millions of pounds sterling in value. Let us take each of these hypothetical cases in turn.

And, first, we will assume what is perhaps the most probable of the three suppositions, viz., that the harvests of the United Kingdom for the next three years will be about equal on the average to that of 1884. If that be so, we shall, in the course of 1885, require an importation of cereals, about equal to that which we required in 1884, and therefore, from that source, there will be no further decline in our importations. We shall want as much and take as much grain from abroad as in 1884, but no more. There is, on the other hand, a certain natural and normal annual increase in our Imports, corresponding to our natural and normal annual increase in population and wealth, as well as to our growing productive and consumptive power. We may, therefore, expect that instead of Imports continuing to decrease, they will begin to increase. As a natural consequence, we may in due time look for a proportionate expansion in our Exports, but not quite so quickly. For, as we have before shown at p. 11, our Exports, being, not immediately, but only after a certain interval, influenced by the course of our Imports, the former have not up to this time (July, 1885) suffered a diminution corresponding to that of the Imports, and, therefore, some further diminution in them must be looked for. To sum up, we may infer that, under the hypothesis that the harvest of 1885 will be about equal to that of 1884, there will in the latter part of this year be a gradual increase, month by month, in our Imports, accompanied, for some months, by a decrease in our Exports, but followed after that time by a proportionate increase in them. In other words, we may anticipate, under the given hypothesis, that for the next few months, Imports will gradually increase, while Exports will diminish. But that the turning-point for Exports will shortly have been reached, and after that, not only will the Imports continue to increase, but the Exports will also follow that increase in due proportion.

Secondly, let us assume that the harvest of 1885, instead of being equal to that of 1884, shall prove to be only equal to the average of the years 1880 to 1883. It is clear that we shall then have to import cereals of the annual value of about £15,700,000 more than we imported in 1884, and as a necessary consequence, there will

be a renewed and sudden demand for shipping to convey to our shores additional cereals to that amount from abroad. Ship-owning, ship-building, and all the other interests specially connected with foreign trade, will receive a fresh impetus, and revive into fresh activity, in which, with close sympathy, our Export trade will participate. On the other hand, our home trade will proportionately suffer from the deficient productiveness of our agricultural labour and capital. There will be more interchanges between ourselves and the world at large, and fewer between the various members of our own community.

And thirdly, let us take the supposed case of the harvests of 1885 or 1886 proving so abundant that we shall require still smaller importations of cereals than we did in 1884, say from 10 to 15 millions of pounds sterling in value less. Under those circumstances, our foreign trade would again fall off by that amount, less any normal increase which might meanwhile have accrued. Shipping, &c., and the industrial interests cognate thereto, would again suffer temporary depression, while the home trade proportionately improved, and the fresh addition to our national wealth would conduce to the welfare of the people and the general prosperity of the country.

Pity, no doubt, that the blessings of an abundant harvest should not prove an unalloyed good, and that while contributing to the general benefit, it should bring with it transient evil to certain classes. But every change in human affairs, however much for the better it may be, has for immediate effect to transfer demand away from certain forms of labour and capital on to some other newer forms thereof. Thus, all scientific discoveries and labour-saving inventions, while productive of the greatest permanent benefit to mankind, temporarily displace labour and capital from some of their accustomed channels. They occasion local and temporary suffering until the displaced labour and capital get re-absorbed into the fresh and more fructifying channels which these discoveries and inventions open to them. Instances of such displacement are constantly occurring, and must ever recur unless means were found of arresting all change and of, as it were, stereotyping the existing form of human affairs. A consummation as devoutly to be deprecated, as it is impossible of attainment; for, while it would prevent decadence, it would also stop all improvement, and would condemn mankind to final acquiescence in its present incomplete and unsatisfactory *status*.

It may be observed that throughout these pages we have taken as basis of comparison the value and not the volume of our Imports and Exports. We fully recognise the action on prices of the varying relations between merchandise, &c., the represented, and gold, the representative; whether those variations arise from the constantly increased volume of the former, or from the falling-off in the production of the latter, or from both combined. But that action is slow, uniform, and gradual, and totally inadequate to account for the sudden and abrupt catastrophe of 1884. It is like the irresistible, but silent and imperceptible, advance of the glacier which has no causal connection with the sudden fall of the avalanche. The gradual declension of prices had not prevented the gradual advance of our Imports and Exports to £731,000,000 in 1883, the highest point that they ever reached. How then could it possibly cause the sudden collapse to £685,000,000 in 1884?

We have now completed to the best of our ability the task which we had undertaken. If, as we hope, we have succeeded in pointing out the real causes of the "recent and present" depression of trade, we may then venture to remark how superfluous it must be to appoint Royal Commissions or Parliamentary Committees to search for causes that are already ascertained. It is like employing expensive, cumbersome, and slow-moving machinery to dig deep into the soil in order to get at objects that lie on the surface.

In obedience to the inevitable law of correlation between Imports and Exports, an immense national blessing has caused some partial and transient trade disturbances. But if, as maybe hoped, we shall for a cycle of some few years, be favoured with fair average harvests, not only will our home trade flourish, but our foreign trade will gradually, through the normal and legitimate growth that it will derive from our ever-growing population, wealth and industry, speedily rally from the low point to which it will have been reduced. In this way, while the agricultural classes will be freed from the depression which successive bad harvests had inflicted on them, our Imports and Exports will also, year after year, expand; not, let us hope, by "leaps and bounds" swiftly leading to ruinous reaction, but in that steadily progressive course which is the straightest, surest, and safest road to national prosperity.

FOREST HILL, S.E.

August, 1885.

Essay, for 1885, on Exhibitions, Shows, &c. In Three Parts.

(RE PROJECTED GRAND EXHIBITION FOR NEW ZEALAND).

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Essay on Exhibitions, Shows, Etc.

PART FIRST.

GREAT Shows are good, useful, and often necessary; Public Shows are of time immemorial wont and usage, and have ordinarily been designed to display in attractive combination the useful with the ornamental and the amusing. And even regarding the amusement concomitant of Exhibitions a good purpose is served by supplying a safety-valve for the exuberant spirits of the athletic, the strong, the vivacious, and the gay, as well known and understood in ancient times, especially in Greece and Rome. Recreative change is a necessity of nature; monotony is unhealthy; and it shrinks and shrivels and dulls the fine faculty of imagination; absence of such safety-valve is dangerous, politically and socially, especially among the concentrated conglomerated myriad populations, yet that subsidiary characteristic of Exhibitions is now only adverted to as incidental and by the bye; (is slightly parenthetical).

Most of our conveniences and accommodations in modern civilization, especially the intricate and elaborate, have been brought into common use and vogue through well appointed Exhibitions, published, advertised, and instituted.

We have all heard it is unwise to put the lighted candle under a bushel, when, during darkness of night, you want to see, although you may happen to be comfortably conscious that there it is, for emergent use and need; when put on an appropriate stick it radiantly throws its beams and shows, giving light to all present. Show is needed.

A modest man of genius invented a grand instrument; and, for want of means and consequent lack of courageous spirit, hid the thing, and both it and he were in obscurity. A spirited man plucked it out; touched it up; advertised, advertised in several different ways; exhibited before Royalty and in presence of the Royal Society of Scientists, received approbation, made his fortune, and benefited the world. Always show!!

Some have done great' tilings in secret and kept *in perdu* until boldly and energetically lugged out and compelled to be public benefactors.

Several centuries ago a great man modestly hid himself among his obscure kindred relations, and they, discerning, not liking, his extraordinary abilities, chided him severely for his seeming diffidence, saying unto him. as thou doest these things, "show thyself to the world," this said in contemptuous scorn; but then his time was "not yet," (envy and jealousy among brethren not uncommon). But. eventually, he did show himself; and, now, to-day, the grandest, the most magnificent, the most superb, and the loftiest monumental towers in all the world stand reared expressly in his mime and to his fame; (surely we need not mention, as chief among ten thousand, and in architecture beautiful, the two Cathedrals of Rome and London, Peter and Paul), a palpable fact, on which it behoves us to philosophise.

And, it will be remembered that some good while ago a man was vehemently and bitterly denounced for hiding his talents; for not exhibiting and using. Now this particular curse will not surely come upon the flagrant puffs who glaringly, staringly, flaringly advertise upon our street walls; these rather show forth the truth of fact—reduced to a maxim—that "the bold of face shall be hated." Now this just shows the converse: some men, some inventive geniuses, need, and ought, to be backed up and brought out and manifested openly; and we must give honour where honour is due. Some bold ignoramus bragging of some most marvellous discovery, a panacea for all the ills that mortal man is heir to, should be shown up and exposed. For a few shillings their stuff will take off an honest man's leg and put it on again. Some of them have wrongfully made large fortunes. I am afraid Morrisson, with his pills, was one of them although just before he died he gave away many thousand pounds. Multitudes are easily deceived. Pity that many newspapers have, for a large consideration, disreputably advertised their stuff and nonsense, extolled their nostrums, and written them up. Some Newspapers in Great Britain I know peremptorily and constantly refuse them. Counterfeit coins are, however, proof positive that real coins are existent; and so on. Nobody counterfeits the worthless.

In all departments of human life, *not even* excepting the religious, shams and spurious pretences and pretenders are mingled with the real the honest and the true. Yet abuse does not argue against the U6e. Discrimination always needed.

PART SECOND.

AND, again, monopoly Patents should be few, and ever of shore duration, not exceeding four or live years in time. Certainly grand inventors must be secured a remuneration, even if it should be by subsidy; but the light

of the knowledge of their invention must not be confined and secreted nor even cabined, but must be openly exhibited for the benefit of the universal public and as auxiliary to the promotion of universal brotherhood, to which, doubtless, any close monopoly is adverse and opposed. Merely for instance, now, say, the Steam Engine,—no monopoly patent! No; no! Proscribe no man from making a locomotive engine. Exhibit! Frankly and openly show! Teach! Instruct! Diffuse far and wide the knowledge of arts and sciences! Show forth! hold out the knowledge of truth of fact and truth of art; have them free; free as the beautiful the lovely the wonderful light of heaven, which they do resemble. Hold forth knowledge as the sun holds forth light, (the sun is not the light as most imagine), or as the street lamp holds out the gas light (the lamp is not the light, is often dark, and black, and dirty). Do not hide or tax light, as they once did in England. Light is a wondrous entity; *per se* perfectly distinct; and, as King Solomon says, "Truly the light is sweet." Light is genially enlivening. Knowledge is compared to light. Men of knowledge are called enlightened. "God is light," and furthermore we read, "Jehovah is a God of Knowledge." Light! Light! physical, mental and, spiritual! Geniuses are "gifted," enlightened, not for themselves only, but for mankind. And boasting disallowed; they have nothing, but what was given.

An ancient writer prognosticated, "Wisdom and knowledge shall be the strength and stability of the times." Knowledge shall be spread abroad, and mankind shall be noted for migratory activity. Travelling helps and advances knowledge. And travellers unwittingly, or otherwise, scatter seeds of knowledge. And Great Exhibitions have incidentally induced travelling and caused congress. We have read that home keeping people have ever homely wits. Perhaps it is so. Well then, Grand Public Exhibitions prompt to travel and promote intercourse. Knowledge must have free course, and must increase; and its vehicle must be untrammelled and well lubricated. EDUCATE! SHOW! Exhibit! Teach!

We Great Britishers have spent large money on schools and school-houses; we must spend more and more on Grand Public Exhibitions.

SHOW! Show is the word; alike proper as verb, noun, and adjective; do show; a show; a show cart or Palace And show is the theme.

Now for a small pertinent fact, which, perhaps, may be almost as useful as large philosophy:—Once upon a time a fastidious lady went for sundry articles into a fine drapery establishment; first met the eye of a genteel youth who blandly inquired for her orders and commands; she mentioned different things the particular names of which the novice did not know; the lady, supposing nothing was there she just then wanted, was about to depart the place, when an experienced "assistant" busy further on, descrying the situation of affairs, shouted to the youth, "Show the lady, show the goods, or similar." Well, then, he did show, and, sure enough! there was every thing required and more, and the lady became a large purchaser. A fact! Show! Do Show!

Apropos: A few years ago, at a Horticultural Show, among many fine, pretty things from the gardens and orchards, all sorts of vegetables were exhibited and prizes duly awarded; one prize was for the finest and best green peas; after first prize for peas was given, it was remarked by a visitor that a neighbour of his had real green peas hanging in luxuriant festoons, sort called Prussian Blue, having the largest and longest pods, and looking the very best ever seen. Connoisseurs had previously remarked same. But gardener was modest and diffident. He did not exhibit. That splendid growth was not shown; the public lost a sight; and the honest, humble man certainly lost a first prize. Prize taker well knew it was so, he had afore seen. Writer himself saw this case—had personal cognisance of these two simple fact instances, now adduced merely in illustration. Extreme bold assurance is hateful and is denounced; excessive modesty is injurious and should be quashed. Balance of power, please. But do show and do not sneak nor slink.

But gamblers and hunters after patents say, Never show your hand! Perhaps they are right for that line; they cunningly wink the eye and know about that, they are notoriously "knowing." But we judge this sort of thing no good to the community. Selfism is not only wrong *per se*, it is impolitic; in the long run it will not answer; gambling is coolly and calmly judged an evil. In respectable common life cunning concealment of knowledge for private ends is a wrong; open exposition a duty. Certain professionals may take the hint Do good and communicate, with kindness and readiness. Regard your kind! Hold forth the light, as the sun does.

PART THIRD.

THE London Great Exhibition of 1851 was truly a splendid success; although the vast moral results prognosticated by the most sanguine have not yet been realised,—say as to universal amity, the total ending of horrid ruinous war, and so on. But, but, as a great writer the other day said. God Almighty is never in a hurry." A thousand years (Oh!) with Jehovah God like as one day. Most assuredly wars shall and will cease, and cease forever! But not yet.

I was pleased to see at that magnificent Palace of glass, representatives from all the chief nations, well nigh from all the nations amicably and happily exhibiting: all hearty, cheery, and glad; some coatless in shirt sleeves

working very hard with a will and with spirited hilarity; I rather think a marvellous and new printing machine for The Times "was there; and, I, solitary, all alone in a crowd, full of thought, slightly tenebrious because of lack of means and opportunity to study there a week or more.—Was there five or six hours only; and—saw.

The wonderful machine department was especially interesting to many. No doubt many of the operatives, there and then engaged, got some new ideas—caught a wrinkle, as they say; indeed it seemed to be an excellent purpose prevailing there, to diffuse special knowledge, to disclose and show peculiar art. I reflected, Surely vast good will come out of this fine exhibition of inventions, and this happy showing forth of international goodwill. Was also pleased to know that the originators and promoters of that world's great Show were Prince Albert (Consort to our Sovereign Queen); Richard Cobden; Joseph Paxton, and several other philanthropic celebrities. The building itself was verily a wonder, and probably, altogether, unprecedented, not to say unequalled. "The Glorious Alhambra" (so called) of Granada, Spain, of Moorish fame, is not glass. There have since been many imitations of that Palace Exhibition in all parts of the world, most of them successful. That Great and excellent Exhibition at London, '51, was an advance on, and did advance civilization.

I have said grand exhibition; *gran* is, I think, the Spanish for our English word great. We have tacked on one ultimate letter to the word and made it mean exceeding great.

The appointment of great and grand Exhibitions for New Zealand is very well and good. May Divine Providence vouchsafe success!

decorative feature

It is believed by the intelligent, and has been more than once stated and published by scientific experts, geologists and others, that the physical intrinsic wealth of the two fine islands of New Zealand is inestimably vast. Much of it at present is latent, known by index and needing disclosure, yet showing unmistakably throughout both islands, north and south (and, remarkably, each and both pretty much alike for inferior worth) ostensible riches and vast potentiality.

William Edmund Sadler.

January 31st, 1885.

Addendum.

In regard to the development of our industries (to use a hackneyed phrase) I think there must be nothing for aid or help at all like political protectionism, which in reality is and means making by compulsion 7 men immensely rich at the direct, dire expense of 70,000; and so on, all the way, as per average. No, no. Political protectionism in trade, as understood, yields no revenue, per intention; it is an atrocious an abominable iniquity, and, in words of poor old Job of the ancient Scriptures, must be "hissed out of the place." But, and when, finally iniquitous political protectionism is hung up and gallowsed, "he who passeth thereby shall hiss." Young important enterprises here may and should be subsidised; say, a considerable offer, as pure bounty, for ulterior universal good, for such and such a quantity of, &c.; as has, I think, been done here before. And the lure of Great Exhibitions, with prizes and the "honourable mention," is good and helpful impulse.

[A Government chief clerk could now give (if deemed fit and proper) a half page of statistics,—gold, coal, wool, gum, timber, &c. and &c.]

W. E. S.

Feby., 1885.

FOOTNOTE.—Foregoing is judged sufficient for one side of the great subject. It is impromptu and independent; suggested by advertisement, Jany, 1885, Wellington inviting Essay; not any the least idea of the thing afore.

J. H. FIELD, Printer, Albert Street, Auckland.

The Systems of English Bankruptcy and Colonial Insolvency, Briefly Compared in A Letter To his Excellency

Sir Charles Hotham, K. C. B.,

Etc., Etc., Etc.

By Sir George Stephen,

Barrister-at Law.

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Printed at the Age Office, Melbourne.

To his Excellency Sir Chas. Hotham, K.C.B., &c., &c., &c.

Temple Court,

September 30, 1855.

SIR

It is a common remark that a by-stander sees more of the game than the players. A new comer into the colony may be considered a by-stander at the colonial game; and it is in this character only that I feel warranted in offering a few suggestions of reform, upon an insulated topic, but one of much practical importance to the trading community.

I find on my arrival here that trade is at a very low ebb; in fact, almost stagnant. I knew before I quitted England that Melbourne credit was much shaken, and that shipments from Liverpool were made with great distrust. I even witnessed, in repeated instances, goods relanded at Liverpool which could not find a market here. No doubt many causes have combined to produce this state of things: the scarcity

This fact has, I am aware, been challenged, but not by any to whose authority I feel bound to defer. of money, the inundation of moneyless adventurers, the check given to agriculture by the land-locking system, the improvidence of your Excellency's predecessor in the gold mining arrangements, and the derangement of all the accustomed operations—I might almost say of all the intellect of the colony—immediately following the gold discoveries, have each had a large effect in inducing the present panic; but it is essentially to wild speculation, and to fluctuating markets—always occasioned by wild speculation—that we must ascribe a state of commercial distress, such as I believe has not been very often rivalled in the history of colonial trade. In a country from which some fifteen millions of sterling gold have been sent home (but no' all *exported*)

Not an ounce sent home for investment can be properly said to be "exported;" it does not return in the shape of imports.

within five years, the circulating medium consists far the most part of private bankers' notes; the value of money is so great that 20 per cent, can be obtained for interest; real estate can be bought for five years' purchase; the necessaries of life are raised to famine prices; and, with fewer inhabitants than Manchester, the failures are nearly as frequent as in all England!

It would be foreign to my purpose to analyse all the causes of this unnatural and anomalous position, or to determine the degree of influence which may justly be attributed to each of those that I have mentioned; but my professional business, short as my time here has been, has been of a nature to satisfy me that the wild speculation and the low state of commercial credit are, in great measure, attributable to the inefficiency of the colonial law and practice in matters of Insolvency. It is with a view to impress on the Colonial Legislature the necessity of a reform in that law and practice, as one of its most pressing measures on the arrival of the new constitution, that I venture to publish the following pages

It is obvious, on perusing the colonial insolvency acts, that the intention of those who framed them was to assimilate the law of insolvency in Australia to the law of bankruptcy in England; but probably from not being versed in the latter—being a branch of our general system of jurisprudence in which very few barristers practice—they have failed in giving to the colonial creditor, the advantages given to creditors by the English bank-rupt law, in two material particulars: the creditor's rights are not equally protected, and the insolvent estate is not equally secured. I may, perhaps, propitiate attention to a dry subject by a statement likely to startle many, that, under the existing law, (as after much reflection, and much professional consultation, I feel obliged to read it) neither the Supreme Court, nor the Chief Commissioner, possesses any summary power of enforcing the surrender of an insolvent's property, either in the case of a spontaneous, or in that of a hostile sequestration of his estate; and yet it is a part of the daily practice to issue a warrant to seize it! It is at least left a point open to much doubt. It is the best apology, both for those who framed the colonial acts, and for those who administer them, that it is extremely difficult to say what is the actual law of insolvency in force in the Australian colonies. Part of the difficulty may arise from the Act of Parliament of the 9 Geo. IV., ch. 83. Previously to that act it was

a common opinion in the profession, though not founded on any distinct authority, that the English bankruptcy statutes did not extend to the colonies. The question was never argued, and, therefore, never was decided; but the 9 Geo. IV. in express terms, declared that all English law and statutes should be in force in the colonies where they could be so applied. The inconvenience of their application, when in many cases no machinery existed in the colonies for that purpose, has led the Supreme Courts at Sydney and Hobart Town to substitute the word "applicable" for "applied;" a latitude of construction clearly beyond the judicial power. There can be no doubt that under the 9 Geo. IV. all English law, so far as it then existed, and could be made applicable by construction, to the administration of justice in these colonies, became colonial law till altered by colonial legislation; and, among other statutes, the bankrupt act of the 6 Geo. IV., ch. 16, should have come into operation in Australia. But here the machinery was wanting, and to supersede the necessity of supplying that machinery, the Council of New South Wales passed the Act of Council of the 5 Vict. No. 17, after passing and repealing several previous insolvent acts of a yet more imperfect character. This act was amended by another Act of Council, the 7 Vict., No. 19, and the insolvent law of the colony now rests on these two acts,

There are several subsequent acts, namely, the 8 Vict. No. 6 and No. 15, 10 Vict. No. 14, and 18 Vict. No. 11; but they do not affect the principle, and but very slightly the practice, of the insolvency administration. subject to construction, however, according to the decisions of the English courts of law in analogous cases of difficulty. It has been assumed, and so generally admitted—but I think without due consideration—that the two colonial acts have virtually repealed the 9 Geo. IV., so far as respects the English bankruptcy statutes, that I shall take it for granted that it is so, however shallow the reasoning which sustains this position; but if we are thus relieved from the difficulty of consolidating two essentially different systems, it is still, in many instances, by no means easy to interpret the colonial acts by English authorities; it is like translating Italian by aid of a Latin dictionary. It would have been a much wiser course to have adopted the very words of the English statute, *mutatis mutandis*; for the bankruptcy law of the mother country is the growth of three centuries, during which long period it has been altered and amended in detail, though little in principle, so as to make it dovetail in with every other branch of our commercial law. As it is certain that under the 9 Geo. IV. the law of the colonies must, on the whole, continue identified with the law of England, and more especially as respects the commercial law of both countries, founded as it is on principles that are recognised and adopted in most maritime states, it would have been obviously more convenient to have taken the same system of bankruptcy administration, than to establish a new one which has still to be reconciled with a multiplicity of other laws received from the mother country.

And there was another reason for this course of not inferior weight. It is well understood that whenever a new point arises, our Judges are bound to decide it on the authority of similar cases: they do not create law *pro re nata*, but they declare what is the law; they take the accumulated intelligence of past ages for their guide, and the huge array of books in every lawyer's chamber, consists entirely of reports of decided cases, or text-books based upon those reports, because they are prepared by law reporters, and acknowledged by the courts to be correct. There are no such acknowledged reports published in the colonies, nor is it probable that there ever will be any for a very sufficient reason; the judicial authority of the colonial bench is not recognised in Westminster Hall. It cannot be supposed that I have any wish to disparage our colonial judges, when it is notorious that one or other of my family has presided on the judicial bench at Sydney almost from its institution; I would merely state as a fact, that the decision of a colonial court is not conclusive as a declaration of law; if quoted as an authority it may without indecorum or disrespect, be challenged at any time, on the authority of a reported case; I may go further than this; a decision of the colonial bench must be over-ruled spontaneously, by the very judges who pronounced it, should an acknowledged report of an opposite decision in the English courts arrive by the packet on the following day; it would be a high misdemeanor, in a colonial judge, if not excused on the ground of gross ignorance, knowingly to persist in declaring to be law, that which the superior courts at Westminster Hall had held not to be law: consequently there is not much chance of any systematic law reporting being introduced into such of our colonies as are governed by English law.

But if colonial judges are always to be governed by English reports in their administration of the law, it seems necessarily to follow that colonial law should be assimilated as much as possible to the law of England. If there must needs be two roads, and one guide post must serve for both, the roads should, where practicable, be made parallel. It cannot be always practicable; local peculiarities may some times compel a divergence: the winter road may be shorter, but across a marsh; the summer road may avoid the marsh by a slight detour; but when this escape from difficulty has been accomplished, they ought again to approach each other, if the traveller has no other direction than the single sign post gives him: still more necessary will it be, if both roads must be so constructed as to fall in, or coincide with fifty cross roads that traverse the country in all directions. The legal paths of these colonies bear precisely the same relation to the legal roads at home, and the same principle, with the same occasional relaxation of the principle, ought to guide the construction of these legal paths. I urge it only in reference to one subject, the bankruptcy administration; but if the doctrine is sound, the

suggestion may not be unworthy of attention, in fifty other matters which the new legislature of the colony must, very speedily grapple with. Nothing is more dangerous than for inexperienced hands to handle a new and gigantic power, in a different way from those who have hitherto wielded it. Few of us would like to remain in a stage coach, if the coachman were to have a locomotive substituted for his accustomed team of horses; but if we found him working the engine very differently from the practised engineer, I believe we should all jump out, at whatever hazard of breaking a limb.

My complaint is two-fold; that the present insolvency administration in the colony is not equally efficient with the bankruptcy administration at home, either in protecting the rights of creditors, or in securing the insolvent estate.

To enable a correct judgment to be formed on this, it is expedient to consider, in few words, what are the rights of creditors under the English bankruptcy system.

All the English law is, in common with the colonial insolvency law, founded on the broad principle that all the creditors come in equally. There are a few exceptions common to both systems; the 168th clause of our Consolidation Act allowing the court to order three months' wages or salary to be paid in full to the extent of £30, and the two following clauses allowing wages of a labourer or workman to be paid in full to the extent of 40s., and apprentice fees to a reasonable extent; a year's assessed taxes must also be paid in full, by the 166th clause; a year's rent by the 129th clause, and debts due to Friendly Societies, by the 167th clause; as regards salary or wages, the 42nd clause of the 5th. Vict., No. It, allows six months to be paid, and the 41st clause, allows six months' rent to be paid in full; but there is no colonial provision in the insolvency act for payment in full of any other debts, unless where they are partially secured; in which case the 39th provides, in a circuitous way, for payments in full to the extent of the value of the security; with this trifling difference, the leading principle of the two systems appear to be the same; it is obvious that a most important right of the just creditor of a bankrupt is to exclude all claims that are not founded in justice, and I never yet knew a case, during an experience of more than thirty years of daily practice in bankruptcy matters, in which many unfounded claims were not preferred. To convey to your Excellency some idea of the extent to which this species of fraud is carried, I will mention one of the last cases in which I was retained, before I left England; a creditor claimed a right of proving against a bankrupt, on the balance of accounts between them, no less than £45,000; there were two partners bankrupt, one of whom who had been the active man in the business, was ready to admit the claim; the other who had been little more than a dormant partner, doubted it, but as the transactions between them and the creditors had been most extensive, it was extremely difficult for the official assignee to arrive at any satisfactory conclusion, whether the debt was due or not, so far as he had been able to analyze the books: under these circumstances, they gave me, what in our professional language is called, a watching brief; I put a few general questions to the creditor when he tendered his proof, merely to support an application for time to examine into the transactions on which it was founded. I elicited enough to induce the court to prosecute that examination for several days, and the result was that a balance of only £15,000 instead of £45,000, was found to be due, and this enormous reduction of the demands upon the estate was effected simply by the gross examination of the creditor.

But it is expedient to explain why this and similar frauds are constantly practised; they are the result of collusion between the bankrupt and the creditor, for both are great gainers where the fraud is successful; if the creditor can prove for twice as much as is justly due to him, it follows of course, that he will be paid in full, though other creditors only get a dividend of 10s. in the pound; but he must purchase the silence of the bankrupt, and it is just as easy by the process usually adopted, to prove for three times the amount really due as for only double; the additional dividend beyond what suffices to pay the creditor, is paid over by him to the bankrupt, as a douceur for his silence; and the process of cooking up the fictitious proofs is very simple, and yet too often successful; it is effected simply by giving to the creditor a number of accommodation acceptances, these being made, apparently, to reach his hands through intermediate endorsements by men of straw, who have given similar accommodation paper to the bankrupt; he produces it as part of the assets of his estate, and though utterly worthless, it will often pass as a sufficient consideration to support the proof when tendered; of course all the parties to such frauds are liable to indictment, but where is the money to prosecute them to come from? By the 255th clause of the Consolidation Act, the bankruptcy courts are invested with a power of directing a prosecution at the cost of the estate, or even out of the general funds arising from the fees paid in bankruptcy; and in some very gross cases this has been done, but it is very seldom that the court will think it right to reduce a dividend by such an expenditure of the estate; and the rather because these fraudulent practices are so very frequent, that juries do not like to convict of an offence, of which it is probable that at some time or other, some of themselves have been guilty.

It is principally to guard against this practice of fraudulent proofs, that our courts of bankruptcy will never receive an affidavit of debt from a creditor who lives or carries on business within a reasonable distance of the court: unless prevented by serious illness, he must attend in person and prove his debt in public; it was always

my own practice whenever I saw proof tendered by affidavit, to examine the solicitor who tendered it very closely as to the usual place of residence of the creditor, for instances were not unfrequent of a London creditor going to Liverpool or to Manchester, or *vice versa*, just about the time of a public meeting for the proof of debts, in order that he might be so described in his affidavit, and thus evade the necessity of personal attendance on the court; whenever I extracted enough from the solicitor to warrant suspicion of this trick, the courts invariably refused to receive the proof by affidavit, and availed themselves of the ample powers of investigation upon oath, given to them by the 46th clause of the Consolidation Act.

Still further to guard against the admission of fraudulent proofs, the 183rd clause of the Consolidation Act gives to the court a power to institute investigation, even after the proof has been admitted, and to summon the creditor for examination upon oath, and if not satisfied that the debt is justly due, to expunge the proof.

Again, by the practice of our bankruptcy courts, though it is not specifically enjoined by the Consolidation Act, every creditor on proving his debt, must produce and exhibit to the court any document on which he rests his claim, and any collateral security which he may hold for it, such as a bond or bill of exchange; this is a very great advantage, not only because it sometimes assists in an investigation of the claim, but enables the assignee to ascertain, before he pays a dividend, whether the creditor has not received from other sources payments for which the estate is entitled to have credit; once more, the publicity which is afforded by oral proof in open court is sometimes very advantageous to the just creditors, because it brings out information, from third parties, of frauds that would otherwise remain unknown and unsuspected, or of partnership engagements that render some solvent party liable in respect of many of the bankrupt's transactions.

Another important right of an English creditor, under the bankruptcy system, is found in the summary process, by which, under the 78th and seven following clauses of the Consolidation Act, he can compel payment in full, or security for a just debt, within seven days, as the only alternative for being declared a bankrupt.

There are several minor points in which the rights of creditors are most carefully guarded by the bankrupt law, but I shall only advert to one general head, the protection which is given throughout the Act, and especially by the 256th clause, against the bankrupt's frauds.

It is a fundamental principle in English law, and therefore of course in colonial law, that fraud vitiates a contract; in this respect there can be no difference between the two systems, and, in fact, the 74th clause of the colonial act, 5th Vict., No. 17, goes much further than the corresponding clause of the Consolidation Act, the 269th, in making the acceptance of any part of the estate, with intent to defraud the creditors, a transportable, instead of a fineable offence. The 70th clause, also, of the colonial act corresponds with the 118th and 120th clauses of the Consolidation Act, in authorising an examination of the wife, or any other person suspected to have any part of the insolvent estate in their possession; though it stops short of giving to the Commissioner the same most valuable power that is given to the bankruptcy courts by the 122nd and 123rd clauses of the Consolidation Act, of examining any person present in court, whether summoned or not, and of compelling any person examined to make instant payment of any debt which appears by his examination to be due to the estate. These powers are daily exercised in the English bankruptcy courts. It may be replied that nearly all these rights are secured to creditors by the colonial acts, and, in fact, as far as the letter of the acts goes, the reply, but only to a certain extent, would be just. The examination of creditors, of the bankrupt and his wife, and of third parties when summoned is permitted, but it is not conducted before the Supreme Court itself, but only by its ministerial officer, the commissioner.

It is far more in reference to the practical mode in which the bankruptcy act is administered than to the differences between the English and the colonial law, that I insist upon the superior protection of his rights which the creditor enjoys under the bankruptcy system. It has long been an acknowledged principle of bankruptcy law, that no person shall be protected from self-criminating questions by any rules of evidence; there is a proviso to this effect in the second colonial insolvency act, 7th Vict., No. 19, clause 22; but the essential difference in the efficiency of the examination, whether of the bankrupt or of the third party, is found in the formality and the publicity of the English examinations. The bankruptcy courts are much larger than the Supreme Court, and to all intents and purposes, public courts of the superior class; though with this peculiarity, which distinguishes them from the other superior courts of record that it is optional to the court, in almost all cases, to exclude or admit the public. The judges enjoy, by the statute, a rank next to the judges of the superior courts; they have not only a primary jurisdiction, but one from which appeal is so difficult, though not impracticable, that for most purposes their decision may be said to be final; and in keeping with this high judicial dignity and power, the proceedings of the court are severely regular; every examination is taken down in the form of question and answer, and in those courts in which I habitually practised, I induced the judges to number every question. No time is thought too long to expend on investigation, and days are often devoted ungrudgingly to the examination of even a single witness, where the subject is important. Though no precedence is given to the bar, the court is regularly attended by a bar, often numerous, and by a body of

solicitors, who are required to conduct their cases in strict conformity with forensic usage. No solicitor is allowed to practice unless admitted on the roll of the court, from which he is struck off if he undertakes any cases but those which are strictly his own; a point on which he is sometimes interrogated, if suspicion arises. The court is surrounded by its officers; the registrar

The registrar stands in nearly the same relation to the Court, as the commissioner, here, does to the Supreme Court.

occupies a seat below the judge; the official assignees have desks on either side of the registrar; and several messengers are in attendance as ushers.

Contrast this with the administration of the insolvency court, at Melbourne: It meets in a close, confined apartment, not half the size of your Excellency's drawing-room; small as it is, it is blocked up with desks, barricades, tables, and seats, through which it is difficult to pass, while the creditors of different estates stand wedged together as closely as sheep in a pen; depositions are handed up by the dozen, without, so far as I could observe, any previous professional revision; here and there some creditor is conversationally examined, but nobody, except the Commissioner, can hear a word he says; the bankrupt, through his counsel, assumes the tone of an injured man, defying the power of the Commissioner, and the resentment of his creditors; points, that would excite a snail in any court in England too significant for even forensic audacity to withstand, are raised and argued and indulgently entertained; and, to complete the humiliation of the scene, the Commissioner, whose dignity ought to be acknowledged and respected as judicial, is compelled to perform the functions of a platform or a pot-house chairman, and to desire "as many creditors as are in favour of the motion to hold up their hands"!!! Conceive, if it be possible to conceive, an English judge of the highest rank, or of any rank whatever, degraded to perform a part like this! All the formal appendages of a superior court add much weight to its proceedings in the public eye, and, coupled with the extreme severity of examination that is permitted, render a court of bankruptcy one of the most formidable of tribunals to a dishonest witness; and so in fact it is, for the very nature of the English bankrupt law is terrible; there is no analogy to it in any other branch of our jurisprudence. I may be permitted a short digression to illustrate it:—

A man, being in trade, owes a creditor £100; he receives a summons to attend the court within four-and-twenty hours to shew cause why he should not forthwith pay the debt; he cannot deny it, he cannot pay it, he cannot even give security for its payment, and seven days after he finds himself a bankrupt; strangers enter his house and lay hands on all it contains; he has only a tolerated domicile under the roof which has sheltered him for years; his letters (they may be from wife or children) are intercepted at the post-office, and opened by officers of the court; he may not use his plate for his table, or take a book from his library, without permission from the messenger in charge; and in a few days he finds himself gazetted in every paper in the country as a bankrupt, and all his property, down to the smallest article of furniture, inventoried and advertised for sale. His first and wisest step is to surrender to the court and obtain its protection from arrest. This is never refused; indeed it may not be; but it is obtained upon terms that are not easy; he must be daily and hourly at the beck of the Official Assignee, and even of his clerks; he must work like a slave in balancing and explaining his books; he must account for every farthing he has received or expended from the last rest in his accounts, and, if required, for years previously; he is subject to examination on oath at the pleasure, not only of the court, but of every angry creditor; that examination is usually conducted by counsel in open court, and with a severity truly inquisitorial; his wife and children are often subjected to the same ordeal, to test the truth of his statements; nor is the wife privileged, as she is here, in respect of private conversation with her husband, if it effects the estate; he is allowed professional aid, but that aid is strictly limited to watch the legal propriety of the questions, and all questions are deemed proper that tend, even remotely, to discover the expenditure of a shilling; he is allowed to refer to his books, but to no other source of information, and in serious cases this examination is prolonged for days—sometimes adjourned for weeks, or even months—during all which time he is allowed only two or three pounds per week, doled out to him as a sort of judicial charity, when for years he may have been habitually, and perhaps legitimately, keeping his carriage and an establishment of servants. At last, when the ingenuity both of counsel and accountant is exhausted, he is at liberty to apply for his certificate; and, indeed, whether he applies or not, a day is fixed for the consideration of his title to it (a practice which the colonial law also sanctions), and then his examination is resumed, not merely into the disposition of his property, but into his general conduct; only so far restrained that, apart from the expenditure of money or effects, his morality may not be questioned. Here he is allowed the full aid of counsel, but only to say what can be said in explanation or mitigation, in reply to questions of an adverse nature. He obtains his certificate on such terms, or of such a class as seems right to the court, and is restored to society a capable man, so far as commercial capability can co-exist with utter destitution of capital and property, and with a character too generally tainted by the inaccurate newspaper reports of all that has passed previously; and even in this state of regeneration, he is still subject to be called upon at all times, to render further explanations of his affairs, if necessary.

Such is the position of a bankrupt under English law, and the innumerable and intolerable minor

annoyances of a domestic character, incident to it, may well be conceived without description. I am far from approving of such extreme severity. On the contrary, I stated in my evidence to the Royal Commission last year,

Vide papers presented to Parliament in 1854 and published by its order under the title of "Bankruptcy Commission."

that I believed that in many cases, its severity defeated its own object. But I think it is desirable to shew how anxiously the British legislature protects the rights of trade creditors, with a view to uphold the credit of trade. This colony is essentially a trading colony, and from circumstances, must always be so. Can it be less essential to uphold the credit of trade here, so far as the colonial interest is concerned? or can it be said that trade enjoys any credit here, when for the last twelve months there has been, even in our handful of population, an almost daily failure? From July to December in 1854, there were within a small fraction, 29 insolvents every month. During the current year, the number has been slightly diminished, but still the average is nearly 28 per month, which, excluding Sundays, is more than one a day.

It is worth remarking that while in 1841 and 1843, the Council of New South Wales was ingeniously framing a sort of piebald law of insolvency out of its own rude system and the English bankruptcy act of the 6 Geo. IV, unwisely endeavoring to patch up an old garment with new cloth, the mercantile community in England had already begun to complain of the utter inefficiency of even this Australian pattern of legislation! In 1848 the most searching investigation was instituted by parliament into the working of the bankruptcy system, and in the following year a bill passed, repealing all former acts on the subject, and remodelling the law, the court, and its process.

And again, such is the anxious attention given to this part of our law, intimately connected as it is with the commercial credit of the country, that in 1854, a second investigation was made into the working of the last act, when, in common with all who habitually practiced in the bankruptcy court, I was myself examined at great length, and on the evidence thus obtained from the profession, it was intended when I left home, to introduce another bill to amend the bankruptcy Consolidation Act of 1849! A young colony like Melbourne, promising soon to be the seat of immense trade, ought not to shew herself a laggard in the race of commercial improvements.

The difference between the bankruptcy law of England and the insolvency law of Melbourne may be thus tersely expressed: The Consolidation Act was a creditors' bill: the 5 Vict. No. 17 was a debtors' bill: the one is too indulgent, the other too severe to the debtor: and the practice has followed the law in both cases. The insolvent act of the colony is in a few instances, more severe in its enactments than even the bankruptcy act of the mother country, but the former act is so utterly defective as a whole, and the administration of it is so deficient in summary authority and so little invested with judicial power, that were all its enactments ten times more severe, it would be a mere bugbear to the fraudulent trader. The clauses are in many instances, very unskillfully drawn, but, its faults are essentially those of omission; what relates to want of due security for the estate, I shall mention hereafter; at present I am only referring to the insufficiency of the protection given to the rights of just creditors.

The colonial insolvent acts contain no adequate provisions, indeed, in some sense, I may say none, for protecting just creditors from fraudulent claims in competition with them. I am warranted in assuming that the general practice of the commissioner is in conformity with his powers, such as the acts may have given, and these powers are little if anything more than ministerial. The 34th clause of the first act invests the Commissioner with a power to "receive proofs of debt;" but does not prescribe any form of proof. These words must be taken under the 16 Vict., No. 9, s. 8, to imply a power of examination on oath so far as regards establishing the debt in any form that the commissioner thinks advisable; but the 63rd clause, on which I shall presently remark, takes away professional vigilance and skill which under the English bankruptcy system, are found most valuable in checking the admission of fraudulent proofs; and in receiving proofs the commissioner does not sit as a judge, but rather as an inquisitor: his decision is not regarded as final, subject only to appeal, and appeal at the risk of heavy costs, but simply as ministerial; it carries no weight with it, because it is not judicial. And not being judicial, the commissioner has no power to go into evidence by cross examination of the creditor, ultra the mere matter of his proof; if the commissioner were a judicial instead of a ministerial officer, as is the case in bankruptcy, the argument which I have lately heard to the contrary, would be sound: but in no sense does he sit judicially, except in the matter of "receiving proofs," and in two or three other cases of minor importance specified in the acts. He may summon parties and examine them, and even commit them for unsatisfactory answers: he may commit for contempt for 14 days: but he is not the judge of a court; still less of a court of record; he cannot make or enforce orders binding on third parties; he cannot make rules for the practice in proceedings before him; he is in no sense, the judge of a court, but merely an officer of a court; he has, in himself, no jurisdiction in the legal sense of the word. He stands very nearly in the same relation to the Supreme Court, as a master in chancery does to the Chancellor in England; he possesses a reflected power and a

reflected dignity, but no more, except in the very few instances in which the act gives him a sort of colorable independence. It has often been said, "there is much in a name." I never knew an instance of a mere title being more efficient than in this. It seems to have been supposed by those who drew the act, that the word "commissioner" carried with it some mysterious judicial power, ultra those specially confided in him by his commission, and from this seems to have sprung all the ambiguity of his position.

A similar error seems to prevail as regards the insolvent's position; or if it is no error, then it is a serious departure from the spirit of the English bankruptcy law. I have heard it contended before the commissioner that an insolvent is entitled, by virtue of his possible interest in the residue of his estate, should there be more than enough to pay his creditors in full, to cross-examine witnesses called by the assignees. Such a doctrine would be scouted in the bankruptcy court, and in my opinion, is untenable here. An insolvent where he spontaneously has recourse to the court, is stopped from saying that there may remain a surplus, for that would be denying his insolvency; and where the petition is hostile, he would be in like manner barred by the judgment of the Supreme Court finding that he is insolvent.

In bankruptcy he would have no *locus standi* whatever: by the vesting of the estate in the official assignee, the assignee acquires all the legal rights which the right of property can give, and even as regards the contingent residue, he would be trustee of it for the bankrupt: the bankrupt is bound to give to the official assignee all the information in his power, so as to enable him to call and examine witnesses and protect the estate of which he is trustee. In fact the bankrupt so far as he has a residuary interest, must appear by his trustee, and therefore by his trustee's counsel; and were he allowed to appear by a separate counsel in opposition to the assignee, it would amount to a cross-examination of his own witness, the assignee's witness being his own and in the same interest; this would be a violation of every principle of evidence. It is a matter of indulgence, not of right, to allow the protection of counsel even to a witness.—*Ex parte Parsons*, 1 Atk. 204.

The summary process for compelling immediate payment of a debt, known in English practice as a "trader debtor summons" is entirely omitted in the colonial law, a process which, if introduced here, would annihilate half the business of the county courts.

Nor is any power, given to the chief commissioner or even to the Supreme Court, of ordering and enforcing immediate payment of any debt admitted to be due to an insolvent estate; nor of expunging a proof once admitted on the record, or of re-examining the creditor.

And even these omissions great as they are, and I could mention many more, are of inferior importance to the objectionable constitution of the *quasi* court. The jurisdiction of the Supreme Court itself is nowhere defined by the act, and rests only on such of its clauses as give it for special purposes; it cannot extend its powers beyond the four corners of the act by which they were conferred; unless it is considered that the doctrine quoted hereafter from Lord Eldon, applies, that in conferring the jurisdiction on the Chancellor, the legislature contemplated the exercise of his power in Chancery in cases omitted by the bankruptcy acts; but even if this view be admitted, though it is certainly open to argument, it will be found on referring to the reports, that Lord Eldon strictly limits this inferential jurisdiction to cases where the bankruptcy acts cannot be carried into execution without it. In other words it is not a jurisdiction ultra the acts, but in aid of the acts.

And as if it were the object of the colonial legislature, in full consciousness of the feebleness of the court, to protect it from troublesome surveillance, the 63rd clause of the first colonial act virtually, though not in terms, excludes professional aid: it sanctions the employ of attorneys in certain specified cases, but subjects them to such serious liabilities on very vague grounds, that even in the cases specified, no attorneys who are not in very needy circumstances, would willingly accept the retainer; and if they are excluded, of course the bar is excluded also. What insolvent, or what witness can stand in awe of a court so constructed? or, which is a far more serious question, what creditor can rely on such a court for full protection of his rights? Not many days since I saw in the news papers as many meetings before the commissioner advertised for one day as would have supplied an English court of bankruptcy with ample work for ten, if that work were properly done. Properly done it cannot be without professional assistance; it would be as easy for an architect to build a house without a bricklayer; I mean not to say a word disrespectful to the chief commissioner whom I have not the honour of knowing, and who is, I hear, highly esteemed; but this exclusion of all legal men reminds me of a certain colonial magistrate who, having no law library of his own was much bothered by an attorney who possessed the only volume of that class in the colony. He long tried in vain to get possession of it, but he watched for an opportunity of borrowing it from the attorney's wife during his absence from home, and at once threw it into the fire. After this his magisterial duties were discharged in peace, but with what measure of consistency or justice the story does not say.

The operation of this clause must necessarily be to exclude the attorneys from all interference with the business of the estate except in cases of actual litigation, whereas in bankruptcy, the official and trade assignees rarely take a step without consulting their attorney, and he has consequently, all the business of the estate to transact, except in the merely trading department" of sale. The attorney investigates every claim and every

transaction on the books, and watches closely over every proof that is tendered, and traces every clue to concealed or misapplied funds that there is a chance of recovering. This clause therefore, is not merely insulting to an honorable profession, but detrimental to the interest of the creditors in the highest degree. It was to secure the full benefit of the attorney's personal assistance, that the bankruptcy acts gave to the attorneys in bankruptcy an equality of right with the bar, except so far as restricting them from advocating any cases but their own. The colonial acts just reverse this policy, and exclude them, with covert insult, from business for which no other class is so fit, and in terms that by implication charge dishonesty, on the whole body!

The other important right of creditors to full and severe examination of the insolvent, seems, on the whole, equally protected by the colonial and the English acts, except in those particulars to which I have been referring. I shall proceed to my other ground of complaint that the colonial insolvency law affords no adequate security for the collection of the estate.

And this proceeds entirely from the ignorance of the draughtsman. It is a singular fact, and the said draughtsman whoever he may be, is certainly, entitled to the apology, that previously to the Act of the 6th Geo. IV., the power of the Chancellor to compel by warrant the surrender of a bankrupt's property, only rested on inferential grounds, and not on special enactment. It was held by Lord Eldon to be given by implication, by the 13th of Elizabeth, which empowered the Chancellor to take order and direction of a bankrupt's person and estate, though there are no words in that statute that specifically empower him to issue a warrant to seize the estate; nor are there in any other bankruptcy act, from the time of Elizabeth to the 6th of George the Fourth. In reference to this question as to the source of the Chancellor's authority in bankruptcy, Lord Eldon thus expresses himself:—

"The bankrupt statutes are framed with a view to the "authority with which the Chancellor is entrusted in the exercise "of his ordinary jurisdiction, and when these statutes are silent "as to the mode of compelling obedience to the orders that may "be necessary for carrying their provisions into effect, it is "enforced by the general jurisdiction."—Anon, otherwise ex parte Stevens, 14 Ves. 451.

And again in another case the same high authority, the highest in equity or bankruptcy law, says, "he had weighed well "the authority under which the Chancellor acts in bankruptcy, in "circumstances not specially provided for by the statutes, and he "was convinced that it was the intention of the legislature in "giving jurisdiction to the Chancellor, to give him power to use in "bankruptcy the authority used in causes in Chancery, where no "specific authority is given by the statutes."—*Ex parte Bradley re Townshend, 1 Rose 203.*

I think that it will not be contended that the Supreme Court, either at Sydney, where the colonial insolvent acts originated, or here, where they also operate notwithstanding the severance of the colonies, has any inherent or ordinary jurisdiction in bankruptcy, except such as has been specifically given by acts of Council. The Chancellor's jurisdiction was otherwise derived. As keeper of the royal conscience in his religious character—the Chancellor of former days being always "religious"—he was invested with the equitable jurisdiction of the Crown; and it was in reference to this inherent jurisdiction, by virtue of the office, that Lord Eldon considered the Chancellor entitled, by the act of 13 Eliz., to exercise it on all occasions where the statutes are silent' in order to carry out the new duties imposed upon him by that act. In other words, he held that the legislature imposed such duties on the Chancellor in preference to any other officer, because the Chancellor, as such, already possessed all the powers requisite for their proper discharge. But it is not so with the judges of the Supreme Courts; their powers are conferred by their commissions, but their functions are defined by legislation, and limited strictly by the same legislation. In Australia this legislation in matters of insolvency is contained in the two acts of the 5 Vict., No. 11, and 7 Vict., No. 19, aided in some particulars by the other acts before-mentioned, and they cannot extend their powers by any process of construction beyond the limits of these acts. Had these acts contained any words of general import, investing the Supreme Court with "all the same powers in insolvency as were exercised by the Chancellor in bankruptcy," or had those acts never been passed, so as to leave the Supreme Court to apply the 6 Geo. IV. ch. 16 at its discretion, or subject to "declaratory ordinances," or had they followed the exact words of that, the then last bankruptcy statute, when the 9 Geo. IV., ch. 83 was passed, no question could have arisen as to the power of the Supreme Court, or of the Chief Commissioner, in either of these cases, to enforce the seizure of an insolvent estate by warrant. As it is, however, I believe that they have not such power, nor in fact any compulsory power of seizure by warrant at all, except such as may be exerted under the 18th, 19th, and 14th clauses of the second act, menacing serious consequences to the insolvent himself and to others, if, with intent to defraud the creditors, they alienate, conceal, or accept any part of the estate. It is true that the 21st clause of the first insolvent act gave to the Chief Commissioner a power of seizure, by warrant to his messenger, but gave it on the contingency of the estate being "placed under sequestration in his hands," (that is, as I understand the clause, being vested in him by the order of sequestration, for the concluding words of the third clause, "and by order under his hand "to place the same under sequestration in the hands of the Chief Commissioner," seem to me to preclude any other construction;) but the 14th clause of the second act vested the estate in the official assignee by virtue of his

appointment, passing over the Commissioner altogether, and thereby precluded the happening of the contingency on which alone the warrant of the Chief Commissioner could issue, thus virtually repealing the 21st clause of the former act. Thus, as regards the Commissioner, he never acquires property or interest in the estate as trustee of it, and can exercise no rights of ownership in respect of it; nor can he exercise any judicial power in respect of it, for the only clause that specifically gives it to him is virtually repealed.

And the Supreme Court is in no better position, unless by adopting the doctrine already quoted from Lord Eldon, and which I think it cannot do for want of any but statutory authority. The Supreme Court may accept, but it cannot compel a surrender, even by its order of sequestration. To seize a man's property by warrant, except by the accustomed process of judgment and execution, in an action at law or a suit in equity, is not within the power of any court, unless when it is specially given by statute. It would be too dangerous to allow any such power to be deduced by inference. In the cases before Lord Eldon, the question was only raised as to the right of summoning a witness in one, and of ordering a delivery of papers belonging to the estate in the other. I doubt if even as Chancellor he would have deemed himself possessed of authority to seize a bankrupt's estate by force, had not the 13 Eliz. expressly given to him and his commissioner "full power to take order and direction" with it, words which, in the quaint language of the time, had a most extensive signification.

I suspect that those who framed the act gave to the term "sequestration" a force that does not belong to it. According to its classical derivation it means only the deposit of property in the hands of a stakeholder. In Scotch law I believe that it has a more extensive meaning, and that there is a case in "Bell's Commentaries" to that effect; but according to English law, by which colonial construction must be governed, "the party sequestering has no *jus ad rem, vel in re*, the legal estate remaining in every respect as before," 1 P. Wins., 307. In the case of *Colston v. Gardiner* a case is cited where it had been ruled that if a man killed a sequestrator in the execution of such process, it is not murder, Cro. Eliz. 651.

But independently of these grave doubts as to the extent of the Supreme Court's authority, it is unquestionable that the absence of any judicial power in the Commissioner is productive of much inconvenience and loss. If he had the character and power of a superior judge in bankruptcy, he could not only summon and examine parties before him, when suspected of detaining the estate, but adjudicate on the ease, and order immediate surrender and sale of the goods detained; but under the present system the Commissioner is impotent: at most he can only refer the parties to the Supreme Court, and if that court is not equally impotent in law, as I suspect it is, it is in practice; in the present state of its business, the trial of such an issue might as well be made a remanet to the Greek Kalends.

I have witnessed two instances of the practical inconvenience of this conscious want of judicial power; in one the question was raised whether an insolvent partner could be ordered to leave the court, pending the examination of the other insolvent. The Commissioner, after consulting one of the superior judges, declined making the order, expressing a doubt whether he possessed the power; this doubt was, I presume, founded on the want of judicial authority, for the learned Commissioner could not be ignorant that it is the daily practice of the bankruptcy courts, or that it has been decided that either party has a right, at any moment, to require that unexamined witnesses shall leave the court.—*Southey v. Nash*, 7 C. and P. 632.

The only case in which a bankrupt is entitled, as of right, to be present at examinations, is when a witness or a creditor is examined whose evidence tends to surcharge the estate.

The other instance to which I have alluded, regarded the application to the examination of an insolvent, of the rule that parol evidence cannot be given of the contents of a deed where the deed is forthcoming. No doubt this rule applies on the examination of any ordinary witness, whether at *nisi prius* or in bankruptcy, but the rule in examining a bankrupt is that he must satisfy "the mind of the court or be committed; and "it must be "intended that the questions which might be put by the "Commissioner, would be legal questions," *Nobes v. Mountain* 7 Moore, 39.

See also *ex parte* Meymott, 1 Atk 200. *Ex parte* Barr, Cook, 437, *Ex parte* Oliver, 1 Rose, 407. *Ex parte* Bland, 1 Atk. 205. *Ex parte* Chates, Buck, 290, and many other cases to the effect that the court will not restrain the examination of a bankrupt.

The judges in bankruptcy have always considered that they are released from the strict rule of evidence just mentioned, and are entitled to satisfy their minds of the truth of the bankrupt's statements, by examining him without regard to the technicalities that exclude secondary evidence in certain cases.

I will illustrate the working of the present system by a case not purely hypothetical: an insolvent had 20,000 sheep on his run, but when the assignee enquired for them he found them in the possession of a relative of the insolvent, who claimed them under a deed executed long before the sequestration. The parties were examined before a Commissioner, and on those examinations, though most carelessly taken and more carelessly recorded, fraud was clearly established. The assignee thereupon demanded the sheep, but was refused; he applied to the Sheriff, but the Sheriff would not seize without an indemnity: he applied to the Commissioner, but the Commissioner could do nothing but refer him to the Supreme Court: he asked the creditors to indemnify, but

they had lost enough already, and the result of all was that he was driven to compound the matter on the best terms he could, at a loss to the estate of £4,000. Three such cases have found their way into my chambers within a month: in our bankruptcy courts at home the sheep would have been taken by the messenger within an hour after judgment had been given, and the creditors would have had their full value. Again and again have I witnessed this course taken in similar disputes about furniture and bills of exchange. If the party gives notice of appeal, the court impounds the goods, but I never knew of an appeal where the Judge had in his judgment, declared fraud to exist.

It may be presumed that fraudulent liens, fraudulent settlements, fraudulent warrants of attorney and bills of sale, are not less frequent here than at home; then why should not the same remedies for the protection of the estate be adopted here?

I had noted down several pages of error or obscurity contained in these insolvency acts; I shall pass them over, lest my letter should be too long for half an hour's reading; but I believe that it would require clearer brains than can be found in Westminster Hall itself, to find a way through this labyrinth of legislation: it is the less necessary, for it is certain that the new legislature must sweep it all away, along with many other colonial cobwebs.

It stands to common sense that a system created substantially for another colony, and under circumstances so different from those in which Victoria now finds herself, ought no longer to prevail, even were these insolvency acts as perfect and perspicuous as they are the reverse. It mattered little comparatively, what the law might be when it was unnecessary to appeal to it half a dozen times in the year. But now, with bankruptcy business almost equal in amount and in importance to that of all England, it is indispensable to place it on a footing proportionably firm and large: this never can be done by any patchwork repairs.

My object in thus addressing your Excellency on a topic so foreign to your taste and reading, is to express a hope that you will avail yours elf of the power of your exalted position to ensure a reform co-extensive with the magnitude of the evil. The basis of that reform should be the substitution of the bankruptcy code of England in its entire form, with all its judicial independence, and so much of its machinery as the insolvency business of the colony requires. There is enough of it in this colony to occupy the whole time of a court created exclusively for its dispatch. There is a demand for this reform loudly expressed in every circle in the colony: the merchants, the traders, the members of all the professions, the landed proprietors, the agriculturists, and even the mechanics and artizans, are unanimous in their opinion, if I may trust the reports of many, that unless a decided change is speedily effected, the trade credit of the colony will be gone, and its commercial interests most seriously compromised.

If your Excellency announces in the usual form to the Legislative Council, the intention of the Government to introduce a bill for the purpose, I am persuaded that the announcement will be received with most grateful feelings, and place your Excellency's administration most high in the respectful affections of all the community.

I have the honor to remain,
Sir

,
Your very faithful servant

,
George Stephen.

Postscript.

It has been suggested to me that I ought to vindicate the remark at page 27, by mentioning some at least of the prominent examples. I prefer doing so separately, in a postscript as they are only likely to interest the professional reader.

I may observe, *in limine*, that a great defect in the colonial acts is the omission of any declaratory clause, explaining the object of the acts, and the nature of the powers and authority intended to be conferred by them. There is such a clause in the Consolidation Act, (it is the 12th) and it has been found most useful in defining the jurisdiction of the court.

The 7th clause of the first act declares liable to be set aside, all alienations of goods made without valuable consideration and within twelve months preceding an act of insolvency; if the clause concluded here, it might have been of some value; but it annexes to the liability to be set aside the condition that the order of the Supreme Court must be at the instance of some creditor, and "in "so far as such creditor would thereby be prevented from receiving "the full amount of his said debt." If it is meant by this that the creditor must trace up his loss specifically to the act of alienation, it would be nearly impossible, in most cases, for any creditor to do

this.

The 9th clause gives protection to a *bonâ fide* purchaser from the alienee mentioned in the 7th clause, but renders the alienee himself liable to pay the value of the goods so purchased, to such creditors as have been described in the 7th clause; this is inefficient and mischievous: inefficient from the difficulty just explained of proving the position of the creditor, and mischievous, because it suggests to a fraudulent insolvent a safe way of carrying his fraudulent intention into effect; he has only to alienate to a man of straw, and then he can give a good title to every purchaser under such alienee.

The 10th clause avoids all alienations made after sequestration; but in as much as the 53rd clause gives to the order of sequestration the effect of divesting the insolvent of his property, it follows that the 10th clause is absurdly unnecessary, for how can he alienate that which he does not possess?

The 11th clause declares void any discharge by the insolvent for a debt due to him, where payment of the debt has not been actually *bonâ fide* received; but it is obvious that this is severe upon the debtor, unless it is qualified by the condition that he has notice of the insolvency; and there may be many cases easily supposed, in which a discharge has been *bonâ fide* given, and yet no payment actually made; in such cases the discharge ought clearly to be protected.

The 12th clause, as I read it, for it is not very intelligible, is simply absurd; it provides "that all payments really and *bonâ fide* "made by any insolvent, or by any person in his behalf, to any "creditor before any order made for the sequestration of his estate "is known to the insolvent or to such creditor, shall be valid;" they would of course be valid, and without any enactment; nor can I conceive the necessity for such an enactment unless to dispel any doubt arising from the preceding clause; the same remark applies-and with the same force, to the next paragraph in the 12th clause, declaring the validity of *bonâ fide* payments by the insolvent, without notice; it seems probable that the draughtsman had in his mind some confused idea of the doctrine of relation back to the act of bankruptcy, without clearly understanding it.

The 13th and 14th clauses provide for sequestration on the petition of creditors, whether separately or jointly; the latter clause requiring that the single petitioner's debt shall amount to £50, but that where there are "two or more" petitioning creditors, the joint debt shall amount to £100. These clauses only deserve notice as exhibiting the carelessness with which they are drawn; for is it not apparent that the same measure of debt is given in the case of two petitioning creditors as in the case of one?

The 16th clause is remarkable for its extreme clumsiness; it provides for payments of the costs of sequestration out of the free residue of the estate, and that if that residue is not sufficient, the creditors who have proved shall make up the deficit by contribution; where the simple course would obviously have been to follow out the bankruptcy system, and pay the costs before declaring a dividend.

To pass over many intermediate clauses that are open to similar objections, I will mention the 33rd for the discontinuance of actions by the subsequent sequestration of the insolvent's estate; the clause ends with a humane proviso, enabling the insolvent to continue in his own name and for his own benefit, any action he has commenced for any personal wrong or injury to himself or his family; but in carrying out this humane intention, the act has forgotten what is due to the creditors; slander upon the plaintiff's trading credit, would clearly be a "personal injury or wrong" to the plaintiff himself, and the creditors ought yet to have the benefit of the action, for his failure and their loss may have been occasioned by the slander.

The 38th clause, founded upon the 55th of the 6th Geo. IV., ch. 16, provides for the proof of debts, though payable at a future time; but by the introduction of the words of description, "every person to whom the insolvent was under *legal obligation* "to pay money at a certain future time shall be accounted a "creditor," the act raises a question as to the meaning of "legal obligation;" is it meant to distinguish between legal and equitable obligations? or between simple contract and specialty debts? or is no distinction of any kind intended? if the latter, then the word "indebted" should simply have been used.

The 39th clause provides for the manner of proving by creditors holding security, and prescribes the practice to be followed for valuing the security by the oath of the creditor; this is both complicated and objectionable; the framer of the act would have done better to have taken for his model the general order of Lord Loughborough, of the 8th of March, 1794, directing a sale of mortgage securities before the mortgagee can prove for the balance; this still continues the practice in the English courts.

The 40th clause admits the proof of debts payable on a contingency, but omits to provide for the proof of contingent liabilities as debts; a question which was much agitated in the English courts till set at rest by a special enactment.

The 44th clause is not intelligible; its object is to provide "the mode of settling interest upon *claims*." The word "claim" has a doubtful meaning; in bankruptcy it means a claim to reserve a dividend in respect of a debt of which the proof is not immediately admissible, and it is used in this sense in the preceding clause. Does the 44th clause mean this, or does it mean simply "debts?" The clause proceeds to direct the assets to be applied "first in payment, according to the legal order of preference, of all the preferent debts." What does this mean? In

England there are several classes of debt to be discharged in full, as rent for twelve months, salary and wages for three months, with certain limitations; assessed taxes, apprenticeship premiums, and the debts due to friendly societies; but the colonial act gives preference to none of these, except six months' rent, and six months' salary or wages; and these three being already secured a preference by the 41st and 42nd clauses, it was unnecessary to provide again for that preference by the 44th clause. Have the words any reference to the relative position of joint and separate creditors as respects to their recourse to the joint and separate estates? According to the English law, a separate creditor is entitled to be paid in full till the separate estate is exhausted, and so is a joint creditor in respect of the joint estate; it is also true that if creditors under a first insolvency suffer an uncertificated man to trade and contract new debts, an equity arises by which subsequent creditors may obtain a preference upon subsequently acquired effects; but the question must be determined on bill in equity and not on petition in bankruptcy; *ex parte*. *Storks* 2 Rose 179, *Barton v. Tattersal*, 1 Russ. and Myl. 237. Possibly the 44th clause may contemplate such cases as these, but I acknowledge that I cannot see that such questions are likely to arise under these colonial acts.

The 87th clause requiring the trustee, among other things, to submit a plan for distributing the estate, is wholly unnecessary according to the simple principle of the bankruptcy system, that all creditors shall come in equally; and if, as I collect, the same principle prevails here, then all this complicated enactment is superfluous.

The 100th clause, authorising the imprisonment of the insolvent after surrender, upon proof that he has reasonable means of discharging the debts, or a part of them, is most extraordinary, and without any English precedent. If he has such "reasonable means" they pass by the colonial law, as well as by the English law, to the official assignee; and were it not that these insolvent acts fail, for the reasons mentioned in my letter, to provide any adequate means of seizing the estate, the official assignee might clearly take "the means" contemplated by this clause, without such a breach of good faith towards the insolvent as to take his person when he has surrendered all his estate to secure protection to it.

There are many other criticisms that might be justly made upon both the provisions and the language of these insolvent acts, but I think that I have said enough to satisfy the reader that, severe as my censures have been, I have not passed them without reflection.

G. S.

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Hospital *For the Insane* Sunnyside,
Christchurch, New Zealand.

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Aphorisms for Attendants.

Hospital for the Insane, Sunnyside, Christchurch, N.Z.

- Attendants should always regard all eases on admission as if they were suffering from Bodily Disease, drawing the Physician's attention to any symptoms the patient may show, such as—Pain in the Side, Shortness of Breath, Constipation, Diarrhoea, &c., and should take the earliest opportunity of examining the excretions.
The Insane do not readily feel pain, and are unfortunately unable to express or understand their own sensations. A new case had better pass the first few days after arrival in bed quietly until it is certain that no acute bodily disease is present.
- Try and get the patients to employ themselves, when in the wards converse with them and amuse them,
*"A want of occupation gives no rest
A mind quite vacant is a mind distressed."*
- "It is always in our power to materially add to the physical and social comforts of even the *worst* class of Insane patients."
"By reason unmastered their truant thoughts roam."
- "The spirit of love, tender sympathy, Christian benevolence, unwearied kindness and warm affection should influence *every thought, look, and action* of the attendant engaged in the holy, honourable, sacred and responsible treatment of the Insane."
"Kind, gentle, considerate and affectionate measures have disarmed insanity of many of its repulsive and ferocious characteristics."
"Great powers of reason are requisite to understand men destitute of reason."
Kindness with firmness has as much effect on most Lunatics as it has on children or animals.
"Fetter strong madness with a silken thread."

- "If the patient's language be offensive and repulsive—if he be guilty of any acts of violence towards those in attendance upon him—the attendants should never for a moment lose sight of the fact that the unhappy affliction has to a degree destroyed the patient's free will and that for a time he has ceased to be a responsible being."
 - Look upon them as children, try and teach them self-control and self-respect by a good example.
- Should it ever be necessary to use force, let not there be a *test of comparative strength, or any struggle* between a patient and an attendant, let two, or if necessary, three attendants *overpower* the patient and render all resistance on his part useless and unnecessary: Always remember, "*Persuasion* is much better than *Force*."
- "Consider the various trusts with which you are invested, in a manner, as nothing when compared with the sacred duty of *protecting* those who are visited with madness, it is as much a *Disease* as any with which it please God to afflict mankind."

An Address

Delivered at the Opening of the Section of Psychology, at the
Annual Meeting of the British Medical Association, July, 1885,

BY D. Yellowlees, M.D.

Physician-Superintendent of the Glasgow Royal Asylum; and Lecturer on Insanity in the University of Glasgow.

The Causes and Prevention of Insanity.

MY first duty is to acknowledge the great honour done me by the Council of the Association in inviting me to preside over this Section, an honour which I very highly appreciate, and which is doubly welcome because our meeting is held in the county whose asylum I organised and opened twenty years ago, and in whose service I spent eleven of the best years of my life.

At our last annual meeting, at Belfast, the subject of the presidential address was the relation of our speciality to the other branches of medicine. To-day I invite your attention to our relation and duty to the public as regards the causation and prevention of insanity. This is a practical rather than a pathological aspect of our subject, but its extreme importance must atone for the want of purely scientific interest.

During the dark period when insanity was at once the reproach of medicine and the horror of the public, the mere suggestion that the nervous system required wise and watchful care was resented as an insult, because it seemed to impute a liability to mental disorder. Now that insanity is no longer deemed either a crime or a disgrace, there is some hope that the counsels and warnings of the physician may receive greater attention.

The causes and prevention of insanity may well be considered together, for prevention can be intelligent and effective only in proportion as the causes are accurately ascertained and wisely avoided.

The causes of mental disorder group themselves at once into two categories; those arising from conditions in the life-history of the individual, and those entailed upon him by ancestral inheritance. It is too true that both kinds of causes often co-exist, and that the immediate or personal cause is potent only because it has awakened and developed inherited weakness. Still, there are causes so directly personal to the individual, that they must be regarded as sole and sufficient, irrespectively of inheritance. The chief causes of this class are brain-injury, brain-exhaustion, brain-anæmia, brain-irritation due to disease in other organs, and organic changes in the brain itself. From such causes, any brain may suffer, and they may induce insanity in persons wholly free from hereditary neuroses.

Brain-injury is a cause often assigned by friends, without sufficient grounds, as the history of a blow or fall seems to them to remove all suspicion of hereditariness.

Undoubtedly, mental peculiarities, or an entire change of character sometimes follow a blow which has left no outward sign; and it is equally certain that the commencement of organic disease, or of the chronic changes of general paralysis, may date from such an injury.

The mischief produced may be out of all proportion to the apparent severity of the blow, and therefore such injury should never be lightly regarded. On the other hand, it is a mere shot in the dark to assign as the cause of insanity a head-injury sustained some years previously, if it have meanwhile given rise to neither local irritation nor general symptoms. Distance magnifies the gravity of the injury, and friends unconsciously mislead the physician and themselves in their desire to demonstrate the accidental origin of the disorder.

Brain-exhaustion may follow from continued overwork or incessant worry, if the brain have been denied

due rest and sleep. The student, the politician, and the merchant, may alike be the victims of brain-exhaustion, in their undue pursuit of knowledge, influence, or wealth.

This is too high a price to pay for anything on earth. Besides such overwork often defeats its end, for the work of a wearied brain is never the best work of which it is capable. Our powers will bear spurring for a time; but there is a limit, beyond which the effort is fatally exhausting, while the result is woefully inadequate.

The amount of overwork habitually done, nowadays, in all departments of life, by the best and ablest workers, is appalling, and they pitifully declare, inevitable. They do not seek this overwork for selfish or personal ends, but the work seeks them, and being set to them it must be done. It is done, often nobly done, but the cost is terrible. There is no time for healthful exercise or restful leisure; the happiness of the homo circle, the pleasures of friendship, the delights of nature, literature, and art, can be enjoyed only by snatches; life is an incessant rush to overtake the engagement of the passing minute; the day is too short for its duties, and the night must sacrifice largely of its sleeping hours. The very holiday, if a holiday be taken at all, is often accomplished in like fashion, and a hurried rush to the continent is vainly called rest. This feverish haste has been intensified by the greater rapidity of communication in recent years, and it implies a degree of nervous strain unknown to former generations. Reason and life are often sacrificed in the rush of our high pressure civilisation; and the influence of this civilisation, with its terrible extremes of reckless luxury and woeful want, on the national brain and the national character, is a momentous question. Assuredly it is our province and duty to proclaim that such flagrant violation of the laws of brain-health cannot be perpetrated with impunity, but must entail direful results.

Far commoner than exhaustion from overwork, and far more potent as a cause of insanity, is the irritation and exhaustion produced by excesses in the two most frequent forms of alcoholic and sexual dissipation. The ruin of brain wrought by intemperance, whether in its sudden and fiercer forms or in the chronic delusional conditions to which they tend, is too familiar. Too familiar, also, is the drink-crave, to gratify which, even for a moment, love and honour and truth and duty are all forgotten. This malady, which some would vainly persuade us is but vulgar vice, is often an inherited neurosis, and then belongs to the second category of causes; but often, too, it is the outcome of habitual indulgence, and thus ranks as a personal cause.

A man need not be a drunkard before he can develop insanity or transmit it to his offspring. If he indulge in "nips" throughout the day, or saturate himself with beer, or cannot go to bed without his grog, he is steadily creating constitutional tendencies which will some day develop evil results; and if he crown his sinful folly by giving alcohol to his children, he is preparing for them a double curse. There is no form of foolish indulgence which calls for stronger reprobation than the giving of wine to children. The only folly which approaches it in its evil results is the baneful delusion, that most women need alcohol at their monthly periods. Both these habits but manufacture drunkards, and demand our emphatic condemnation.

Brain-exhaustion from sexual excesses, or from self-pollution, is another fruitful cause of insanity, and it is wholly a false delicacy which hesitates to expose this degrading evil. We know too well how one prurient boy can pollute a whole school with the vice of self-abuse, though we can never know or measure the ruin he may have wrought. We are too often sadly certain that like practices exist in the sex where we expect only purity and innocence, and that they produce sorrowful results in all the protean forms of nerve-instability. We know, too, how the marriage-relationship can be degraded into an excuse for unbridled indulgence, and that such folly or ignorance may wreck the strongest brain.

Society needs plain words about these things, and we fail in our duty if we do not speak them. Especially do we need to impress on parents the duty of wisely informing their children, lest ignorance, or, still worse, knowledge wrongly sought for, prove fruitful of evil.

Brain-starvation, whether the anæmia result, from malnutrition or from undue waste, may give rise to mental disturbance, which is, happily, curable by the removal of its cause.

Brain-irritation, due to disease in other organs, may produce insanity, either through nervous sympathy or through disturbance of the quality and regularity of the blood-supply. The occurrence of this secondary insanity often reveals the pre-existence of nerve-instability. Its treatment and prognosis depend largely, of course, on the disease which has occasioned it.

Lastly, among the personal causes, *organic changes in the brain itself*, of whatever nature, and however produced, may develop insanity, whose symptoms, when thus arising, we can, at best, only try to mitigate.

It may seem as if a large group of personal causes had been omitted. Emotional causes, such as terror, anxiety, and disappointment, seem at first to be purely personal, and therefore to belong to this category. Doubtless, this view is sometimes correct; but in the majority of cases, these extreme emotions are essentially manifestations of an inherited nervous temperament, without which the insanity would never have occurred. The joys and sorrows of humanity are too familiar and inevitable to develop insanity, except in brains predisposed to it.

An inherited predisposition to insanity is assuredly the most potent of all the causes which produce it.

Every attack of insanity, however produced, certainly creates a liability to its return; and this acquired tendency is at least as grave a fact in the history of the individual as a predisposition inherited from his ancestors. How this predisposition, whether inherited or acquired, can be managed and modified, is the question now before us; and we could scarcely have under consideration a more important or a more practical subject.

First, and chiefly, we can certainly declare that this predisposition is not a mysterious and fateful doom, haunting and dogging its victim, and sure one day to overtake and overwhelm him. It is a purely physical condition, and loses half its horror when this is realized. We cannot, it is true, fully understand the pathology of nerve-instability; but we know that insanity is only one of its many manifestations, and that it may equally reveal itself in paralysis, epilepsy, and neuralgia, in asthma, diabetes, and hysteria, and also, beyond doubt, in certain types of drunkenness, of crime, and of genius.

The subject of this predisposition should not pretend to ignore it, as though it were a nameless horror or a secret disgrace. The fancied disgrace is a wretched relic of the time when an insane man was deemed something lower than a brute, and was treated accordingly. The civil and social consequences of insanity are doubtless grave, but it no more implies disgrace than any other physical illness. We are all handicapped, in some way or other, for the race of life, and much of our success depends on recognising this from the first and running accordingly.

Supposing the heir of such an inheritance frankly recognises the fact, how shall we counsel him to avert the malady, and how should his life be ordered so as to prevent its development and transmission? It need scarcely be premised that no organ can be in vigorous health unless this be the condition of the organism. It is an axiom in all special treatment, that the general health must be maintained at the highest possible standard.

The first condition of brain-health, as it is the first condition of the health of every organ, is due and suitable exercise. If the brain-work be unduly prolonged or unduly severe, injury must follow. Therefore our imagined patient must not pore unremittingly over the merchant's ledger, nor burn the midnight oil in exploring the arcana of science, and we must absolutely debar him from the rivalries of politics and the excitement of the Stock Exchange. Unwonted responsibility, or undue worry, tax him injuriously, and he should work within accustomed limits, and along familiar grooves which habit has made smooth. His ambition must be controlled by prudence, he should be a servant rather than a master, and he should choose the calm and even tenor of a country life, rather than mix in the rush and excitement of a great city.

Relaxation, the exercise to which inclination rather than duty prompts, is essential to him even if he be so fortunate as to find his daily work a daily pleasure. The relaxation should be something unlike his regular work. If possible, it should be in the open air, and should occupy both body and mind. He may, with advantage, become so addicted to it that his friends will smilingly call it his hobby, and he will be wise if he choose as the hobby—though, indeed, hobbies are rather adopted by instinct than selected by deliberate choice—something independent of the changing seasons, and which will not fail him in feeble health or declining years. The relaxation should include, in most cases, frequent short absences from the familiar surroundings and duties of home. An entire change, bringing new scenes, new faces, and perhaps a new language, has a wonderfully renovating power. It makes home more welcome, and familiar duties less irksome if we leave them for a time.

Exercise, whether for duty or pleasure, implies and procures rest; and for the subject of nerve-instability, sufficient and complete rest is indispensable. His rest should not be mere languid laziness, but genuine nerve-repose in sleep. If he can dine early, and sleep for an hour thereafter, he will do most wisely; and his head should be on the nightly pillow at least an hour before midnight. In the evening hours, he should avoid subjects likely to engross or agitate, that sleep be not hindered; or he should change the current of his thoughts before retiring, by such distraction as a book or newspaper affords. I knew an eminent asylum-physician who habitually took the *Times* to bed, and found a soporific in its columns.

Some men are said to have possessed the invaluable faculty of sleeping at will amid any circumstances and surroundings. The man who could discover this secret, and confer the gift on his fellows, would be one of the greatest benefactors of his race. To seek sleep by the use of hypnotic drugs is rarely wise. It is often but combating the symptoms while the cause continues, and is frequently both futile and injurious.

But exercise, relaxation, and rest, while essential to brain-health, are not everything. Our emotions and affections are the mightiest factors in our lives, and they afford a vast field for the manifestations of nerve-instability. It is in the regulation of our moral nature, and in controlling our fancies, impulses, and passions, by reason and duty, that the hardest battle must be fought.

From whom are the ranks of the insane mainly recruited? Certainly from the men and women whose minds and hearts are untrained and ill-balanced, who are swayed by caprice or passion, who are fretful at every difficulty and envious of their neighbour's good, who are incapable of sustained effort or daily self-denial, and whose lives are thus ill-regulated, changeable, and useless. The access of insanity is often but the ultimate and utter wreck of a vessel without a helm, which has already been many a time damaged by storms of passion on the quicksands of indulgence.

Daily self-control, and wise moderation in all things, should characterise everyone; but they are specially required in one predisposed to insanity, and they must be earnestly cultivated by him till they acquire the blessed ease of habit, and are practised without an effort. An education which has failed to educe or impart these qualities has truly failed, and a life which has failed to teach them has been essentially a life of failure. "Greater is he that ruleth his spirit than he that taketh a city." Too often such qualities and lives are inherited, but too often they are created or aggravated by faulty education and foolish training. To correct the evil, and foster the good, nothing is so potent as wise training in early years; but it is impossible to speak of education in relation to brain health without indignation and sorrow; the evils are so great, the remedy so difficult.

It seems impossible, in any national system of education, to do otherwise than to have certain standards of knowledge for certain ages of pupils; yet it is utterly unphysiological to assume that all brains are alike and can acquire with equal ease; and unless the rigidity of the system be modified by the wise discretion of the teacher, great hardship and injury must be inflicted. It is, however, among the better classes that the evils of faulty upbringing are most noticeable and mischievous. The boys get early into harness of some sort for the work of life, and find their lessons, and their level, in the rough school of experience; but the girls want this corrective, and it is the future wives and mothers who are chiefly injured. All sorts of knowledge are indiscriminately stuffed into the head, irrespectively of selection, assimilation, or enjoyment; the accomplishments which society is supposed to demand are added regardless of aptitude or inclination; what is showy and ornamental is encouraged, what is sensible and useful is forgotten; and when the young lady is "finished," her character is too often allowed to *form itself* amid a round of frivolous occupations and yet more frivolous amusements. Marriage finds her sadly wanting alike as a companion to her husband, as the head of a household, or as the mother of children; and when, happily for the husband, she misses a dignity for which she is unfit, her wretched training makes her a soured, fretful, resourceless, disappointed being. While we rejoice in the multitude of homes where it is otherwise, we all know that in many cases this sad impeachment is too well founded.

Right feeling and conduct towards others areas needful as due control over our own impulses and desires, if life is to be sane and happy. No man liveth to himself; he could not if he would; he would be a miserable wretch if he tried. It is needful, therefore, that our patient should have interests beyond himself, and should not live for merely personal ends. Such ends must by-and-by seem meagre to us all, and he of all men needs to lighten his daily life by the feeling that it blesses others as well as himself.

The question of marriage is a grave one in these cases. It is a welcome sign of growing intelligence in such matters, that this question is being put to us with increasing frequency. If the predisposition be but slight, and of remote origin, it seems hard to forbid marriage; but we can urge that the partner selected should be of calm and well balanced mind, and free from all nerve proclivities. Unfortunately, excitable unstable folk have an attraction for each other as remarkable as it is unwise. If the tendency be marked, the prohibition should be absolute. It is far better to endure isolation, and to miss the comfort and solace of married life, than to bring sorrow on others, and unknown ills upon offspring. To choose a partner beyond the age of child-bearing is one way out of the difficulty; but choice in these things is guided by feeling rather than by judgment, and love is so blind and persistent, that our wisest counsels are often disregarded.

The chiefest safeguard comes last, for I should be guilty of a fatal omission, and false to my deepest convictions, if I did not regard as the chiefest, faith in the unseen God. The relation of religion to insanity is often misunderstood. When the gloom of a melancholic takes a religious type, what is but a symptom is often regarded as the cause; the case is called religious insanity, and religion is supposed to have produced the disorder. It would be as accurate to regard the imaginary ailments of a hypochondriac as the cause of his condition. Cases certainly do occur in which true religious anxiety has produced insanity; and it would be strange indeed if the subject which is greatest of all, and which stirs the mind most deeply, did not sometimes overwhelm it; but too often this sad result has followed from views of religious truth so false and distorted as to be a libel upon its name. There is no security for conduct, no strength for duty, no support in sorrow to be compared to that which true religion affords. Tempests of trouble will not overwhelm the man who endures as seeing Him who is invisible.

Religion: In its Connection with Insanity.

By Henry Glasson, B.A.

(*Read before the Cathedral Union, Christchurch, 1884.*)

I DO not propose to deal with this subject in any sense as an expert. Until my special duties (as the chaplain at Sunnyside) directed my attention towards it, I shared the popular ignorance, or, if it is knowledge, the very superficial amount which commonly exists, as to the connection of body and mind and of the modes in which they act and react on each other, and—lest it may, at the outset, be thought that my subject is one which would

be more suitably dealt with by the "Doctor" than the "Parson," as some excuse for my temerity in attempting to grapple with it, I may say that I feel sure that it is one of little less importance to the one than to the other. On the first blush of it, a work on medical science may seem as much out of place on a clergyman's table as "Coke upon Lyttelton," or "Chitty on Contracts," but the contrast of two familiar saws will point the direction and the distinction of the moral I would draw; the one which depicts a "man who is his own lawyer as having a fool for his client," the other which describes a man, of ordinary intelligence I presume, as being "at 40 either a physician or a fool but—I am not proposing that the parson should set himself up as a rival to the doctor—the study of medicine, followed up by practical experience in the diagnosis of disease, is a life-long one, and especially in connection with insanity, and makes the idea of lay rivalry absurd; but I do not regard it altogether as an extravagant idea to look forward to the time, not perhaps so far distant, when no one will be considered as a man of education unless he possesses, at all events, such an amount of elementary knowledge of the human frame as will serve him in good stead in cases of accident, protect him may be from the imposition of his own disordered fancies, or his wife's too susceptible nerves, and, in the case of the parson, enable him to shield his less-informed parishioner from the rampant evil of the nostrum-vendor or quack.

If to this it is said that a little knowledge is a dangerous thing, which has a tendency to turn men into meddlers, or hypochondriacs; I believe that it will have the opposite effect. Superficial knowledge, which is commonly ignorance wrapped up and disguised in words, is one thing, but the knowledge for which I would plead of the corporeal machine, and which is, as far as it goes, exact, will guard its owner from tampering with disease, and I submit, as a point not altogether unworthy of consideration by those interested in higher education, that if a man is not satisfied to remain in ignorance of the many philosophies of the universe, why should he be content to remain ignorant of the philosophy of his own microcosm? What we have to bear in mind is this, that the most brilliant intellect is enshrined in a casket of construction so wonderful and delicate, and upon the well-being of which so much depends, that upon the self-control or otherwise of the individual the intellect, which in the one case might have been the delight and glory of the age, in the other serves but as a beacon telling of wasted power and untimely wreck! This latter, a result brought about manifestly from ignorance or violation of physical laws, as certain and as well-known in their operation as those affecting the inanimate Creation. Some knowledge, then, of the laws concerning the body, with an elementary, yet an accurate, acquaintance with the primary laws of hygiene, should, I think, form a part of the curriculum of study in our Public or other schools. Our schoolmasters would then recognise points affecting their pupils, now sometimes overlooked. Weariness at lessons, apparent dulness or obstinacy, would not invariably be treated as moral delinquencies, but would sometimes be relegated to the physician rather than to the whipping-stool.

And here I would leave my few words of preface, only adding that, strong as is my conviction of the general importance of my subject, I am still more impressed with its value with regard to the clergy. If, as I feel sure, the medical man should know philosophically the influence of the mind upon the body, which elevates his profession out of the mere knowledge of drugs and bone-setting to the high place which it so justly holds amongst the sciences, so should the clergyman be able to estimate the influence of the body on the mind, which lifts religion out of the mazes of superstition and priestcraft, or the region of sentimental emotion, to the place it is meant by the Creator to occupy as the salve of body and soul. And whatever value I claim for my paper, at least, is on this ground, that the conclusions are arrived at after fair enquiry, with an earnest desire to obtain, even if I do not throw light on the subject of such interest and importance. My duties have given me the great advantage—from my present point of view—of much personal intercourse with the insane; and the benefit which DR. HACON, the medical superintendent at Sunny side, has done me in allowing me from time to time to accompany him in his rounds, and hearing his opinions on the various cases of his patients, but he is in no way answerable for any crudities of opinion which these pages may unfold. I shall have occasion to quote soon the opinion with which he has favoured me as regards religious insanity generally, and I have read such books as BUCKNILL and TUKE on Psychological Medicine, ACTON, MAUDESLEY, CHEYNE and others, more or less bearing on it, but out of consideration for your patience I shall only produce of my reading what I may deem sufficient to establish my point, which is to come to a satisfactory conclusion as to whether religion is ever, and, if so, in what degree, the cause of insanity. By the term "religion," for the purpose of my present paper, I mean the Christian faith, a belief in Jesus Christ in all the beauty of His divine character, *the* example of what man duly constituted and divinely led may attain to, to be "perfect in Christ Jesus and by no possible perversion, that lean conceive of, can that belief rightly held and that faith duly exercised be said to drive men to madness. It is true that what has been termed "the borderland of religion," in the awakened conscience, in the remorse which follows consciousness being aroused in a man that he has either spent ill or wasted his life, there is much mental distress sometimes, if not actually distraction, and the question occurs at once in such cases, if the symptoms are at all outside the common run of things, how are we to distinguish between the sound or the unsound state of the natural conscience or mental condition as affected by religion. The physician of the body and the physician of the soul are hero alike concerned. What is the cause of your compunction or remorse? Has

the state of your bodily health nothing to do with it? or your method of living and disregard of the ordinary laws of health? These, and such like, are the questions which have to be put by both. If it is discovered that there is disproportion between cause and effect, great mental disturbance—whether approaching, as our medical experts would term it, exaltation or melancholia, and arising from no adequate cause; that the man once bright and companionable is now morose; that he who was once neat and orderly in dress has become a sloven, irritable in temper, impulsive, where before he acted only after due thought and deliberation, and couples these with morbid talk touching religion, religious subjects forming, perhaps, the main part of his talk, it surely is not philosophical to put this disturbing element in the man's bodily and mental state down to religion. It is not my province to say what the cause is, but the medical scientist tells us that religion has in the main nothing to do with it, although it occurs often in those who have had a strictly religious training. But there is another aspect in which our subject has to be regarded. Take the case of a person who in time of health was devoted to religion, and who has become insane; as in every case of insanity the mode adopted is, I believe, to ascertain what the initial symptoms were, what faculty, or sentiment or affection or function first showed signs of giving way, as we shall see when I bring my medical evidence to bear, the case is not one necessarily to be classed under the head of madness from religion. Experience confirms this. One illustration I will give. A woman who was devoted to religion, and to sacrificing herself for the good of others, committed suicide. She had for some time previously shown symptoms of melancholia. The question is, of course, asked at once, Was religion the cause of her insanity? When her history was written it revealed this much. She had been suffering from an attack of jaundice. In order not to interfere with her work, and over anxious for a speedy cure, she puts herself into the hands of a plausible vendor of a patent medicine, who promises all she seeks. That the drops he supplied her with were of a "kill or cure" character was evident, from the cautions given to avoid spilling them on her clothes. She gets, anyhow, temporary relief; but there can be small doubt that fatal injury was done to the stomach, ascending to and upsetting the brain. Unless God had worked a miracle on her behalf, interfered with her power of free will, which for one thing distinguishes man from the brute creation, the result was inevitable. In no sense could the woman's religion be held accountable for the mischief. I am prepared to find (hat as the subject is investigated there will be less and less disposition on the part of the medical expert to ascribe religion as the exciting cause of insanity—true religion, which often removes or mitigates the exciting cause, which explains to us the many social problems which without it we should in vain attempt to solve, which reconciles us to duties else hard for flesh and blood to fulfil. I am ready to accept what all medical authority points to, that mental derangement may originate in the predisposed in any cause which unduly excites and agitates the mind. It is the match laid to the magazine, the fire to the tow.

DR. HACON, of Sunnyside Asylum, says, "Religious excitement as a cause of insanity is really only a symptom showing preponderance of religious delusions, and, therefore, we have to ask ourselves the reason for the preponderance of such delusions. We know that such cases are generally melancholic, and we know that when a man is feeling particularly well, in rude health, he is more likely to forget religion, and I take it that the excessive religious excitement is only a sign of the extreme prostration of a civilised brain. At the same time I am bound to confess, although, as DR. MAUDESLEY says, 'Religion is necessary to the healthy mind' that the immoderate indulgence in religious observances and practices is liable to lead to an unhealthy state of mind, which may be best seen in the mistaken devotion of nuns. And inasmuch as religion increases our self-reliance, by teaching us to rely on a Supreme Being, and by self-observation and by self-examination teaches self-culture, it strengthens us for the battle of life. Here we may touch on the point that lunatics, with religious delusions, are full of self-accusations; but inasmuch as the religion that teaches self-accusation teaches also forgiveness on repentance, I cannot see that it can have the slightest evil influence on a healthy mind, and when I hear a melancholic patient stating that he is doomed for hell, and past forgiveness, I prefer to believe that that man, when sane, was a good rather than a bad man: and, on the other hand, the disease of the brain which, above all, is produced by a fast and immoral life, shows itself commonly by delusions of perfect happiness, coupled with highly exaggerated ideas of wealth and prosperity." I should like to couple with DR. HACON'S view some notices of patients who have come under my own observation at Sunnyside.

A. B. was the case of a man who certainly had not been a religious man previous to his becoming insane. He believed himself to be very specially the object of Divine favour, and to be living in Tory close communion with God, heard voices and carried on conversations with the Almighty. A casual observer passing through the wards, and conversing with A. B., would undoubtedly have called it a case of religious insanity, which it was not. C. D., on the other hand, was a patient whose case there seemed to be some ground for classing under the head of religion as the exciting cause. If so, it was a favourable case, and, as far as religion went, with a deal of method in his madness. It was his practice to engage in prayer at what to us in general would seem unsuitable times and places. In talking the matter over with him he said, in a way which I did not see my way to answer, "Why, sir, if I had blasphemed at the railway station, or got drunk in the streets, the worst that would have happened to me would be to get run in by the police, but because I kneel down and pray in such places I am

called mad and sent to Sunnyside." I believe he had really got into a low state of bodily health, and showed feebleness of brain power in a want of ability to manage his property. Another case, XY., was melancholic, full of self-accusation, was ready for and expectant of instant execution. To words of comfort his cry was always, "Too late." The man had his brain upset resulting from exertion and exposure in a noble attempt to save life. Both this case and that of Z., which follows, an ordinary observer would be disposed to think wrongly to classify under the head of religion. In Z.'s case there was much religious profession, and previous to admission no suspicion of insincerity, but, coupled with insanity, it assumes a combative and troublesome type. Breaches of regulations are committed from a high sense of duty and on conscientious grounds. It would be folly to call this insanity caused by religion. Its origin must be on far different grounds. Still, we are bound to give due weight to the evidence of statistics. BUCKNILL and TUKE say in p. 99 of their work on Psychological Medicine, that in the analysis of our collected cases we find religious anxiety and excitement assigned in 3 per cent of the total admissions. "Doubtless, it was the initial symptom of the disorder. Still we cannot for a moment doubt," they add, "that the *form* in which religion is but too frequently presented is a serious cause of insanity." In the 37th Report of the Commissioners in Lunacy to the Lord Chancellor, we find that out of a grand total of admissions in 1882, in the Asylums of England and Wales, numbering 13,581, no less than 431 are assigned more or less to religion as the exciting cause. In New Zealand, for the same year, out of a total number of 419 admitted during the year, 4 only or less than 1 percent., are assigned to religious excitement; but these 431 in England and Wales, and the New Zealand 4, ought they to be so classed as thus suffering from religion? Drs. BUCKNILL and TUKE will still farther help us. It bears so closely upon the point in question that I will make no apology for quoting it at some length—(p. 237). "Religious exaltation is less common than the opposite condition, that of religious melancholy or depression. It has been estimated that only 1 per cent of cases of excitement assume this form. In asylums, patients are not so commonly admitted in the early stage of excitement afterwards, when signs of depression are present. Dr. PRICHARD gives an excellent description of religious excitement as illustrative, in his opinion, of disorder of the moral faculties without lesion of the intelligence, in cases in which it has followed a state of supposed religious destitution. The strain of excitement is too much, and the expressions of happiness too ecstatic, to be long mistaken. Pride and haughtiness succeed, accompanied by a violent deportment quite unlike the effects of a religious influence, and soon unfold the real nature of the case, or it is clearly displayed by the selfishness, the want of natural affection, the variableness of spirit, the irregular habits of the individual. Some of the founders of religious sects may with some probability be regarded as the subjects of religious insanity—having in some instances been themselves the dupes when censured for having duped their credulous followers. IRVING, in modern times, is a familiar illustration of this class. A patient at the retreat at York believed it was his religious duty to have two wives and a concubine. It is easy to see that, under favourable circumstances, such a delusion might lay the foundation of a new sect—Mormonism, for instance. The founder of the sect might be deluded but sincere. Religious revivals, whatever opinion may be entertained in regard to their general or ultimate influence for good or evil, are doubtless the occasion for the outburst of some well-marked examples of intense religious excitement, in which excessive devotional feeling overrides the reason. In some cases a fearful state of prostration, either of mind or body, or mainly the former, occurs; but in others the condition is one of religious ecstasy or exaltation, complicated, in many instances, with hysteria. Some fall into a trance; others see visions. "Some of the convicted see in their visions," we are told, "a black horse, others see a black man; others see Jesus Christ on the one side and the devil on the other, and they cry, "O, Jesus Christ save me from the devil." An eye witness of the Irish revivals speaks of "Theomania."

"Insanity," says the Rev. W. M'ILVAINE, of Belfast, "generally in one of its worst forms, Theomania, and not unfrequently in other forms of insanity equally to be dreaded, such as acute mania, has been developed to a fearful extent. Speaking guardedly, I may assert that, from unquestionable sources, I have come to the knowledge of at least 50 such cases within the last six months in this immediate neighbourhood. "Some of the disciples of IRVING appear to have been in a very remarkable state of "religious exaltation. And, in passing it may be observed as a curious circumstance, that some of his congregation uttered a peculiar cry or sound, which Archdeacon STOPFORD, who heard it, instantly recognised 30 years afterwards as identical with that he heard in Belfast. Religious exaltation assumes a variety of epidemic forms. Assisted by the infectious influence of sympathy, it was exhibited in some phases of the dancing mania among the convulsionaires and among the American Shakers, who profess to have originated in the Camisards, or French Prophets." This is very remarkable evidence, but it is true to modern experience; as I think any reader of the Rev. MR. HASLAM'S "From Death unto Life," an account of his own conversion and the revivals carried on under his agency in Cornwall, will say, but it seems to me as quite possible that insanity which has been developed through such means would, on closer enquiry, be found to arise from quite different causes from religious ones. DR. CHEYNE, a Dublin physician of great note some half-century ago, has left on record that the proportion of insane from religion, in an experience extending over 40 years, was not in the proportion of one in a thousand compared

with those arising from emotional or moral insanity, wounded pride, disappointed ambition, worry, and such like. I have seen it stated that the May meetings of the great religious societies in London at Exeter Hall give rise, especially in the case of delicate and excitable women, to nervous diseases, sometimes culminating in insanity, and some cases in New Zealand which are ascribed to "Mrs. Hampson's mission," or the "Salvation Army" should, I think, be regarded in much the same way. A series of exciting religious services are unwholesome mentally, just as a regimen of highly spiced food is physically, and it would be just as reasonable in the one case to say that "religion" worked the mischief as to say in the other that "food" caused the indigestion or disordered palate. There may be mental as well as physical excess. In the one case, as in the other, it is true, "the board kills more than the sword." There is occasion for spiritual as for physical anatomy, where the clergyman should find abundant exercise for his vocation to minister to the mind diseased, and, I think, we are waking up to the fact that he has not done his work merely when he has written out his weekly sermon, however excellent, or delivered his oration in the pulpit or on the platform, however fluent and orthodox or otherwise! The point I want to urge is this, that a proper aspect of my subject, true philosophy, relieves the Christian religion of much for which it is unjustly or, at least, improperly made responsible. Religion does not pretend to work in spite of physical laws, but in full accord with them, and with the truth that there can be no contradiction in the Creator's work. It does not claim that religion is necessarily a preservative against insanity, but, as DR. MAUDESLEY says (already quoted by DR. HACON), that it is essential to the healthy mind. "When fairly examined," says DR. COMBE, "the danger is seen to arise from the abuse of religion, and the best safeguard is found to consist in a right understanding of its principles and submission to its precepts. For if the best Christian is he who, in meekness and humility and sincerity, places his trust in God and seeks to fulfil his commandments, then he who exhausts his soul in devotion, and at the same time finds no leisure or no inclination for attending to the common duties of his station, finds himself at last involved in disease and despair, cannot be held to be a follower of Christ, but of a phantom assuming the aspect of religion. If insanity attacks such it is obviously not religion which is the cause. It is produced not *by* the Creed, but *in spite of it*. It is caused through disregard of the fact that the mind is awfully affected by the body, sometimes fatally so, and that therefore this practical truth, stands out in high relief that it should be a part of a man's education and of his religion to comprehend the demands which the body makes on his self-control and under God to submit to the trammels which it imposes on him. We cannot, then, too emphatically assert the truth that religion does not divorce those parts of our nature which God hath joined together, and that all matters concerning it come fairly and properly within her province. Were it merely and only a matter of corporeal disease, we clerics would be content to sit at the feet of the medical Gamaliels. But it is one which affects and lies behind every physical force with which we are acquainted and every material essence pertaining to the body—"there is an influence lying behind the nervous system and the bioplasms, a co-ordinating power, arranging the growth of the whole body', something which you cannot touch or see, or feel, but a force which you know is there, it is the soul—the finest thing of all"—which exists in the physical organism, and is the true body, and which is affected so easily for good or ill." "It is not," says JULIUS MULLER, in a passage of great power, which I should have liked to have quoted, "the 'sarx,' the mass of earthly material, but the 'soma' the organic 'whole.'" Was it not then true philosophy which made Paul say to the Romans, "I beseech you therefore, brethren, by the mercies of God that ye present your *bodies* a living sacrifice, holy, acceptable unto God, which is your reasonable service," and which makes the Christian regard it as a high duty to keep under the body and bring it into subjection to the co-ordinate power which regulates the emotions. It may be answered to this, that the theologian should take higher ground, but the age we live in is a practical one, and if religion is to duly fulfil the great mission which is her claim to our consideration, and exercise the high prerogative which belongs to that noble work, she must not be relegated "ad nubes," but brought within the range of everyday life and within the reach of every man, composite as he is in feelings and sympathies and in the physical aspects of his nature. Many analogies subsist between them and are associated with, and indicated by corresponding intellectual and physical signs. "Laugh and grow fat" marks one shape it assumes. Another, where violent anger is indulged in, is followed by this physical consequence, "the secretions are disturbed, the bile is thrown back into the system and becomes absorbed, the whole nervous organism is unduly effected, the brain itself sympathises with the physical condition, and the man's jaundice shows itself not merely in the yellow skin but in beating may be his wife, or becoming bearish, or rather, unbearable to his friends. But this is not all, even more permanent ill effects sometimes follow if what Addison says in the "Spectator" is true, that we may trace to this head the peevish and quarrelsome folios of many an angry polemic. I am sure our medical friends will endorse what ADDISON prescribed as a palliative for such a condition, viz., a certain game which, under the free translation of "muscular Christianity" has in these latter days been so largely adopted, and which, without bowing down to it as a new gospel, yet contains the germ of that principle on which so much hangs, viz., the intelligent appreciation of that physical nature in us which so closely affects the spiritual and mental. One of the admirable "Aphorisms for attendants at the Hospital for the Insane at Sunnyside" embodies this, "Try and get the patients

to employ themselves; when in the wards converse with them and amuse them. A want of occupation gives no rest; a mind quite vacant is a mind distressed." The summing up of the whole matter, as regards religious insanity, appears to me to be this, that it lies, after all, within a very narrow compass. (1.) That it arises sometimes undoubtedly from an exaggeration of a natural bent or inclination. Its victims, in this case, being found oftener outside than inside the walls of an asylum, but that, (2.) the most fertile source of religious insanity arises from the *form* in which religion is presented to the mind in which the predisposition to insanity exists and who are affected by it injuriously. Happily the instinctive feeling of mankind is casting aside the grave clothes of a theology which rules by terrorism instead of love, thus outraging alike conscience and reason—a system which has much to answer for, if in the throes of emancipation the goodly garments which belong to a purer faith are cast away as well. Can we wonder if the highly sensitive brain reels sometimes before such teaching as this with which JONATHAN EDWARD regaled a past generation: "That God holds the sinner over the pit of hell much in the same way as one holds a spider or some loathsome insect over the fire." This of a God who teaches us to regard Him as one whose love is deeper than that of a mother for her child and whose tender mercies are over all his works; or need we be surprised that the mind stretching out its perhaps feeble hands towards God, recoils distraught and distracted before the appeals with which SPURGEON delectates, or, I should rather say, shocks our own day, when he says, "Thou wilt look up there on the throne of God, and it shall be written, 'For ever!' When the damned jingle the burning irons of their torments, they shall say, 'For ever;' when they howl, Echo cries, 'For ever!' 'For ever' is written on their racks, 'For ever' on their chains; 'For ever' burneth in the fire; 'For ever' ever reigns." Well may Archdeacon FARRAR ask, with reference to the above, whether those who dwell in such ghastly imaginations try to realise the significance of these expressions. There is abundance of evidence, he says, to show that the outcome of such delineations, taken alone, where not rejected as they are by the instinctive faith of man, could only be hysteria, terror, and religious madness in the weak; indignant infidelity or incredulous abhorrence in the strong. Let us exorcise, then, this demon of excess, which applies as truly to language as to liquor, and join the 44 army" of rescue to the beleaguered brethren who are yet out in the desert of mental temptation, and who are not to be won—men never have been yet—by mere brutal threatenings, although they may succumb, as men in panic will sometimes do, before the intensity of selfish fear. Can that be considered by them or by us a "Gospel," which means good news, but which is terribly bad news if it hands over the vast majority of our race to perdition, and which brings in its recruits as those who have been "shaken over hell until they smell its brimstone," as I heard it forcibly put by a preacher of this school. Perhaps the advancing tide of knowledge, which has washed away many cobwebs which affected our appreciation of physical truths will do the same for our moral faculties. We shall learn to regard those which are more closely allied to the spiritual condition as capable of being improved by due exercise or weakened by persistent neglect, and we shall learn to be cautious in ascribing to Divine agency those ills and evils which we have brought on ourselves and our children by our own persistent folly or ignorance. "Whence our race has come; what are the limits of our power over Nature and of Nature's power over us; to what goal we are tending, are the problems which present themselves anew and with undiminished interest to every man born into the world." These questions, which HUXLEY formulates, we believe physical science will never respond to, as being outside her domain, but find their true solution in that Gospel of Reconciliation and Renewal which shall make even the victims of insanity new creatures. And whatever doubt may exist as to the exact relation which religion bears towards insanity as an exciting cause, there is none concerning religion in its connection with insanity as a holy function ameliorating the condition of the sufferers; a condition which moves to pity, and strikes with something of awe even the most unthinking; religion which helps many thus afflicted to bear in their lucid intervals with patience and resignation the heavy cross which, may be from no fault of their own, they have inherited. And who can say how often, through her offices, even to the most clouded brain, penetrates a stray but not fruitless beam from the Divine source of all Light and Life and Love. Happily the days are over when the chain and whip were in vogue as remedial agencies for insanity—gone, with the burning of witches, and other time-honoured, and not to be in their departure deplored, customs of our ancestors. Now, all that skilful medical help, kind treatment, and most jealous care for their rights can do, is provided by the Legislature for those mentally afflicted, and religious ministrations, if not provided here for them by the State, as in England, is recognised by the public conscience and by the Church as equally incumbent in rendering which, walking in the footprints of the Saviour, who found that not even the insane were outside the wide embracing power of His love, and who recognised as the only claim upon His help the sufferers need coupled with his desire to be relieved of the burden of his woe.

Extract from Prologue

Written by

MR. W. P. Reeves, AND DELIVERED BY MR. C. Hull,
On the Occasion of the Performance of
"Black-Eyed Susan,"
By the Asylum Staff and Friends,
June 30th, 1885.

WHOSE woe is deepest of all human woes;
Whose fate is hardest of all mortal fates;
Whose weight is heaviest of earthly weights;
Who know the pain, the worm that never dies,
The agony supreme of agonies;
Whose death in life the living dread to see;
Whose life in death the dying e'en would flee.
And, as the power that gives and takes away—
That takes the mind and leaves the helpless clay—
Sends them among us, can there be a deed
More sacred than to succour such sore need?
Smooth the fear-stricken brow, and aid to tame
The horror of the dread without a name;
To make him smile, who has not smiled for years,
Or give the fevered brain relief in tears?

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Notes on New Zealand. *For the Use of Emigrants.*
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Map of New Zealand

Notes on New Zealand.

I. Its Discovery and Settlement.

NEW ZEALAND was discovered and named by Tasman, a Dutch navigator, in the year 1642.

It may be said to have been re-discovered in 1769 by Captain Cook, who passed through the Straits still bearing his name, and touched at various points on the coast. As his custom was, then and on his subsequent visits he tried to benefit the natives by giving them useful seeds and plants, and by introducing pigs and cattle. These were of much use in a land which had no indigenous wild animal larger than a rat, and where, though vegetation is excessive, there was a want of food-producing plants and herbs.

During the next fifty years, trade and intercourse began to spring up between New South Wales, which had to some extent been colonised, and New Zealand.

In 1814 the first church missionaries arrived from New South Wales, and soon after others came from England, who began to teach the natives the truths of Christianity. About the same time, and for twenty or thirty years thereafter, various little communities settled along the coast. These consisted chiefly of sawyers, whalers, and produce-collectors, who all found work of some kind by which they could make a livelihood. Many vessels, especially whaling-ships, began to resort to the bays and harbours for spars, provisions, &c. Thus the country gradually became better known in England, where the splendid harbours, the magnificent forests, the fertile soil, and the salubrious climate came to be spoken of. Hence the desire arose for its regular colonisation. Accordingly, in 1838, an influential body of public men formed a New Zealand Company. Soon after the British Government made it a colony of the empire, and sent out Captain Hobson, R.N., as first Governor, who, in 1840, founded the city of Auckland as its future capital, on the Waitemata. This it continued to be for many years, till it was thought advisable to remove the seat of Government to the more central position of

Wellington, on the north side of Cook's Straits.

Between the years 1839 and 1843, the New Zealand Company, having purchased sundry tracts of land on both sides of Cook's Straits, brought out a considerable number of emigrants. These began the settlements of Wellington and Nelson, Wanganui and Taranaki, all of which have flourished except, perhaps, the last, the growth of which was checked by the native war.

After a period of great trouble (1841-45), mainly caused by dissensions between the New Zealand Company and the Colonial Office in England, of which the natives knew full well, or were wickedly taught to take advantage, trade and agriculture began to revive. But so little was known of New Zealand in England, and so much loss had been experienced by the earlier settlers during this time of trouble, that immigration proceeded very slowly for some time. Attention was once more turned to the South Island, where, in 1846, the Scotch settlement of Otago was planted, and in 1850 the English settlement of Canterbury. The former of these went on quietly for some years, occasionally receiving an accession of population from Scotland, but its progress was not rapid till about 1860, when gold was discovered in large quantities. The population suddenly rose from about 10,000 to nearly 65,000, and although a good many left for other gold-fields, yet it remains, including the re-united province of Southland, at about 62,000.

The province of Canterbury was settled, in the first instance, by a somewhat wealthier class of people from England. Lying next to Otago, it shared with it the benefit of supplying the gold-diggers there with all marketable commodities. But within a few years it had a gold-field of its own, gold having been discovered in large quantities on the west coast. A large population gathered here very speedily, and that part of the province, being separated from the eastern plains by a tract of rugged mountains, was detached and erected into the county of Westland.

Meanwhile various small settlements were being formed at various points on the coast, both of the North and South Islands. The most important of these was Napier, about 400 miles southeast of Auckland, in Hawke's Bay, which, with the adjoining district, was, in 1858, separated from the province of Wellington, and erected into the province of Hawke's Bay.

For some time it had been known that gold existed in paying quantities in the Thames Valley and in the Coromandel districts, in the province of Auckland; but here it was chiefly embedded in quartz, which rendered mining difficult and expensive. However, joint-stock companies were formed, and the result has been a very large yield of gold. The population immediately increased over the district, and several townships were established, of which Shortland is the chief.

II. Its Size and Position, Etc.

New Zealand, extending from about 34° to 48° S. lat., and from 166° to 179° E. long., lies in the South Pacific Ocean. Its position on the face of the globe is thus almost directly opposite to Great Britain. It consists of two large islands, now generally called North and South, and a small one named Stewart's Island. Besides these there are a few much smaller islands lying off the coast, the principal of which form the Chatham Island group.

Its length is 1100 miles from N.E. to S.W., and its breadth varies from one mile at Auckland to fully 200 from Poverty Bay to New Plymouth. The coast line, being indented with several bays and some admirable harbours, measures about 3500 miles. The area of the whole amounts to about 105,000 square miles, being rather less than that of Great Britain and Ireland. In shape it bears a striking resemblance to Italy turned upside down, with the foot reversed.

From the large continent of Australia it is distant 1200 to 1500 miles, and it is entirely separate there from in its government and institutions. It is a distinct colonial dependency of the British Empire, having a Governor appointed by the Queen, who is aided by an Executive Council; a Legislative Council consisting of about forty-five members, chosen by the Governor for life; and, thirdly, a House of Representatives, consisting of about seventy-five members, elected by the people every five years by a system approaching to universal suffrage. The country, moreover, is divided into eight provinces, the local affairs of which are managed by a Superintendent and a Provincial Council. There is also the county of Westland.

III. The Natives.

The New Zealanders, or Maories, as they are called by themselves and others, according to their own legends, came from Hawaiki about five hundred years ago.

In the large and fertile land to which they had come, although they took little advantage of the fertility till within the last seventy years, their numbers rapidly increased. Judging by their own traditions, and by the traces that remain of villages, the population cannot have been much less than 150,000. But unfortunately they

brought all their evil habits and their love for war with them, and their numbers speedily began to decrease. And they are still decreasing, chiefly from these old habits, and partly from the state of semi-civilisation into which they have been brought during the last fifty years. There cannot now be more than 38,000, of whom about 2300 are settled in little communities over the South Island, the great majority being pretty equally scattered over the North Island.

Christian missions were established among them many years ago. These have been only partially successful in their highest ends. But though it is very difficult to change the manners and customs of a people, they have been the means, along with other influences, in putting down heathen practices, and to some extent in improving their social condition.

Unfortunately, in 1859 a dispute arose between them and the Government about land in the province of Taranaki. Not being amicably settled, war ensued, which by and by spread over a considerable part of the North Island. A few years before this a native king had been set up in the Waikato country, and though the king and his party took no active part in the war, yet this tended to complicate matters. Then a false prophet arose, who concocted a strange mixture of Paganism and Judaism, and under a pretence of inspiration succeeded in getting a great many followers, not only from the more remote tribes of the interior, but even from those who had for a considerable time been in close intercourse with the settlers. At this period every tribe in the country had made an open profession of Christianity, although some of them afterwards relapsed into heathenism.

This party, with their horrid rites and monstrous cruelties, directed not only against the colonists, but also against their own countrymen who adhered to British rule, still more complicated matters. With more or less intermission, and with some very sad occurrences, the war lasted for about ten years.

It is now practically at an end, although the pursuit of Te Kooti, and one or two other ringleaders among the insurgents, is still being carried on by the armed constabulary. Those who know New Zealand say that there is no likelihood of the renewal of native disturbances at any future time; for the natives have suffered so much, that many of the tribes who were hostile have submitted, and the few who have not, begin to see the hopelessness of carrying on the contest.

They still possess a very large quantity of land,—very much more than they can ever occupy. Part of this is rented by the colonists, who also pay them large sums of money in the form of wages for making roads, clipping sheep, &c. A system of direct purchase through the medium of the native land-court, which investigates and registers native titles, has recently been established, and appears on the whole to work satisfactorily.

In reply to statements that have from time to time been circulated in this country, it may be stated shortly, that the colonists have never oppressed the natives. On the contrary, the probability is, had not the British Government been established, that nearly the whole race would by this time have perished through their perpetual wars and barbarous customs—particularly the practice of female infanticide, which at one time was all but universal.

The habits of the people are now undergoing a rapid change. In the districts contiguous to European settlements, their advance in civilisation is already apparent in the better style of their dwellings, &c., while some of the more enterprising among them derive a comfortable income from sheep-farming on a small scale, and from other industrial pursuits.

The writer is indebted for the latter portion of this section to Walter Lawry Buller, Esq., Sc.D., F.L.S., &c., Resident Magistrate at Wanganui, who has also kindly read over the whole tract in MS., and given some valuable hints.

IV. General Description.

We shall begin with some remarks upon its climate.

Very different accounts are given of the climate of New Zealand, which its shape and position go a long way to explain. Extending over nearly 140 of lat., and of no very great breadth, its climate must of necessity be very various, just as in Great Britain the climate of Caithness in the north of Scotland is very different from that of Devonshire in the south of England. So that while in the north of New Zealand oranges and other semi-tropical fruits may be grown, in the south the climate is very much that of England. It may be well to remind our readers, that as New Zealand lies on the south side of the Line, the sun goes round by the north, so that we there speak of the warm and sunny north, and not of the sunny south. Snow, which is rarely seen in any part of the North Island, except on the lofty hills and mountains (and if seen elsewhere, only remaining for a short period), is not quite so uncommon in Otago, and, indeed, on nearly the whole west coast of the South Island, where the mountains, flanked in some cases by glaciers, rise to the height of 12,000 or 13,000 feet. Speaking generally, the climate of the South Island, though rather warmer, may be described as that of England—Nelson being its Devonshire; while the climate of the North Island is more like that of France,

although free from the extremes of heat and cold to which that country is subject. For New Zealand having no great breadth at any place, has its climate tempered by the surrounding seas and by the high winds which not unfrequently prevail. At the city of Auckland, which, like Corinth, is situated between two seas, the climate is moist and warm. But within the large province bearing the same name it varies considerably, and there are few places in the world in the enjoyment of such a climate as the Bay of Plenty and Turanga or Poverty Bay. In Hawke's Bay province, where the rain-clouds seem to be caught and frequently emptied by the Ruahine mountains on the west, and where the formation is limestone, it is dry and hot in summer, but seldom unpleasantly so. In Wellington it is more bracing than in either of these provinces, from the strong winds which frequently blow through Cook's Straits. Within the province, on the coast towards Wanganui, there is more moisture than on the east coast, but only of such amount as to make it one of the best agricultural districts in New Zealand. The same description will apply to Taranaki, which has been called the garden of New Zealand. Nelson, with its warm northern exposure, has a pleasant though slightly enervating climate. In the south-west part of the province, and in Westland, comprising the Hokotika gold-fields, there is rather too much wind and rain. In Canterbury, on the east side of the South Island, the climate is much better, although from the cold winds that blow down from the snowy mountains in winter, and the hot winds that occasionally blow over most parts of New Zealand in summer, and have there the full sweep of wide plains to traverse, the extremes of heat and cold are somewhat greater than in the other provinces. Dunedin, from its situation and surrounding hills, has not so pleasant a climate, but that of the province of Otago, of which it is the chief town, is generally much better.

It should be noted, in conclusion, that with the exception of Westland, fogs are of very rare occurrence in any part of New Zealand. This may be one cause among others why it is so healthy a country. In general, suitability to the Anglo-Saxon constitution, in recruiting properties for the invalid, and in fitness for agricultural and pastoral pursuits, the climate of New Zealand ranks as one of the finest in the world. The late Dr Thomson, Surgeon H.M.'s 58th Regiment, in his able work on New Zealand (where he was stationed for several years), has spoken to this effect, proving what he affirms by the singularly favourable tables of sickness and mortality among the troops. And there can be no better standard than these for estimating the salubrity of any climate. Many weakly and consumptive people have gone to New Zealand solely on this account, and unless disease has taken a deadly hold on them, they have as a rule recovered their strength and vigour so as to be fitted for all the duties of life. There can be little doubt that New Zealand will become the sanatorium of Australasia, and that, at Rotorua, in the North Island, with its wonderful hot springs and lakes, its cascades and almost readymade warm baths, a town will be in existence within a few years, to which multitudes will resort, as they do on this side of the world to Harrogate, to Bridge of Allan, to Aachen, or to Kissengen. A good many officers and others from India have also gone to New Zealand, partly for the sake of its climate, and partly because they find they can live less expensively than they can do in England, and also because they can find better investments for their money.

We now go on to the general description of the country.

Beginning with the extreme north, the peninsula which extends about two hundred miles to the north of Auckland city has been spoken about as having the same resemblance to the rest of New Zealand as Cornwall and Devon have to England. Its surface is varied by ranges of lofty hills and deep bays. Some of these latter have a narrow entrance between high bluffs, but within they spread out into a broad expanse of water surrounded by river harbours. The Kaipara spreads out not unlike the human hand, with several long fingers. It receives many streams, one of which, the Wairoa, is navigable by tolerably large ships for about fifty miles. An immense timber-trade has been carried on here for many years, as a great part of the country is covered with Kauri forests. The same trade is carried on at various points on the coast. The Bay of Islands, with its beautiful harbour in the N.E. of the peninsula, was about the first settlement in New Zealand, and the first mission station. But the available country is not large, and the establishment of the seat of Government on the splendid harbour of the Waitemata has prevented it from attaining any great commercial importance. The whole peninsula is well watered, and there are numerous fertile valleys scattered over its surface. Throughout there are a great number of small settlements, such as Albertland, Wangarei, Hokianga, Wangaroa, Matakana, Monganui, between which and Auckland a great coasting-trade is kept up by small steamers and other craft. And a railway is in process of construction between Auckland and Kaipara. At Waipu there is a large settlement of Scotch Highlanders, who went first to Nova Scotia, and thence to New Zealand, where they found a finer soil and a much better climate.

On the Waitemata, opening to the east coast, and not far from Manukau harbour, opening to the west, stands the city of Auckland (lat. 37°), amidst a network of navigable waters. Its population, including Parnell and Newton, is about 21,000, while the townships or villages within a circuit of ten miles, Otahuhu, Onehunga (its port on the Manukau), Howick, &c., may contain 10,000 more. From its situation in reference to Australia, and even to North and South America, Auckland must in course of time become one of the great centres of

commerce for the Southern Seas. It has already a splendid wharf, at which the largest ships can lie, substantial warehouses, and many public buildings, occupied as churches, banks, government offices, &c. It is, as may be said of New Zealand towns generally, a finer town than the towns in Great Britain of a corresponding size.

Immediately to the south, about Tamaki and Otahuhu, there is a fine tract of fertile soil well fenced and highly cultivated. Still farther south we approach the Waikato country by a splendid road extending forty miles. Within a year or two it is hoped that the railway which is now in progress will be completed as far as the Bluff. There the great Waikato River, navigable with its affluents for several hundred miles, turns westward, and falls into the sea a little to the south of the Manukau.

The Waikato district is one of the finest in New Zealand, and while the natives are still numerous, the European population is beginning to flow in. On the rivers which provide water-communication, Ngaruawahia (the burial-place of the so-called Maori king), Alexandra, and various other townships, are growing into importance. Banks and churches of various kinds are being established, and for the first-named place a coach leaves Auckland daily. But there cannot be more than a very few thousand people in the whole district, which is capable of sustaining two or three millions in plenty and comfort. Along the rivers, in the plains, and in the valleys, there is a very great amount of soil admirably adapted for agricultural and grazing purposes.

Inland from the Bay of Plenty, and toward the south, are the hot lakes of Rotorua, forming, with their surroundings, one of the most remarkable districts on the face of the earth, according to the testimony of Hochstetter and other travellers. In the south of the province, and near the centre of the North Island, lies Lake Taupo, about eighty miles in circumference. Its placid waters are yet undisturbed save by the canoe of the natives, who are more numerous in this district than elsewhere. To the south of Taupo lies a very wild and mountainous country little visited by Europeans. Here rise the giant mountain of Ruapehu to the height of 9000 feet, and the semi-active volcano of Tongariro to that of 7000 feet. In this district the Waikato, which flows northward through Lake Taupo, has its source, and also various other streams, some of which flow eastward towards Hawke's Bay, and others into Cook's Straits on the south-west.

About fifty miles to the east of Auckland we come to the Thames Valley and Coromandel districts. From all accounts there is a considerable quantity of arable land, and a great deal of very fine timber. But the energies of nearly all the people there are mainly directed to gold-mining, which has of late been yielding large returns. The chief town of the district is Shortland, which, with Grahamstown, &c., may contain 7000 people. Thence we go to the Bay of Plenty which is about 150 miles wide, and 50 or 60 deep. On the coast of the bay there are a few small settlements, and here and there considerable tracts of arable land. The principal township is at a singularly beautiful place named Tauranga, which will likely become the chief town of the district from possessing the best harbour on a long line of coast. Coming round the East Cape, where the country is rather mountainous, we arrive at Turanga, generally called Poverty Bay. This unfortunate name—never was there a greater misnomer—it received from Captain Cook, because he failed in getting provisions for his ship. It is a beautiful place, with park-like scenery, clear streams, and a delicious climate. There is a large quantity of very fine land in this district, a part of which is now in the hands of Europeans, who are settling there in considerable numbers. A township under the name of Gisborne has been established, which will, doubtless, make rapid progress, as the harbour, though not perhaps fitted for large ships, is very commodious for small craft. Thence a steamer plies regularly to Napier in the province of Hawke's Bay (100 miles).

Hawke's Bay is a deep indentation in the coast line, receiving several rivers, such as the Wairoa, navigable for some miles, the Nguraroro, the Tuki-Tuki, &c. On the banks of these and other streams there is a large amount of arable land, while the plains near Napier (pop. 2200, lat. $39\frac{1}{2}^{\circ}$), the chief town of the small province of Hawke's Bay, must contain about 90,000 acres. A considerable portion of this is under cultivation, while a larger part is fenced and laid down in English grass. There is a fair amount of trade and commerce at Napier, considering the size of the place and the sparseness of the population in the country districts, which, with the partial exception of the plains already spoken of, are almost entirely occupied by sheep-runs. Yet, with the increase of population there and elsewhere, large portions of most of these runs will be available for farming purposes. On several of the well-made roads in this province coaches have been running for some time, and recently one has been started between Napier and L. Taupo, in the centre of the island. And it is hoped that ere long a railway will connect Napier with the fine district of Waipukurau (45 miles S.), and after a very few years with Wellington (200 miles).

Thence we come along to Wellington province. On its eastern side the best district is named the Wairarapa (pop. 3500), where the land is very much occupied as in Hawke's Bay. Here there are several rising townships—Masterton, Featherston, Carterton, and Grey Town. Coming down the Hutt Valley, with its pretty gardens and cultivations, we arrive at the magnificent land-locked harbour of Wellington, nine miles in circumference, forming a safe retreat from the stiff gales which occasionally blow in Cook's Straits. The city of Wellington (pop. with suburbs, 10,000, lat. $41\frac{1}{4}^{\circ}$), which was founded by Colonel Wakefield and the New Zealand Company in 1840, lies on the west side of the harbour. It is now the seat of the Colonial Government,

and a place of very considerable commercial importance. Like Auckland, it has its wharf suitable for ships of any tonnage, its shops and hotels, and some fine public buildings, such as those for the Legislative Council and House of Representatives. Its growth has been retarded by the want of arable land in the immediate neighbourhood, and by the difficulty of access through the hilly country behind it. This difficulty has been greatly obviated by well-made roads towards the Hutt and the Wairarapa on one side, and Wanganui on the other, on which public conveyances are daily running, and it will be entirely obviated when the projected railways are accomplished facts.

The country from Wellington to Wanganui is upon the whole remarkably good, and well adapted for agriculture, which at Manawatu (70 miles from Wellington), Rangitikei, Turakina, and Wanganui (120 miles), is carried on to a considerable extent. Various townships have been, or are being planted, which, with the expected tide of emigration, may very soon become populous villages. Wanganui on a large navigable river of the same name, which flows through a fine arable country for a great part of its course, is the chief town of the district. Near the sources of the Manawatu River, and stretching towards the Ruataniwha plains in Hawke's Bay province, lies an enormous extent of forest land, generally spoken of as the Forty-mile Bush. Many thousand acres have recently been acquired by purchase from the natives, and as a main road is being rapidly cut through the forest, this land will presently be open for settlement. There are few better fields than this large and fertile district for industrious and enterprising colonists.

Farther up the west coast we come to the small but fertile and well-watered province of Taranaki, tempting one to apply the proverb, "That good things are made up in small quantities." Its chief town is New Plymouth (pop. 1200, lat. 39°). Since the war, which to some extent devastated this district, is over, immigration may be expected to increase. Here the snow-crowned Mount Egmont, rising almost from the ocean to the height of 8500 feet, with its lower parts clothed in magnificent forests, presents a picture of beauty and grandeur hardly to be equalled. Still farther north, and completing our circuit of the North Island, lies a somewhat narrow and rugged country between the Waipa, the chief affluent of Waikato River, and the sea. There are two or three available harbours, however, such as Kawhia and Raglan, where small settlements have been attempted, but from the war and other causes they have as yet been only partially successful.

We now cross Cook's Straits to the South Island, the northern portion of which is occupied by the provinces of Nelson and Marlborough. At Nelson one of the earliest settlements was made by the New Zealand Company, but from various causes its growth has not been very rapid. About Richmond, Waimea, Motueka, and Collingwood, there is some extent of arable land, yet there is hardly the same field for farming enterprise as in some other parts of New Zealand. The town of Nelson (pop. 5600, lat. 41¼°, 150 miles from Wellington) is beautifully situated on Blind Bay. Not very far off are mines of coal, chrome, and copper, while towards the west, and along the Buller and Grey rivers, large quantities of gold have been found. Here are the townships of Charleston (pop. 1400), Westport (pop. 900), &c. In the south part of the province, the country is very rugged and mountainous, although there is a large district lying eastward, watered chiefly by the river Dillon, admirably adapted for sheep-farming. To the north-east of this lies the province of Marlborough, of which Picton (pop. 700) is the chief town. The best part of this province is to be found in the Wairau plains, near the town of Blenheim. Northward of these plains is a rough country, broken up with creeks and harbours of every size and shape. The chief of these is Queen Charlotte's Sound, with its double entrance, running about twenty-five miles into the land, and closely hemmed in by abrupt wooded hills.

We have now come to the central district in the South Island, the magnificent province of Canterbury, settled by an English colony in 1850. Its chief port is Lyttelton (pop. 2600), situated on an inlet of the sea between Bank's Peninsula and the coast line. This inlet makes a very good harbour, though scarcely equal to either of those at Wellington and Auckland. Wharves and jetties have been constructed to accommodate the great amount of traffic carried on. Behind the town are precipitous hills, which are crossed by a steep zigzag road, and penetrated by a railway to Christchurch. This city (pop. with suburbs, 13,000, lat. 43½°), which is the chief town of the province, is situated on the banks of the Avon, and not far from the Heathcote, where small coasters come. It has excellent markets, and well-kept streets lighted with gas, and no doubt its traffic will be greatly increased by the railways which are beginning, to radiate from it in several directions. There are various other townships on the plains or on the coast, of which Kaiapoi, Rangiora, Timaru (pop. 1500), are the more important. Along the sea-board there is a very considerable quantity of arable land, but the greater part of the plains, containing about three millions of acres, are occupied with sheep-runs. There is almost no timber here except what has been planted. Another drawback is the large number of rapid and frequently dangerous rivers flowing from the lofty mountains across the plains, the chief being the Hurunui in the north, the Courtenay, the Rakaia, the Ashburton, and the Waitaki on the south. But ways and means are being used to obviate these dangers and drawbacks; and meanwhile, building timber and fencing-stuff can be had in the forests which cover a great part of Bank's Peninsula. On this account this peninsula is a valuable adjunct to the province, and not the less so that it contains several very good harbours. There are various thriving settlements planted here and there

over it, which, in addition to the regular timber-trade, carry on a brisk trade in firewood, fish, fruit, and vegetables with Lyttelton and Christchurch. In the south end of the province, along the Ninety-mile Beach, there is a large tract of pastoral country of the best description. Here and there are hundreds of acres of arable land near the chief townships, such as Timaru, Geraldine, &c.

There is little to say about the county of Westland, which is a long strip of country on the western sea-board, with a somewhat humid climate. No doubt there is good land for agriculture in the valleys that run up toward the rugged mountains, but Westland is scarcely the best place for farming purposes. A few settlers will, however, always be welcomed, and will get employment in supplying the large digging population with vegetables and farm-produce generally; for gold-mining, which has for some years been attended with great success, continues to be the chief industry of the district. It is this that has attracted the large population, and led to the establishment of townships such as Hokitika (pop. 3600), Greymouth (pop. 2200), Ross, &c., which a few years ago had no existence. On this account also it was found necessary to create the whole districts west of the Southern Alps into a county separate from the province of Canterbury. These Southern Alps, beginning in the south of Nelson province, and stretching through Canterbury into Otago, cover a tract of country about 200 miles in length and 50 in breadth. Many of their peaks attain to 8000 or 10,000 feet in height, and are, of course, covered with perpetual snow. Mount Cook has an altitude of 13,200 feet.

To the south of Canterbury lies the large province of Otago, more than half the size of Scotland, and in many ways not unlike it in natural features. Here, as generally in the south island, the eastern sea-board is by far the finest part of the country. There are many well-wooded and well-watered agricultural and pastoral districts of great fertility, in the midst of which several flourishing townships are rising up; and while a considerable portion of the country has been occupied by the colonists, there yet remains very much land to be taken up. Toward the north is the rising port of Oamaru (pop. 1700), noted for its valuable building-stone, which it largely exports, as well as the usual products of the country. Farther south is Dunedin, the chief town of the province (pop. 15,000, lat. $45\frac{3}{4}^{\circ}$). It is situated at the head of a loch, which serves as a harbour, about nine miles from Port Chalmers (pop. 1500), where the largest ships find anchorage, and where a large graving-dock has been built. Like the other chief towns in New Zealand, it contains several fine buildings, such as banks, post-office, churches, and schools. Recently a university has been established, and four professors, who would do no discredit to colleges anywhere, have been appointed. With Port Chalmers the communication is kept up by steamers and other craft, but a railway is being made, and by and by will be opened. There are capital roads throughout the eastern division of the province, on some of which coaches run regularly to Oamaru and thence to Christchurch, and to Queenstown on Lake Wakatipu, a large irregular sheet of water lying towards the west (on which a small steamer now plies), and to other places. The trade in Dunedin is very considerable, having received a great impulse from the gold discoveries in 1860. The diggings extend over a considerable part of the interior, and such have been the returns as to attract multitudes of people from all parts, although the Scotch population still largely predominates. Thus a demand arose for all farm-produce and marketable commodities; land, especially about Dunedin, rose to a high price, and so the landholders came into much more comfortable circumstances.

To the south of Dunedin lie the fine districts of Taieri and Tokomairiro, well peopled and largely cultivated. Here there are several rivers, of which the Taieri and the Clutha are the largest. The latter flows from Lakes Wanaka and Wakatipu by two streams, and after a course of about 250 miles it falls into the sea at Molyneux. From its rapidity, it is not of much use as a means of communication.

Farther south lies the district of Southland, with its chief town, Invercargill (pop. 2000, lat. $46\frac{1}{3}^{\circ}$). The climate here is not quite so pleasant, especially towards Foveaux Strait, but inland it is better. There are large tracts of good agricultural land, chiefly towards the Mataura River, some of which is cultivated by a joint-stock company with steam-ploughs and other appliances of modern husbandry. The country is well watered by several rivers, which all flow into Foveaux Straits. The western half of the province is a wild mountainous country, abounding in lakes, and its inhospitable coasts intersected by huge arms of the sea of immense depth. Ships but rarely visit this coast, save when driven by stress of weather, or when they are in want of water and spars. At Martin's Bay, in the north-west, where a tract of alluvial soil has been discovered, and where there is plenty of timber fit for shipbuilding, a settlement has recently been attempted, but with what success remains to be seen.

On the other side of Foveaux Straits lies Stewart Island, about the size of a large English county. It is deeply indented on the east side by Paterson's Inlet, one of the safest harbours in New Zealand. As yet there are no regular settlements here, although there is a considerable extent of pastoral land, and also some fertile valleys.

V. Mineral Wealth.

The mineral wealth of New Zealand is very great. Mention has already been made of the gold-diggings in various parts of the country. These have proved very valuable, the yield up to this time being equal to £25,000,000 sterling, and they are far from being exhausted. Dr Hector, Director of the Geological Survey in New Zealand, is of opinion that as yet the surface has only been "scratched." The area in the South Island in which gold is found may be about 15,000 square miles, stretching through Otago and Westland into the province of Nelson. In the North Island the area is very much less, gold in any paying quantity having as yet been found only in the Thames and Coromandel districts. In the South Island it is generally found in alluvial diggings, in the North in quartz rock, from which it needs to be extracted by quartz-crushing machinery set up by joint-stock companies.

Silver has been found in various places, but little can be said of the quantity as yet. Tin has also been recently discovered.

Sulphur exists in considerable quantities in several parts of North Island, chiefly near Rotorua hot-lakes, and on White Island in the Bay of Plenty. Small quantities of manganese, chrome, mercury, and lead are also found, chiefly in the South Island. Iron seems to be abundant in several parts of the colony. On the west coast of both islands there is a very great amount of iron-sand, which is convertible into steel of the best quality.

The supply of coal is immense over the greater part of New Zealand, but the mines have been worked in comparatively few places. It is of various qualities, and has been much used at the gold-fields, in the numerous coast-steamers, &c. It is also finding its way into domestic use, especially in Otago, although the greater portion of coal so used comes from Newcastle in New South Wales. No doubt, when a larger supply of the better class of coals is obtained, through more abundant labour and deeper and more skilful mining, and from the mines being rendered more accessible by roads and railways, New Zealand will be able to supply not only itself, but will aid in supplying other lands with this most useful of all minerals.

Limestone and building-stone are found in many localities. Marble and granite of various colours and qualities are found chiefly on the west coast of the South Island. In Auckland, many of the buildings are of scoria from Mount Eden, an extinct volcano; but limestone for building and farming purposes is within easy distance by boat, or road, or railway. The Oamaru white stone is quite celebrated, and has been exported in large quantities to different parts of New Zealand, and even to Melbourne. It is used for monumental and ornamental work of all kinds. Cement of good quality can be made from cement stones and the volcanic tufas that are found in different parts of both islands.

VI. Animal and Vegetable Productions.

New Zealand might be regarded as a very empty land in respect of animals till within the last hundred years. A small rat, which has been almost if not quite exterminated by the European rat, and a wild dog, supposed to have been introduced either by the Maories or soon after, and a few harmless lizards, seem to have constituted nearly all the animal life in the country. Birds, however, are numerous, and some of the forms are very singular. A tribe of colossal ostrich-like birds has become extinct, and other species are fast disappearing with the advance of colonisation. These are being replaced by more useful species through the agency of the Acclimatisation Societies. In the neighbourhood of Auckland, and in some other places, pheasants and partridges are abundant. Most of our common singing-birds have also found their way there; and as the rook has very recently been added to the imports, the homesteads of New Zealand, especially those which the taste of the owner has surrounded with English trees, will soon have a very home-look about them. It is unnecessary to add that all kinds of domestic poultry are there, and that in such a climate they thrive remarkably well. Fortunately there are no snakes, serpents, or any noxious reptiles. From all these New Zealand is as free as Ireland itself. The cattle introduced by Cook seem to have died out for the time, but the pig has multiplied exceedingly, and in some remote districts has become a wild animal, living on fern root, and not seldom carrying off the young lambs.

In more recent years large numbers of every kind of domestic animal, and many of them of high quality, have been introduced. Very large prices have been paid by some of the colonists for horses, cattle, pigs, and especially for sheep, which have been imported not only from England, but from the best continental breeds, such as that at Rambouillet, belonging to the late Emperor of the French. That the climate is admirably adapted for all sorts of domestic animals is proved by their multiplying so fast, and by their comparative freedom from many of their European diseases. Deer have also been introduced in various parts of the island, and seem to do very well. There are also hares and rabbits, but the latter are no great acquisition.

The rivers in New Zealand are on the whole destitute of fish, but it is hoped that ere long salmon, trout, and other home varieties will be quite common. The sea is tenanted by whales and seals, although not in such abundance as some years ago. There are also various kinds of fish—the butterfish, the snapper, the moki, a flat fish like a flounder, and also one about the size and shape of a herring, and passing under that name, as well as

various others. Oysters, mussels, and crayfish also abound, and in several places whitebait of very good quality. There is no doubt that New Zealand fisheries, which in time past have not been much looked after, but which are now protected by legislative enactments, will ere long become of great importance.

Insects are rather abundant, and some of them are not over-pleasant neighbours. But with the introduction of birds, and with the progress of cultivation, it is to be hoped they will become, as in some parts they have already become, less troublesome. Wasps are known only by their absence, while the common bee has its place and work at many a homestead, and also in the forests, where trees are frequently cut down, with their cavities filled with immense quantities of honey.

It would occupy too much space, in such a publication as this, to give a proper account of the vegetable life in New Zealand, its abundance and variety being alike remarkable: The mountains, plains, and valleys are perpetually green, there being, exclusive of herbage and smaller plants, upwards of a hundred kinds of trees and shrubs. A New Zealand forest, from the thickness of the undergrowth, the size of the larger trees, and the interlacing of these by climbing plants, has a very different appearance from the forests in the home country. In some of the more cultivated parts of the country there are beautiful hedges, generally of thorn, sometimes interspersed with myrtle, roses, and geraniums. One of the most valuable trees in New Zealand is the kauri, now confined to the north part of the province of Auckland. This is much used for building purposes, while kauri gum is a valuable article of commerce. Then there are the red and white pine extending over a large part of the country, the puriri, the rimu, the totara, and many others. Some of these have been found a hundred and fifty feet high, and eight or ten in diameter, so that most of our home-trees seem stunted to any one who has been in New Zealand. The timber of not a few is capable of a very high polish, and it is now being made use of to some extent in the manufacture of house furniture, useful and ornamental.

There are also different varieties of ferns, from the tiniest little plant up to the fern-tree, which sometimes rises to 25 or 30 feet, and numerous species of highly ornamental shrubs. The wild flax (*phormium tenax*) must however be specially noted, as a most valuable article of commerce. Formerly, it was the material from which the natives prepared their clothing, mats, nets, and baskets.. But within the last few years, while a great quantity has been manufactured into ropes and cordage in New Zealand, a very large quantity has been sent in a partly prepared state to Britain, where it commands from £30 to £42 per ton, according to its measure of preparation. But this industry will not attain its full development till some more simple and effectual means of separating the gummy substance from the fibre has been discovered.

In addition to the native New Zealand trees and plants, a great many others have been introduced from various parts of the world. Australia has contributed its blue and red gum, the acacia and sundry others, while most of the trees common in the British Islands have been added from time to time. The oak, the ash, the willow, the beech, the poplar, and the elm, have all a place in New Zealand. Although they do not become evergreen, like the trees of the country, they retain their leaves for a longer period, and their growth is much more rapid than in their native land.

Fruit is abundant in most parts of New Zealand. To the north of Auckland, oranges, citrons, and loquats may be grown, while farther south, peaches, apricots, grapes, figs, melons, tomatoes, apples, plums, pears, strawberries, gooseberries, &c., are found according to temperature. Roots and vegetable of all kinds also abound; pumpkins, carrots, turnips (of which 25 to 30 tons per acre is not an uncommon yield), peas, cabbage, parsnip, onions, and magnificent potatoes, grow largely. Hops have also been tried with success, chiefly in the Nelson province. In short, it may be added, that nearly all orchard and garden productions, fruits, flowers, and vegetables known in Britain are known in New Zealand, where also they generally come to greater perfection.

In regard to farm-produce, much the same may be said. Wheat (of which 48 to 55 bushels per acre may be obtained), barley, and oats are freely grown, with the addition of maize in some parts of the North Island. But agriculture has not been followed out on any very extensive scale as yet, from the scarcity and expense of labour, and from the want of an adequate market for much produce. More and more, however, the colon- ists are giving themselves to this mode of life, and as population increases, which, from the new Government scheme of immigration, it is expected to do, yet more attention will be paid to farming. The better parts of the sheep-runs, especially of those nearer the towns, will be let or sold for this purpose, and a number of moderately sized farms will be laid down, although for some years these may not be regularly cropped over as farms generally are in Britain. And there is no doubt that a steady industrious man having 40 or 60 acres fenced and chiefly laid down in clover and good English grasses, with little or no winter to provide against, can make a very comfortable livelihood for himself and his family. To this position any such man may easily attain from the comparatively high wages he would receive during his first few years in New Zealand. And the meat-preserving companies, which are already doing a great business, in spite of the prejudices among many against tinned beef and mutton, will help to secure a price that will pay the farmer.

VII. Prospects for Colonists.

This leads me to remark that large quantities of land are being opened up for settlement by the Government. Several portions of that recently acquired tract of country in the Forty-mile Bush, already alluded to, have been reserved for special settlements. The regulations in connection with these have not yet been published, but most probably the gist of them will be that grants of land at a low rate per acre will be given on a system of deferred payments. Roads and railways are surveyed through the district, and thus a great deal of work, which will be paid for at an average rate of 5s. 6d. per day, can be had in the immediate neighbourhood. But indeed this is true of most parts of New Zealand, so that none, to whatever province they go, need fear any want of well-paid work; for a large portion of the Government loan (amounting to £1,000,000) has been allocated for such work.

The best thing generally for immigrants to do, especially for such as have no money and no definite trade, is to engage in such work, or to take situations as ploughmen, shepherds, overseers. And then, after working a very few years in this way, they will have saved enough money to make a good start in farming. Even if men have a little money when they arrive, it is generally unwise to take up land at once. Their capital can be placed at 8 or 10 per cent, on mortgage for twelve months, or put in the bank at 5 per cent. During this time they can look about them and gather some colonial experience, meanwhile doing any honest work that may come in their way. For there, as elsewhere, anything is better than idleness, through which money may be lost, or slovenly habits contracted.

Large capitalists have more at their command, and can either permanently invest their money at 10 per cent., or get land and hire labour, and, *to some extent*, experience. But wisdom and caution are quite necessary in their case also, in entering on investments of any kind in a new country.

The class of immigrants who are most benefited by going to such a colony as New Zealand are the small farmers who do their own work with little or no hired labour. In this country many of them must have great difficulties to contend with, and it is hard to see how, considering the high rents they have to pay, from the competition for farms and the ever-increasing expenses of farming, they can squeeze out an existence from the oft unfertile soil, which few of them have the means of enriching by artificial manures and improved methods of husbandry. And if they have large families, how difficult it is to educate them and to launch them out into the world! With a little variation, the same things are true of ploughmen, many of whom are, for the greater part of the year, entirely separated from their families, because on many farms no cottages are provided. At first, indeed, they would have a good deal to contend with in a new country, and labour and toil are necessary there as they are here. The tree must be planted before you gather the ripe fruit. But just as trees grow much more quickly there than in this country, so a pleasant home and a profitable farm may be had much sooner there than here. The truth is, that any sober, industrious man, with God's blessing on his labours, may create himself such a home in New Zealand, but he *must* be sober and industrious. Of course he will do it much sooner if he can take £200 or £300 with him, and act prudently when he goes there, avoiding dishonest men and dishonest ways, and not rushing hastily into a thing before he well knows what he is about. If he be a family man, he will find his sons and daughters helpful to him. He can keep them more or less about him, which he can hardly do in Britain. But indeed, from the immense disproportion between the sexes, he will not likely keep his girls long under his roof. Very soon they will marry, and get homes of their own. Before this, they could, if they chose, take situations at wages of from 8s. to 12s. a-week, being found in everything except clothing. It is worthy of note that women are never employed in any out-door labour in New Zealand, as they not unfrequently are in many parts of this country.

The following is part of a letter which the writer of this tract had from a girl who went out in the *Halcione* last year:—"We had a very nice voyage out. . . . We had plenty of rough weather, but not a storm. Our captain was very kind to us; he not only made everything comfortable, but did all he could to amuse us. . . . We landed at Wellington in eighty-five days, which was considered a very quick passage. . . . When we landed at Napier we found everything very comfortable for us. We were kindly received by all who had anything to do with us. . . . We only stayed one night in the Barracks,

Immigration Barracks.

when we all got situations, some in town and some up-country. Most of the girls I have seen since, and they are all liking their places well. . . . I think there is nothing to hinder any one who does what is right to get on here very well. . . . I may say, before I close, that I like Napier very much indeed. I was surprised at the beauty of the country when I landed I beg to thank you for sending me out here, and hope that God will enable me to do my duty, so that you will not regret sending me out." The following extract is from the Report of Mr Colin Allan, agent of the Dunedin Labour Exchange:—"It will be seen from the return that farm-servants and female domestic servants are the classes most in demand in the province. . . . The most constant and urgent requests come from the country districts for good household servants and dairymaids, and any number of females

competent to fill these situations could be absorbed at wages ranging from £30 to £45 per annum." This, which is said of the province of Otago, might be said of almost every part of New Zealand.

For the investment of capital which one may create for himself or take with him to New Zealand, if he does not choose to buy land or increase any business in which he may be engaged, there are various ways in which he may attain his end. He may lend money on mortgage, at 8 to 10 per cent., with as much safety as he may in this country at 4 or 5. There are various banking companies, insurance offices, navigation companies, &c., which may also be considered safe investments, and gold-mining companies, which are of course attended with more risk. Some may think that so high a rate of interest involves great risk. But it is not so. The truth is, that the resources of the *colony* are very great, while the resources of the *colonists*, whereby they can take any advantage of those resources, are generally not great, and money being thus scarce, yet necessary, sells dear like any other commodity. The three principal banking-companies paid 15 per cent, in 1869, while the other two paid respectively 6 and 10. There are about one hundred and thirty joint-stock companies, of various kinds. Post-offices are very numerous, and, for so limited a population as that of New Zealand, do a very large business. Nearly a hundred of them have saving-banks attached to them (receipts during first three years, beginning with February 1867, about £550,000), which are most useful in all new countries where the regular banking companies have their offices in towns, which may be far distant. And yet many a little township has its bank far sooner than its church. The North and South Islands, which are separated by forty miles of sea, have been for some time connected by a submarine telegraph, and now the telegraph wire is extended over a great part of the colony. Nearly 2000 miles have been erected, and the revenue cannot now be much less than £50,000 per annum.

VIII. Schools and Churches, Etc.

In the different provinces there are different Education Acts, which cannot be spoken of at length. In some there is help given both to national and denominational schools, while in others it is given only to national, and those churches which wish denominational are left to provide such for themselves. So far as the writer knows, the truths of religion are more or less taught in all the schools. The schools are quite as numerous as could reasonably be expected in a new country. Most of the towns are better provided with the means of education than larger towns in Britain, and even the country districts are tolerably well provided. For the country schools there is sometimes a want of well-trained teachers, and thus unsuitable men, who think any one can teach, occasionally get themselves appointed. But these things will rectify themselves ere long, and they will be helped in this by the action of the Government examination boards. In Dunedin a university, with four professors, has been established, and though it may lack the prestige of time-honoured institutions, such as Oxford and Edinburgh, Cambridge and Dublin, the teaching may be quite as effective so far as, with such a (temporarily) limited staff, it can be carried on. This institution may hereafter be affiliated to the New Zealand University, to establish which active steps have been already taken by the Government of New Zealand. As a rule, those who go to so distant a colony, and not a few of whom have in various capacities been over a great part of the earth's surface, are more intelligent than the average population in England or Scotland, and are more keenly alive to the advantages of education. From the mixed population, too—English, Scotch, Irish, with a sprinkling of other nations—a town of 2000 people is very different from many a village of the same size in this country, where the inhabitants are all one set, pervaded by the same ideas, and the half of whom have never been fifty miles away from home. This is attested also by the demand there is for newspapers and magazines of all kinds. In addition to the immense number of these that come in from the home country, Wellington, Auckland, Dunedin, Christchurch, and Nelson have daily, weekly, and bi-weekly papers, and perhaps a monthly or bi-monthly magazine. Even the smaller towns have always one or two weekly or bi-weekly papers.

In regard to churches, there is no Established church of any kind in New Zealand. All are self-supported, though they are sometimes aided to a small extent by societies in this country. There are the same denominations there as in Britain, save that the Presbyterian Church, though under two organisations, is virtually one and undivided. The Church of England has most adherents over all the colony, except in the Scotch colony of Otago, where the adherents of the Presbyterian Church are much more numerous. The Wesleyans and the Roman Catholics have also a very considerable number of adherents. It would be desirable that the home churches should give rather more sympathy and aid in men, and sometimes, in the case of new settlements, in money. For it is generally very difficult to set up the means of grace in such places, although, when wisely set up and administered, they are upon the whole tolerably well supported. Above all others, the Scotch churches would need to show more wisdom, and much more energy and liberality.

Nearly all the churches in New Zealand have flourishing Sunday-schools in connection with them—institutions which, when managed with wisdom and vigour, go a long way to promote religion and morality.

There is much less crime in New Zealand than in a corresponding population in this country, and very much of what there is arises from drunkenness. The civil and criminal law is substantially the same as in England. For judicial purposes the colony is divided into districts, each presided over by one of the Judges, of whom there are five, including the Chief-Justice. An assize is held in the chief town of each province for the trial by jury of any civil or criminal cases which may prove beyond the jurisdiction of the inferior courts.

I cannot do better than close these brief notes by quoting part of a speech made in 1870 at a public meeting in London:— *"In the year 1867, the population was 218,000; it is now 240,000. In February last year, 687,000 acres were under crop, and the colonists possess 9,000,000 sheep, 300,000 head of cattle, and 65,000 horses. The population have also 600 thrashing-machines, 700 reaping-machines, 12 steam-ploughs, and 28 steam-harrows; they produce annually 4,000,000 pounds of butter, and 1,300,000 pounds of cheese. The value of their export of wool amounts to £1,500,000. Their export of gold to £2,500,000, and of other products to about £500,000. When it is remembered that all these exports are produced by a population of something under 240,000 persons, I think it marvellous, and it promises much for the colony."*

Of course, the exports, &c., are larger now, as is also the population.

Further, Carl Ritter, the eminent geographer, said, as early as 1842, in enthusiastic language, "That New Zealand seems destined, before all other countries, to become a mother of civilised nations. Fertile and well-watered alluvial plains are there awaiting the enterprising settler, the virgin soil on which he founds a new home, a land blest with the most genial climate, where he has but to battle with and subdue the wilderness, to reap the never-failing fruits of his labours."

We may quote also from "New Zealand: its Physical Geography, Geology, and Natural History. By Ferdinand von Hochstetter, Professor of Mineralogy and Geology at Vienna. Stuttgart: J. G. Cotta. 1867." He went as naturalist with the Austrian Expedition in the *Novara*. He says: "New Zealand bears the most resemblance to the mother country, by virtue of its insular position, its climate and soil, and the whole form and structure of the country. It lies towards the neighbouring Australian continent, like Great Britain towards Europe. Blest with a genial oceanic climate, so admirably suited to the Anglo-Saxon race; with a fertile soil, well watered, and splendidly adapted to agriculture and farming—with a manifold coast-line, suiting perfectly to the notions and habits of the first maritime nation of the world; it is a country without dangerous animals, without poisonous plants, but rich in mineral treasures; a country where horses, cattle, and sheep thrive, where fruit, grain, and potatoes grow most abundantly; a country adorned with all the charms and beauties of grand natural scenery; a country which can easily support a population of twelve millions—which promises the bold and persevering emigrant a lucrative and brilliant future—such a country appears, indeed, destined before all others to become the mother of civilised nations."

"a good land, a land of brooks of water, of fountains and depths, that spring out of valleys and hills: a land of wheat, and barley, and vines, and fig trees, and pomegranates: a land of oil-olive and honey: a land wherein thou mayst eat bread without scarceness; thou shalt not lack anything in it: a land whose stones are iron, and out of whose hills thou mayst dig brass."

Since this tract was in type, the following letter has been received from the agent at Plockton, Lochalsh:—

"PLOCKTON,

30 March 1872.

"REV. AND DEAR SIR,—I have much pleasure in acquainting you that letters have now come from all the adult emigrants we sent last year from this place to New Zealand, and that the whole of them agree in confirming all the favourable accounts you have given us in your interesting lectures on that country.

"You would imagine the writers were in raptures, when describing the great beauty of the land, the variety of its productions, the salubrity of its climate, the fertility of the soil, and its adaptation for the growth of all the pleasing and nourishing cereals, roots and fruits, as well as the richness of its luxuriant pastures for the rearing of all kinds of cattle and sheep.

"They speak highly of the abundance of fish and fowl on its coasts: of its green meadows, majestic forests, and undulating mountains, reminding them of the mother-country,—only that the natural objects and prospects in the land they left are miniatures when compared to those in the adopted land.

"From what they say, I would infer that New Zealand would yield almost everything needful for living in plenty and comfort, and that the climate was never uncomfortably hot, nor at any time disagreeably cold. I fully believe from the accounts given, that hundreds will yet express themselves very grateful that you ever came to the Highlands. Those who have already left us, say that their happiness would be complete if their friends would only join them, where willing hands are in great demand, wages good, and food cheap and plentiful.—I remain, &c

(Signed)

F. D. McDonell."

REV. P. BARCLAY,

Edinburgh."

Appendix

A European Population. 1871.

Value of imports, 1870, £4,639,015; exports, 1870, £4,822,756.

The principal exports (1870) are:—

B. Government Emigration to New Zealand.

THE GOVERNMENT OF NEW ZEALAND having decided on the construction of Railways and other Public Works in various parts of that Colony—and there being also a considerable demand for Agricultural Labourers and Female Servants—are prepared to grant assisted passages to the following classes of Emigrants:—

Navvies, General Farm Labourers, Ploughmen, Gardeners, Shepherds, a few Country Mechanics, Single Female Domestic Servants and Dairymaids.

1. MARRIED COUPLES and families can obtain passages on the terms under-mentioned, viz.—The sum of £5 per adult in *cash* will be accepted in full payment for the passage. If the Emigrant is unable to pay the whole of the money before sailing, he will be required to sign a promissory note for a sum equal to *double* the amount remaining unpaid, thus:—

When only £1 per adult is paid in cash, the sum to be repaid by promissory note will be £8 each adult.

When only £2 per adult is paid in cash, the sum to be repaid by promissory note will be £6 each adult.

When only £3 per adult is paid in cash, the sum to be repaid by promissory note will be £4 each adult.

When only £4 per adult is paid in cash, the sum to be repaid by promissory note will be £2 each adult.

The Government will not give assisted passages to more than *three* children under twelve years (including infants) in each family; but parents may pay full passage-money for children in excess of that number. Every person above the age of twelve years is reckoned as an adult; children between *one* and *twelve* are reckoned as half an adult; and infants under one year are not reckoned.

2. SINGLE WOMEN.—Passages without *pre-payment* are given to single women, namely—Cooks, General Servants, Dairymaids, &c. They will be required to sign promissory notes for each, payable in quarterly instalments, the first payment to be made three months after the date of their arrival. These passages will be restricted to females who are not under fifteen nor over thirty-five years of age.

3. SINGLE MEN.—As respects single men, the sum to be paid in *cash* for the full passage will be for each statute adult. If the applicant cannot give that sum, he may pay £4 in advance, and sign a promissory note for £8.

New Zealand is larger than England, Wales, and Scotland united; yet the European population in 1871 numbered only 256,167 souls.

Most of the land in New Zealand is well adapted for agricultural and pastoral purposes. The total yield of wheat for the year 1870 was 2,349,914 bushels. The number of sheep in the whole colony at the close of 1871 was about *ten millions*, or nearly forty sheep to each head of the population.

For the year 1870 the produce of the New Zealand gold-fields was valued at, £2,163,910.

The climate of New Zealand is temperate and healthy.

Mechanics and labourers work eight hours as a standard day's work.

For further particulars and detailed conditions, apply personally or by letter at the Offices of the Agent-General for New Zealand, 7 WESTMINSTER CHAMBERS, LONDON, S.W.; or at 3 HOPE STREET, EDINBURGH; or personally to the LOCAL AGENTS.

The Return for Otago gives the Rates of Wages as follow:—

- Carpenters, per diem, 8s. to 10s.;
- Bricklayers, per diem, 8s. to 10s.;
- Painters, per diem, 8s. to 10s.;
- Blacksmiths, per diem, 8s. to 10s.;
- Tailors, per diem, 8s. to 10s.;
- Ropemakers, per diem, 8s. to 10s.;

- Shoemakers, per diem, 8s. to 10s.;
- Gardeners, per week, all found, 20s.;
- Flax-dressers, per week, all found, 20s.;
- Bushmen and Station-hands, per week, all found, 20s.;
- Harvestmen, per week, all found, 20s. to 25s.;
- Shepherds, a year, all found, £50;
- Farm-servants, a year, all found, £45;
- Female Domestic Servants, per annum, all found, £25 to £35;
- Cooks, a year, all found, £40 to £52;
- Dairy-maids, a year, all found, £40 to £45.

Note.—The return for AUCKLAND does not give the prices of provisions. Clothing one-third dearer than in this country. 7 WESTMINSTER CHAMBERS, LONDON, S.W., *February* 1872.

C. TEMPERATURE of AIR in Shade (Fahrenheit). 1870.

A Report by the District Committee On the Native Land Act of MR. Ballance.

Waipatu, Hastings, Napier.

decorative feature Napier: Printed by R. Coupland Harding, Hastings-Street. 1886.

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A Report by the District Committee on the Native Land Act of Mr. Ballance.

Waipatu, Hastings, Napier.

AT a meeting of the District Committee and the tribes of Heretaunga held at Waipatu on the 12th of November, 1886, the subject of discussion and inquiry was "The Native Land Administration Act, 1886," passed by the General Assembly of the Colony of New Zealand last Session of Parliament.

The decision of the meeting unanimously was condemnatory of the Act in question. Every page and every section of it was read aloud to the meeting, every paragraph was carefully considered so as to arrive at a proper understanding of the meaning and purport thereof, yet nothing whatever could be discovered in the smallest degree favorable to the Maori and his lands. But it was seen that it was a bad law, a law oppressive and ruinous to the Maories and their lands, a law calculated to thoroughly pauperize the Maori race generally.

The following is an abstract of the conclusions arrived at by the meeting:—

The old law was preferable, inasmuch as it approached nearer to absolute safety. Under it the Maori retained power over his own lands and he alone could determine whether they should be alienated or not; furthermore, the law carefully protected him lest he should be over-reached in leasing or selling his land. In effect the old law said, in reference to Native lands, that there should be no mortgages (*i.e.*, of inalienable lands); no fraudulent purchases; that the Maori himself should have sole power over his land; that he was at liberty to dispose of it whenever he saw an opportunity of doing so with advantage to himself; that his leasing or selling any land should be invalid unless he had other land left sufficient for his support; that any advances of money on Native lands not passed the Court should have no binding force; that three months must expire after the order of Court before any land could be dealt with; moreover it had to be clearly shown that there had been no fraud or trickery in dealing with Native lands before the Commissioner under "The Native Lands Frauds Prevention Act, 1881," would give his certificate. Such was the character of the old law.

Possibly that law was utterly wicked and unjust, and was therefore repealed and Mr Ballance's Act given to us to supply its place! Well, what does Mr Ballance's Act really mean? It means that full power and control over the lands of the Natives shall be in the hands of the Government alone. The Act says that a majority of the owners of a block of land shall elect a Committee consisting of seven members. Assuming then that a block of land is owned by a hundred Maories, it follows that fifty-one of them may elect a Committee notwithstanding the opposition of the remaining forty-nine. When the Committee is elected by the fifty-one the power of the people (over the land) passes into the hands of the seven—that is, the Committee—and, so says the Act, is by them to be transferred to the Commissioner. Now the Commissioner is a servant of the Government; he is not a servant of the Committee, if he were he would be anxious to act in accordance with the views of the Committee. The land having been handed over to the Commissioner by the Committee, he alone has full power and authority to deal with it as he may think proper, the power of the Committee ceases forthwith; the

Commissioner may sell, lease, or cut it up, as the case may be, and he receives all moneys accruing from dealings with the said land. Such moneys are to be paid to the Commissioner not to be by him handed over to the Maori owners at once. No, indeed. Mr Ballance's Act says that the Commissioner shall deduct therefrom a sum equal to five pounds per cent, for the costs of giving effect to the Act. He will also deduct a further sum for costs of surveying, and a further sum for laying off roads and making roads, also a sum for Court fees on adjudication of claims to said land. What then will be left for the Maori, the owner of the land? But we will suppose that a surplus may be left after these acts of despoliation by the Commissioner. What then? Will the Maories receive it? It is questionable, considering that the Act says that, in order to facilitate the payment of such moneys by the Commissioner to the Maori owners, he may require from such owners a statement showing the relative share of each owner in the land, and not until that is done can the surplus be paid over. If the owners cannot agree in making such a statement he will withhold the money and refer the matter to the Native Land Court for subdivision. Then a further sum will be taken from the surplus (possibly the whole of it) to pay the costs of subdivision. Then, when all these requirements are complied with, and then only, will poor Maori be permitted to see a microscopic portion of the price of his land; perhaps he may see it, perhaps not—since the Commissioner is required by the Act to pay into the Public Revenues of the Colony all moneys received by him accruing from (Native) lands. That proviso may possibly be equivalent to a final leave-taking by the Maories of the proceeds of their lands. Who shall say whether that money will ever be recovered when once engulfed in the maw of the Government? In such a case it would be a simple matter to retain such moneys in payment of rates and dues on Maori land. The whole tenor of Mr Ballance's Act is to centre the lands of the Maories, and all power and authority in connection therewith, and the management thereof, in the hands of the Government alone; the position of the Maori, the real owner of the land, being simply that of a looker-on. An old Maori proverb says;—"That which Maui's hand has grasped cannot be shaken out again." There are certain sections in the Act which declare that no private person shall purchase or acquire land, or agree to purchase or acquire land, from Native owners save as provided by the Act, that no purchase of such lands shall be legal except those made under or authorized by the said Act, and that any person acting in contravention of such prohibited dealing shall be liable to imprisonment for not less than three or more than twelve months, or a penalty of not less than twenty or more than five hundred pounds—and any land so acquired by such person shall be forfeited to the Crown! This provision is to compel the retirement of all and every Pakeha so that the way may be clear for the Government alone to purchase. Figuratively speaking, the wife belongs to me the Maori, but a stranger takes her; or, the house belongs to me the Maori, but a stranger lives in it. Why are not the lands of the Pakehas brought under the operation of an Act like this?

Those provisions in the Act which seem to incline to the side of the Maories are of little or no importance, they are as dust in the balance; for instance, it is said that the Committee may direct the Commissioner, and that the Court shall make partition of land between owners objecting and owners assenting to the Committee, so that their lands may be separate and distinct. Now, the declaration that "the Committee may direct the Commissioner" is mere bunkum, because the Act says the Commissioner shall proceed "in such manner as he may deem best"—not in such manner as the Committee may deem best, but as he alone (the Commissioner) may deem best. Then with regard to cutting off the land of owners who object (to the Committee). That is all very proper, so far as it goes; but it will not be a partition leaving the (objecting) owners to deal with their land under any other law—not by any means. It will not be a partition to enable the objecting owners to deal with their lands as they may please. Although there may be a partition a Committee must be elected nevertheless, and before the land of objecting owners which has been cut off can be dealt with in any way it must be handed over to the Commissioner. This being the case, what benefit could result from partitioning the land between the owners assenting and the owners objecting? None whatever. It is merely a bait to entrap those who are opposed to the Act, an attempt to beguile them into quiet submission by leading them into the error of supposing that a course of action is left open for them to adopt other than that of the Committee and the Commissioner.

Another sharp point (lit., *tooth*) in the Act is that which unduly favors the Government in the purchase of Native lands. It says the Government may purchase "without or notwithstanding the appointment of a Committee." Without doubt the intention of the Act is to close up every avenue by which the Maories might be enabled to lease or sell their lands to persons outside of the Government. Therefore the hands of the Maories are being tied up lest they should turn elsewhere seeking for prosperity and well-being, and no restriction is placed upon Government land purchasing in the hope that the Maories, wearied and disheartened at finding no alternative, will at length close with the Government. According to Mr Ballance, the Act in question was passed by the Parliament for the purpose of assuring to the Maories a larger income from sales and leases of their lands—this the Act was to bring about, But how can this be effected so long as no restriction whatever is put upon Government land purchasing operations? The Government have the power to purchase any where whether a Committee has been elected or not. Consider the Government land purchases of old. The island has never been crushed down under the extreme weight of the moneys paid by the Government for Maori lands.

Finally, the meeting agreed that it was a matter of the highest importance that every man should hold on to his land, and that no land should be handed over to be dealt with under the said Act. There is no large extent of land now left in the hands of the Maori that it should become a mere plaything—a subject of funny experiments. Let people in other districts, who may approve of the Act, hand over their lands if they like; as for us, we shall simply look on. There is one great trouble, however, viz.:—the Maories may-reject the Committee and the Commissioner, but the Government, like a hawk flying in the air, can swoop down anywhere. It is not pinioned or curbed in any way, and may at any time pounce down, taking by Surprise the people who are holding on to their lands, because the law permits it (the Government) to purchase whether there be a Committee or not.

Let all the Maori tribes of the island consider this Act, and if they perceive that its effect will be injurious, let them not hold their peace. Let them cry aloud that the public may hear; because the Minister made an absurdly extravagant statement that all the Maories approved of his Bill, in consequence of which the Parliament passed it. Therefore this Committee and these tribes send forth this protest against the Act, lest it should be thought they are in favor of it.

Waipatu; Heretaunga,

12th November, 1886.

Land Nationalisation Society Tracts.—No. 1.

THE LAND DIFFICULTY:—HOW SHALL WE DEAL WITH IT?

To all who take an intelligent interest in the affairs of their own country, the land problem, as it presents itself to-day, is one of commanding urgency. With Ireland in a state of scarcely veiled rebellion, with English agriculture in a depressed, ruinous condition, with the Scotch farmers presenting a compact front and demanding reform in their land laws, the land question in truth may be said to have reached the stage of acute crisis. The situation is grave, and two things are undeniable clear. First, that there have been for a long time past natural forces at work conspiring, silently, but nevertheless surely, to lay bare the weak points—we had almost said the hideous deformities—of our land system. Second, that a remedy adequate to the occasion will have to be applied. For us who write as well as for those who read, this last point, the remedy—its thoroughness, its adequacy, the wisdom, in short, of the statesmanship involved in its application, is the one thing needful to consider. Some embarrassment arises here from the variety of panaceas already put forward, and intended to cure the evil. Peasant proprietorship, abolition of primogeniture, of entail and settlement, and, loudest of all, free trade in land—these are a few of the cries that assail our ears. Such panaceas, then, let us briefly but emphatically say, only temporise with the evil; they do not go searchingly to its root. Again, there exists a school of economists who assert that land, being property, should be dealt with like all other property, by free contract between man and man. To such a doctrine it is the object of this paper to give unqualified denial. Land, we submit, is in no sense capable of being regarded as an exchangeable commodity, but is differentiated from all other exchangeable commodities by two considerations. First, it is absolutely limited in quantity; second, it is not producible by man. It is on the land and from the land that man must live. Indeed, we affirm that private property in land is inherently unjust, and in its results evil. Abundant evidence, cogent to a degree, in support of this last assertion, is adducible. Further, we submit that the adoption of the principle here contended for—namely, to nationalise the land, vesting it for ever in the State, and to apply the rent accruing to the relief of State burdens—is the only just, logical, and permanently satisfactory basis upon which the difficulties that now confront the nation can be settled. In support of the radical position taken by the Land Nationalisation Society, we invite attention to the dicta of the following eminent thinkers:—

Adam Smith, in his "Wealth of Nations,"

"The original state of things, in which the labourer enjoyed the whole produce of his own labour, could not

last beyond the first introduction of the appropriation [monopolisation] of land.

. . . . Rent makes the first deduction from the produce of labour. It is necessarily a monopoly price."

John Stuart Mill, in his "Political Economy":

"The essential principle of property being to assure to all persons what they have produced by their labour and accumulated by their abstinence, this principle cannot apply to what is not the produce of labour, the raw material of the earth." "No man made the land; it is the original inheritance of the whole species." "The land of every country belongs to the people of that country."

Herbert Spencer, in his "Social Statics:"

"Equity does not permit property in land. For if one portion of the earth's surface may justly become the possession of an individual, held for his sole use and benefit, as a thing to which he has an exclusive right, then other portions of its surface may be so held, and our planet must thus lapse into private hands. It follows that if the landowners have a valid right to its surface, all who are not landowners have no right at all to its surface."

Professor F. W. Newman, writing to the Land Nationalisation Society, says:

"That the present laws of land *cannot* endure is certain, not only because we see them breaking down commercially, but also because they are peculiar to England. Many political economists write as if the English Land Tenure were the law of nature, normal to mankind, universal in the world. On the contrary, no colony consisting of Englishmen has such laws, nor has India, nor the American Union, nor any European State. You must go to the West Indies, where it is the *legacy of slavery*, to get the like of it. . . . The history of the gradual, stealthy, but really nefarious revolution, in which landlords, by their own legislative power and their influence over lawyers, changed themselves into land owners, needs to be popularised."

Henry George, in his remarkable work "Progress and Poverty," says;

"The equal right of all men to the use of land is as clear as their equal right to breathe the air—it is a right proclaimed by the fact of their existence . . . The recognition of individual proprietorship of land is the denial of the natural rights of other individuals; it is a wrong which must show itself in the equitable division of wealth. For as labour cannot produce without the use of land, the denial of the equal right to the use of land is necessarily the denial of the right of labour to its own produce. If one man can command the land upon which others must labour, he can appropriate the produce of their labour as the price of his permission to labour. The fundamental law of nature that her enjoyment by man shall be consequent upon his exertion is thus violated. The one receives without producing, the others produce without receiving. The one is unjustly enriched, the others are robbed . . . It is the continuous increase of rent—the price that labour is compelled to pay for the use of land, which strips the many of the wealth they justly earn, to pile it up in the hands of the few who do nothing to earn it."

Right Hon. Justice Longfield:

"Property in land," writes the learned judge, "differs in its origin from property in any commodity produced by human labour; the product of labour naturally belongs to the labourer who produced it, but the same argument does not apply to land, which is not produced by labour, but is the gift of the Creator of the world to mankind; every argument used to give an ethical foundation for the exclusive right of private property has a latent fallacy."

Professor John Stuart Blackie says:

"Among the many acts of baseness branding the English character in their blundering pretence of governing Ireland, not the least was the practice of confiscating the land, which by real law belonged to the people, and giving it, not to honest resident cultivators, which might have been a polite sort of theft, but to cliques of greedy and grasping oligarchs, who did nothing for the country they had appropriated but suck its blood in the name of land rent, and squander its wealth under the name of fashion and pleasure in London."

Mr. Gladstone also admits that compulsory expropriation is sound in principle. In a speech at West Calder, on November 27th, 1879, he said:

"There are some persons for whom I have a great respect, who think that the difficulties of our agriculture may be got over by a fundamental change in the land-holding system of our country. I mean those who think that if you can cut up the land of the country into a multitude of small properties, that of itself will solve the difficulty. To a proposal of that kind, I, for one, am not going to object that it would be inconsistent with the privileges of landed proprietors if it is going to be for the welfare of the community at large. The Legislature are perfectly entitled to buy up the landed proprietors for the purpose of dividing the country into small lots. In principle no objection can be taken to it. Those persons who possess large portions of the earth's space are not altogether in the same position as the possessors of mere personality. Personality does not impose limitations on the action and industry of man and the well-being of the community as possession of land does, and therefore *I freely Own that compulsory expropriation is a thing which is admissible, and even sound in principle.*"

Land Nationalisation Society. Offices:, Parliament street, Westminster, S.W. Object—Nationalisation of the Land—the Land to be held by the State and the Rental to defray the Taxation of the Nation. Chairman: Alfred Russel Wallace, F.R.G.S. Hon. Treasurer: A. C. Swinton. Hon. Secretary: J. A. Parker. All who are interested in Land Law Reform are cordially invited to become Members of the Society and to assist it with funds according to their ability. Copies of the Society's detailed Scheme. Rules, and other Literature may be had on application. The Committee supply Lecturers, free, where friends find a Chairman and a Public Room, and they are always glad to hear from all willing to co-operate in the movement. Subscriptions or Donations may be sent either to the Hon Secretary or Treasurer, 15, Parliament Street, Westminster, S.W. Cheques should be crossed "The Union Bank of London," Charing Cross. Tracts on Land Reform, 4pp., is. per 100, post free.

Land Nationalisation Society.

Protest to our Fellow-Citizens

As to the Evil State of this Nation.

MUCH as is necessary to be said on foreign, on Indian, on Irish, and on Colonial affairs, on perpetual annexations of territory, perpetual wars and expensive establishments thence resulting, with grave dangers accumulating from foreign sentiment against us; yet we now confine our protest to English home affairs.

We lament to find in this highly intelligent and industrious community:—

- An ever increasing contrast of Wealth and Poverty, with numbers of people willing to work, but often forced into unwilling idleness.
- A mass of degraded population.
- Danger from the power of vast wealth, which is able to use such a population as tools of riot.
- A huge National Debt not sensibly diminished in long years of fiscal prosperity.
- A baneful encouragement given to Municipal mortgaging of the taxes.
- Bankruptcy an inveterate disease, caused by the system of universal indebtedness.

- Increase of huge towns by rural misery draining into them, and turning them into sinks.
- Dangerous dependence on the foreigner for food which our own fields ought to supply, while the capital which would cultivate them is largely sent abroad.

All these phenomena are marks of a community moving towards ruin or revolution, especially when complicated by a centralised system, in which Parliament and the Executive are both enormously overworked.

We do not deny nor overlook the vices of a serious fraction of our people, and the prevalent imprudence of vast numbers; but these very weaknesses are a result made inveterate by their wrongful position. No other great nation has been driven to live by the million on the uncertainty of wages. Imprudence must be calculated on, when prudence cannot secure men's welfare; while they are dependent on foreign markets, on the sagacity of an employer, or on a farmer who is periodically sponged by his landlord. The Wages Fund of which many economists talk is emptied by foreign wars and exportation of capital.

Our poorer classes have been always under the despotism of law made by others. The rulers are as open to blame for the chronic vices of the ruled, as are parents for the mismanagement of children.

We charge all these domestic evils on the landlord class, who have always been predominant in law-making, and for more than two centuries have decisively controlled public policy. The landlord power weighs not less heavily on the nation collectively than on the farmers individually. No relief will be effected until this power is totally removed. To hold the land is to hold command over the nation's life.

The recent land law for Ireland has confessed, what we all deeply know, that the landlord has no moral right to appropriate improvements made by a tenant's labour, to say nothing of his capital. Ireland has practically suffered more than England; but when like deeds are perpetrated in Great Britain, the Home Secretary does but lament that the landlord has used his extreme legal rights.

[*Note.*—For details of intolerable injustice in this century see Wallace's Land Nationalisation."]

In all three kingdoms landlord legislation has made *summum jus* to be *summa injuria*. Hereby, as well as by so evading of just taxation as to have defrauded the nation of millions hard to calculate, the landlord class has lowered—we may say has forfeited—its moral status. We do not overlook the innocence of more recent purchasers of land, yet the class collectively, by reason of its scandalous history, ought not to be *bought* out of its wrongful powers by any calculations of the market. They ought to receive only reasonable allowance, as well in Great Britain as in Ireland.

To attain necessary justice for the future, we claim the six following points as essential:—

- That all powers of the *Landlord* shall cease, and rents become due to the State.
- That the rents be paid into *Local Land Courts*, which alone shall exercise (under solemn forms of justice) any of the present landlords' rights. Especially every Court shall be empowered, when desired by tenants, to divide farms, to lower unjust rents, and to limit the size of estates when the interests of a locality demand such limitation.
- That, rents being duly paid, all power of interference with the cultivator shall be abolished.
- There shall be no sub-letting, except for limited periods, and by special permission of the Courts.
- In order to avoid the necessity of *management*, either by the central or local authorities, with its inevitable cost, favouritism, and jobbery, every future holder of land shall become *owner* of the improvements upon it (or *tenant-right*), either by immediate purchase, or by paying a terminable rental, while the land itself shall be held from the State at a fixed quit-rent.
- That the evicted landlords shall receive consideration for equitable claims in the form of terminable annuities.

In the interval, before so great a measure can be made law, we claim further:—

That the State shall never lessen, but always seek to increase the National Domain.

That, as one means of increase, the Legacy Tax on landed property shall be paid in land, which the Executive cannot squander.

That the existing Crown lands shall be administered by Local Land Courts under rules of justice, no longer by the favouritism and jobbery of the Executive.

That peasant cultivators paying a quit-rent be fostered.

In this statement an important topic has been omitted, to which the nation must turn close attention—that of Town Land.

The above Protest, originally drawn up by Professor F. W. Newman, is issued by the Society in the hope of its being extensively signed, preparatory to further action. The Protest, signed as fully as possible, should be returned to the Treasurer, A. C. Swinton, Maybank, The Avenue, Upper Norwood, London, S.E., from whom further copies may be had.

I approve the above Protest.

Name _____

Address _____

Date _____

Mr G. Hutchison's Address to the Electors of Waitotara. decorative feature
Delivered in the Town Hall, Waverley, on Saturday, July 2, 1887.
decorative feature Wanganui: PRINTED BY THE WANGANUI HERALD COMPANY, LIMITED. 1887.

Mr G. Hutchison's

Address to the Electors of Waitotara.

Delivered in the Town Hall, Waverley, on Saturday, July 2nd.

(By the Special Reporter of the Herald.)

On Saturday, July 2nd, Mr G. Hutchison opened his campaign in the Waitotara electorate at Waverley before a larger audience than we have hitherto seen at political meetings there. The Town Hall was well filled, fully 200 people being present. Mr Walter Symes occupied the chair, and, in a few words, he introduced the candidate, bespeaking him a fair and impartial hearing.

Mr Hutchison, on coming forward, was received with applause. He opened his remarks by stating that he appeared before them as a candidate for the honor of representing them in the Parliament about to be summoned. He aspired to this honor as one who was, with them, interested in the welfare of the district. There had been a great deal of fine talk as to the duties of a representative looking more to the interests of the colony at large than to the good of the locality that returned him. He was aware that it was considered necessary in some quarters to uphold such an idea, but he appeared before the electors as one who aspired to fill the position of a local member—one who would devote himself to the requirements of the district, which in this instance might be said to be of colonial importance. Even if it were not so it would still be, in his opinion, the duty of a member returned for any constituency whatever to endeavour by all legitimate means to forward in every possible way the claims of his constituency, and further obtain the redress of any grievances—if such existed—that any individual member in his constituency might have. (Applause.) He believed that this idea about representing the colony, but not a district in particular, might be traced back to some very excellent principles of Edmund Burke, laid down some hundred years ago, that a member of Parliament was a representative of the whole colony, or whole country, and not a delegate at all. That saying was a very apt one but it required a certain amount of consideration and attention in connection with the circumstances under which it was uttered. Burke was at that time a member of the Parliament of England which had to look to the great concerns and varied interests of an Empire which included colonies which were to be placed under tribute, but had no representatives at all in the English Parliament. In a colony like this that had to deal more with domestic administration, that is, a country where the railways, which ought to be made to serve the purposes of settlement, a country in which the administration of the lands was important to all, and in which both of these departments were under the control of Ministers directly responsible for their administration, it appeared to him that a representative would be neglecting his duties if he did not consider primarily the interests of the district that placed confidence in him in every possible way. (Applause.) The same Edmund Burke had also said that he considered a representative ought to be in the strictest union, the most unrestrained communication with his constituents. Their wishes, he said, ought to have great weight with him, their opinions he should respect, and their business should have unceasing attention from him; It was his duty to sacrifice himself to their wishes, above all to prefer their interests to his own. (Applause.) There was only one subject on which that statesman would reserve the right of judgment, and it was a reasonable reservation, inasmuch as it was the reservation of the exercise of judgment upon such questions as were not particularly before the electors for their consideration when candidates were before them. On such matters representatives might be judged, and ought to be judged,

by the general lines of policy which they lay down and pledge themselves to support. Dealing in this spirit with the topics of the day, he would proceed to discuss the most important of all questions,

The Land Question:

With reference to the settlement of the land, he took this position, that the policy of the present Government was the most liberal that they had yet enjoyed in this colony, and one which, with certain amplifications, deserved the confidence of the people of the whole colony. (Applause.) They were aware that the Government—especially the Minister of Lands—had been subjected to considerable hostile criticism lately with reference to the

Village Settlement Scheme.

He (Mr Balance) is charged with having incurred liabilities in excess of the vet) given last year, and a large expenditure in connection with these village settlements; and he was also charged with having misled, or rather not informed, the House as to the amount of liabilities to be incurred by his scheme. They would have seen from the debates in Parliament that a great deal had been incurred under these village settlement regulations which, it was alleged, had not been known by the members of the House. Members of Parliament to so argue must be taken to accuse themselves of very considerable neglect in their Parliamentary duties, when they found in the New Zealand Gazette, published in May, 1886—that was prior to the session of Parliament before last—the regulations for all these village settlements. These regulations indicated that money should be paid for improvements, and for houses put up, on proper certificates being given to the satisfaction of the Department. These regulations were also placed on the table of the House the session before last. Mr Ballance very reasonably said, "These are the regulations under which the scheme was inaugurated. You launched the scheme by voting me £5000 for a commencement. People went on the land under these conditions, and by these conditions Parliament of the country is bound." So far from the Minister of Lands being censured for what he had done he ought to be commended for carrying out a scheme which had had the effect of relieving at least some of the centres of population of their unemployed (applause) There might be differences of opinion as to whether this village settlement scheme was a proper one or not, and he was rather sorry that some of the auspices under which the Auckland scheme had been conducted were not such as to call for enthusiastic support. Some of them were most unfortunate, but was not the point so far as the Minister of Lands was concerned. His scheme was promulgated openly and fairly' j and he was now being condemned for doing the very thing that the Parliament authorised him to do. Whether the scheme was a proper one or not is beside the question, the present question being whether or not he improperly incurred this expenditure. No doubt it was an exercise of responsibility on the part of a Minister that it took a great deal to justify. That justification it would require time to obtain, and we ought to wait before condemning the scheme itself, Referring to the

General Land Policy

of the present Government, it was, as he had said, more liberal in its conception and execution than any other scheme previously proposed. It had however, he believed, one defect. The present Government stopped short of selling land for cash; they desired not to alienate the public estate, and preferred to settle lands under the perpetual leasing system; This he did not altogether agree with. He thought that facilities should be given those who were desirous of paying cash for their land, so that settlement might progress; It might be merely sentiment, but it was a most powerful sentiment in the colonisation of a country, that those coming to it should have the opportunity, at some time or other, either immediately, or at the end of a period of leasehold, of converting into freehold a reasonable quantity of land. (Applause). He was glad to think that this rule of administration was now being relaxed, and that the Government were beginning to recognise that those who come to this colony, perhaps with capital, should not be turned away and told "you cannot buy land, you must lease it." It was some satisfaction that the Government were coming to recognise that the work of colonisation should go on, so that the resources of the colony might be developed. While dealing with the land question, he would refer to a matter of some importance to some of them. There were several leases under "The Wet Oast Settlement Act." They were of two classes—the first consisting of leases obtained from the natives before these natives were debarred from dealing with their lands, and the second class of leases those in which the Public Trustee acted for the natives said to be interested. In the first class promises had been given as to renewals, and it was almost incomprehensible that such promises should so long have been unfulfilled. There was hope that last session legislation would have been passed that would have enabled these promises to be fulfilled, but unfortunately the measure did not pass. It would be the duty of the member for that district to speak out with no uncertain sound, and have these promises of the country carried out; As to the second class of leases, they

found this spectacle: the Government of the country, through the Public Trustee, exacting blood money, or rent for lands which were leased under the system of tender—a system which was now utterly condemned. They found a measure of relief refused—not by the Lower House—though reluctantly granted, but by the dignitaries who sit in the Upper House of Parliament, and these settlers' rights were postponed for another term. While on the subject he might say a word as to

Tenant Rights.

They were aware that in renewals in the first class the rents were to be computed on the improved value. He thought this a mistake, and on this point he was rather radical in his ideas. He considered—and he was only following in the wake of abler thinkers—that rent was, after all, only portion of the profit that could be made out of land. No man could be expected to pay rent when it did not come out of the land itself. (Applause.) He thought that those who held these leases had a right to demand that the renewals should be upon the value of the land, exclusive of the value of the improvements effected by the tenant, for these improvements were merely the labour and capital put into the land by the occupier and to ask him to pay rent upon the value of these improvements was to tax the tenant for his own expenditure. (Applause) After a term of years of course improvements became exhausted or became merged in the land itself. It would be an impossible and unprofitable task to endeavour in every instance to assess the value of all improvements. But a period of 7 years, or some such term, might fairly be taken as a term within which improvements should be deducted in determining the value of land for renewals. That some approach was being made in this direction was evident from the way in which the second class of leases on this coast had been dealt with. The session before last the Government were prepared to have the rents under the new leases computed on the value of the land minus improvements which was the principle be upheld with regard to all classes of leases and the doctrine he had indicated would apply here inasmuch as the leases up the coast had not been seven years in existence. Last session however a retrograde movement had been made and the Public Trustee desired the re letting of these lands to be upon the full improved values. The compromise of last session was not a satisfactory one inasmuch as it offered only the benefit of allowance for houses and buildings erected upon the land. These were small charges in comparison with the money tenants expended in other improvements, and he certainly thought that in all renewals they should have a tenant based on the right, and that the rent should be value of the land, exempting all improvements of the preceding seven years.

Retrenchment.

Proceeding next to consider the question of retrenchment, Mr Hutchison said that never before in the history of the colony had this subject been more immediately before the minds of the electors. He thought the colony was now on the threshold of a great change in the way of the administration of the Government, and that we were on the eve of a policy of retrenchment which, if practically carried out, will go far to restore confidence from without and renewed confidence in ourselves. He noticed that Sir Robert Stout, speaking a few days ago to his constituents at Dunedin, took credit for the Government having saved some £92,000, but what was far better, he saw his way to save £100,000, and said the cabinet had a plan prepared to carry this out. That was a valuable admission for the Premier to make. Though there were no particulars given, he surmised that there were some subjects that were not included in this £100,000. For instance, the present Government and other previous Governments had sought to put aside the question of the reduction of the Governor's salary, but it was only necessary that the people of the colony should say that this subject must also be included in the list of retrenchment, and no feeling of delicacy should be allowed to interfere with our applying this principle throughout. The Governor's establishment costs some £10,500 per year, and it would, he believed, be paying the Governor, and providing for him amply if he got about half that sum (applause). It had been said that it would have a bad effect at Horns, but he could not see that that would be so. The public creditor would give them credit for something like soundness of finance if the colony attempted to live within its income. It had also been said that they would not get such good Governors at lower salaries, but he was not aware that merit had ever been considered a qualification for a Governor. The Governor was merely the figurehead of the Ship of State, and a little less gilding would not impair the value of the ship, or retard its progress. His Excellency's salaries and allowances were fixed by Act of Parliament, and it was very proper that any change which might occur should not effect the present occupant. But though waived in the favour of the present Governor the alteration should be made at once. His Excellency was a highly popular gentleman and it was said had done good service to the State. He was a capital after dinner speaker, of the regular "Rule Britannia stamp, specially suited for "auspicious occasions." But these qualities were rather dear at £10,500 a year. (Applause). Then there was the question of salaries paid to ministers, and he was inclined to think that some reduction was included in

the £100,000 He believed he was expressing the views of the electors when he said that the affairs of the colony could be carried on just as efficiently by five ministers as by seven, and some reduction could be made in the salaries. He did not see what difference there should be between the salary of the Premier and that paid to other Ministers, for, after all, he was only a Minister himself, with the right of presiding at Cabinet meetings. If each Minister got £1000 a year and a residence they would be well paid. He believed that Ministers would be willing to see a change made. Then there was the question of allowances. They got two guineas a day travelling allowance and expenses, and their secretaries were similarly entitled. He thought that they might begin at once by saying that they thought that half the sum allowed to Ministers for allowances would be sufficient. He believed if Ministers did this they would gain in the confidence of the people. As to travelling, he did not think it desirable to discourage Ministers from travelling up and down the colony; on the other hand, he believed it had a beneficial effect, because of its decentralising tendency.

Seduction of Members.

If he were to say that he favoured the reduction of the number of members, he might say what was popular, and something he believed in himself, but he would also be saying what he believed to be impracticable. After last session's failure in the attempt to reduce the number of members, it would be wasting time to try and effect a reduction. There is no use in eternally re-opening questions of this kind. As to the honoraria, he believed—though he expressed the opinion with some diffidence—that 100 guineas would be quite sufficient to cover the expenses that members were to be put to, and he would be prepared to support such a proposal and to give it effect in every practical way. (Applause.) Then there was another class of legislators—the Upper House—supposed to represent property, though some of them had not been ashamed to say that their honoraria was their only visible means of support (laughter), and some of them would die on the floor of the House rather than suffer a reduction. He believed that an inquest on some of these gentlemen would be the best thing that could happen the colony. (Applause) As they represented property nominally they should be prepared to do without honoraria at all. (Applause.) It might be taken for granted that Sir R Stout's £100,000 did not include reductions in a department capable of considerable reduction, that of

Education.

The Premier revered nothing so much as education, and, within certain limits he was right. But they had to consider that the education system of this colony was supported by every person in the colony, whether that person could avail himself of it or not. Consequently it was the duty of Parliament to see that education, which now costs close on half a million of money what with revenue from endowments, building grants, etc., should not weigh so heavily on the colony. Last year there were 106,328 children in our schools of which no less than 21,000 were under seven years of age, while those receiving education above the fourth standard were 13,000. His opinion on this matter was this, that in all large centres of population at least, it was not desirable that the State should undertake the education of children under seven, and that in every part of the colony the duty of the state should finish at the Fourth Standard (applause). The average cost last year was £4 18s 8d. Now if they took 15,000 as representing the proportion of those under seven that the large towns contributed out of the 21,000 they had a sum, if reckoned only at £3 per head in place of £4 18s 8d, of £45,000. If to these were added the 13,000 above the Fourth Standard, and reckoned at £5 each, they had another saving of £65,000, or £110,000 in all. If, for the sake of county schools, where the pay was of course less than in towns, they took ten per cent off this amount, they would still have £100,000 that ought to be saved to the taxpayers of the colony (applause). With Sir R. Stout's £100,000 they would thus have a sum larger than it was necessary to raise by additional taxation, and if this scheme were insisted on it would relieve the colony from a great burden and the settlers from further taxation. One word more as to the cost of education. He would not reduce the salaries teachers now receive, they were low enough already, but he believed that fees might be imposed in cases where children were admitted under the age, or were educated beyond the Fourth Standard. So much for retrenchment, and next he came to the question of the incidence of taxation or

Free Trade v Protection.

The meanings of these terms ought to be considered by all. Free Trade meant, literally, trade without any restrictions, and Protection meant, not prohibition, as it had been called, but encouragement to such industries as might develop themselves in this country. Mr Hutchison here briefly traced the history of manufactures and trade in England from the Elizabethan period and the advent of Flemish spinners, down to the repeal of the Corn Laws, and showed that whatever her policy might have been since Cobden's time, England did not build up her Industries by a system of Free Trade. To-day England was endeavouring to open doors that had been

closed against her, and her policy was admitted to be one directed to her own benefit but not one that would apply here. We must consider ourselves. We started here as a pastoral colony, and naturally adopted a system of Free Trade; but great changes have occurred since then. Native difficulties have been encountered, and the immigration and public works policies had brought people into the colony for whom work had to be provided. It was them, as farmers, to consider how this was to be done; because as all comes from the land, so surely all goes back to it or to those who have to do with it. The chief objections to the tariffs of past years had been that they were unequal and uncertain, but even under these tariffs raised professedly for revenue purposes, industries have sprung up, which employ some 25,000 people. On these it may be considered there are at least 100,000 dependent,—or one-sixth of our total population. There seems to be no other choice but a Protective tariff. (Applause.) He had endeavoured to go into this question in an unbiassed manner, because he had first adopted Free Trade as the ideal fiscal policy to be kept to as far as possible, and it was not with any predilections in its favour that he had adopted Protection. He believed that the only objection that could be fairly brought against it was this—that the consumer suffers from the fact that he has to pay more for goods made in the colony than for the imported article. This, of course, assumed that a rise in prices followed from a rise in the tariff, but he believed this to be unfounded. As an instance, he quoted woollens, which, though the tariff had been raised, were lower in price now than formerly. There had not been any rise in the price, but he believed the reductions had been due, to some extent, to the fall in values in consequence of the world-wide depression now existing. I He would point out that they were not seeking now to establish industries; I they are actually in existence, and assistance through the tariff, while it would not tend to raise prices, would tend to increase the number of manufactories. But supposing it did raise the prices, and that was the strongest case they could put against Protection; supposing they, as farmers, had to pay 21s for what now cost them 20s, would there necessarily be a loss? All political science has shown that it is not so, The money is kept in the country, and circulates through it, acting and re-acting on the community. It was saved the double process of sweating, and does away with the middleman's profits. He thought that such a fact would not be detrimental to New Zealand. The effect of protecting industries in one's own country was, not to effect an increase in price, but to enable manufacturers to export largely into Free Trade countries Thus goods could be brought into England, and undersell English manufacturers in their own markets, as was happening now with Belgium rails and Sheffield (German made) cutlery. Even in New Zealand they found that the woollen goods that stock our ready made shops, and compete with Roslyn, Kaiapoi, and Mosgiel woollens, were not English goods, but Victorian. Surely there could be no objection to Protection when it did not raise the prices, but cut them down, and enabled a country to compete in the Freetrade markets of the world; (Applause) If Freetrade were to be introduced into this colony, supposing it even to be practicable, they would have to abolish the poll tax on Chinese, to enable them to compete with other countries, for no one else could work as cheaply, and cheap labour was a necessity under a Freetrade policy. Remove the tariff, do away with the poll tax, and allow these Mongolians to come in, and where would they be? the did not know. (Applause.) In a protection tariff only could he see a way to assist our industries. This, of course, did not mean much revenue, for such a tariff was to assist industries by excluding imported goods, but revenue had to be raised, and it should come from luxuries which there would always be people willing to pay for. He believed the necessities of life should, as far as possible, be free. By following that rule, namely, that articles produced in our own borders should be encouraged, and luxuries taxed, they would be following the policy that best conducted to their own welfare. (Applause.)

Property Tax.

From this source last year £310,000 was raised, and this year the Government wished to raise £75,000 more. He would ask them to consider who it was that was to bear this. They would not be far wrong in saying that half the property tax payers in the colony were those who worked the land. The Government proposed to abolish the exemption, and increase the tax by 2-16th of a penny on all properties worth more than £2500. Major Atkinson, in his speech on the vote of Want-of-Confidence motion, said that such a tax would frighten capital out of the country, and he (Mr H) was afraid there was a great deal of truth in it. They could not afford to do without capital. It seemed to him, however, that the principle of a progressive property tax was a proper one, but he thought the principle might be carried out in another way. What had most burdened the colony in the past was the speculation that had been indulged in for years, in the buying up of land merely to allow it to lie idle, and be enhanced in value by the labours of others in the neighbourhood. He believed there should be no encouragement to anything like a land monopoly, and an increase in taxation might be made by increasing the rates on large holdings. He thought that If there was an increase on holdings of over 5000 acres, and perhaps a higher rate for those of over 10,000 acres, and an almost prohibitive rate on larger properties the tendency would be to break up the land and make it inconvenient for people to hold large tracts of land (applause.) They

had seen that Sir R. Stout expected to be able to save £100,000 on the civil service, and that a reduction might be made on the education vote to a considerable extent, which he believed would at any rate come to the £175,000 required by the Colonial Treasurer. Yet it was clear that it might be necessary to increase the taxation as increased expenditure was required every year if only on account of the increase in the payment of interest, but it seemed to him that by judicious retrenchment it might be possible to do without any great increase at present, though it was desirable that the customs tariff should be revised (applause).

His Party.

There were his opinions on the principal topics of the day, but it was necessary for him to say which party he would be found supporting if elected. Our system is essentially One of party Government, and while perhaps no member truly believed in all the ministry he supported, did, it was necessary that he should follow one side or the other. Following on the lines he had indicated, it might be inferred which of the parties in the House he would be found supporting. He had indicated plainly that the land policy of the Government was one which, extended in some direction, deserved the support of the people; he had also indicated that the proposals so far as they tended to the encouragement of local industries had his support, but it was not only upon these two points, but upon the whole tenor of the present Government's proposals that he would be found supporting them* It was proper that in some respects a member should be independent, but upon all questions affecting the existence of a ministry he should be prepared to take his stand by surrendering details to keep in power the party which he considered had the welfare of the country most at heart.

Sir Julius Vogel.

Some three years ago he had felt it incumbent upon him to say that he had an extreme distrust of Sir Julius Vogel. The occasion on which he had mentioned this was when the Atkinson Ministry had been out-voted in Parliament, and were appealing to the country. There appeared to be no leader of the people. Sir Robert Stout had retired to private life, and it was doubtful whether he was coming out again, and there was a cry raised in the South that Vogel, who had just arrived in the colony, should be asked to lead the Liberal party. He (Mr H) could not see that Vogel was a Liberal in the sense which be fitted a people such as this; he had just been contesting a seat at Home in the Conservative interests, and had been associated with some parts of the history of the colony not altogether such as to inspire confidence in him. He therefore felt impelled to say, and under similar circumstances he would do so again, that in Vogel he did not see a leader entitled to the confidence of the people at large. He was glad to say and it must be satisfactory to many thousands in New Zealand, that Sir Julius Vogel while holding a most important office in the present Government of approved Liberal principles, and these Liberal principles had predominated, he had been a most useful Minister for the time being. At any rate, a Government was not to be condemned for the sake of one man. Sir Julius was a personal friend of his own, but he had told him before what he was saying now, that he did not deserve and had no proper claim to lead the Liberal party in New Zealand. He said this now to put himself right in supporting the Liberal party. By way of contrast, he would ask the electors to consider who, if the present Government were defeated, were to take their places. No doubt Major Atkinson would be sent for. He was put forward as the exponent of interests which he (Mr Hutchison) hardly believed he himself supported. He would be found to be an exponent of monopolist?, mortgage companies, and such like, in the new Parliament, and though they might throw some crumbs to the people, still it would only be for the purpose of veiling their own designs. which are those of monopolists, and their government would be a system of organised hypocrisy. (Applause.)

In Conclusion.

Mr Hutchison said—I have indicated the lines upon which I would act, and on these lines I ask your confidence; and if I receive that confidence there will be no exertion on my part wanting to deserve it and to retain it. (Mr Hutchison resumed his seat, after speaking for an hour and a half, amid loud applause.)

Several questions were asked principally as to the relief to be granted to settlers who had taken up land on lease under the tender system. He explained that he did not believe in competition for land, but thought a low rental should be fixed, and that if there were more than one selector the ballot should decide. He thought that tenants should be allowed to surrender their leases, and he would be in favour of the principle of tenant right—namely that improvements made within seven years should not be taken into account when fixing the rents at which these tenants should have new leases. (Applause.)

Mr Strachan then proposed, That a vote of thanks be accorded to Mr Hutchison for his address, and further, that this meeting is of opinion that he is a fit and proper person to represent the Waitotara district. (Applause.)

Mr Mason seconded the motion in a few words.

There being no amendment, the motion was put and carried by 40 votes to 4.

Mr Hutchison, on rising to respond, was received with loud and continued applause. He thanked them for the resolution, and said he hoped to again have an opportunity of speaking to them, as there were many other matters which might claim attention, and more particularly the leasing question on this coast. He then proposed the customary vote of thanks to the chair, and the meeting closed.

decorative feature

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Contents of Part II.

CONTENTS OF PART I.

The 13th Fairy.

Now take this pen, the truth narrate;
The fourth is the Real first Estate.

New Ideas.

Explanation of the Title Page.

It is the unfortunate custom of Poets, Philosophers, and others who wrap themselves in the mysterious, to leave the public to guess at the meaning of their transcendental conceptions or eccentric symbolism. Do the public know the meaning of King Arthur's Sword Excalibur, or of the web that was woven by the Lady of Shalott? But as believing that he who reads may run, as secure of the information, he can then advance rapidly in confidence, I propose to explain that which I assume may be interpreted, if people would only take the trouble; as that is however the very thing they will not take, I therefore propose to save them the necessity. The idea is that these are the ideas of the twentieth century presented as new ideas to the nineteenth—as that they will then be accepted, which may now be held in hesitation, as the acceptions for acceptance or rejection. The word "*New*," in the title, is made of circles, squares, and triangles, as the symbols of attributes within each letter or part of a letter. When we come to interstand the ideas inclosed in letters, the letters will be more appreciated.

The word "*Ideas*" is composed of thorn lettering, which I invented in order to intimate those disagreeable penetrations, as the thorn is the symbol of irritation, as of a person being a thorn in your side or the side of another, so *New Ideas* are thorns to the disinclimovable. In making the letters, the S is a compelled Z in reverse, before the wavement was introduced for convenience, just as the sound of double V was changed to double U. The symbol below represents in the broad black circumference line the void, outside of matter where there is no matter. The little ray lines to the centre from the circumference are our rudimentary efforts to understand the inclosurement. The symbols in the centre are a pair of spectacles, with eyes in them, as the magnifiers to see for perception; the scales to weigh what you see, as reflection; and the note of interrogation is for you to be always asking *Why?* of Nature; so the symbols, as interpreted, are see, weigh, and investigate. The clot of the note of interrogation is the mustard seed from which the curling froud as of growing inquiry, springs to be a tree for the panoplation of the nations.

The Frontispiece.

THE Frontispiece is the incorporation of an idea—one of those little Ticklewits who so unexpectedly

present themselves when their company is particularly unsolicited, but who (or which) in reality are friends in disguise, as prompting contrastive conceptions which strip the pretentious, the ostentatious, and the patronising of that meretricious dignity they can so successfully palm off upon the poor in spirit and humble-minded, who take sawdust for flesh, and paint for complexion. Ticklewit is sitting on the platform of ephemerality—a mushroom, as the sentinel, keeping guard at the outpost of the land of Avilion, or Elysia, or Comprehensia, as that your wits must counterpoint his before you can gain a pass for admission. I have not exhibited him in colours for a very good reason, but his shirt should be red, to intimate his personality; his cloak, of which you see very little, should be blue, to intimate his amiability, and his breeches should be yellow, to intimate his isolatedness; and he is in attitude for the capability of jumping into your head, if you will only give him welcome. Poetically, he may describe himself as—

*I'm a dear little fellow,
Dress'd in red, blue, and yellow;
To this fact I may mention,
That my eyes are blight,
For my heart is light,
And my name is Comprehension.*

I was in some hesitation as to giving him peaspod shoes, and gossamer socks, but the pods would give a sabot clumsiness to the idea, which would hinder his springiness; and if there is one thing more abhorrent than another it is clumsiness; and one delight the most gratifying is clean workmanship, deftly executed without apparent exertion. Instead of gossamer, I have given him cotton socks, as more durable, and a sentinel would not wish for silk, though of course he could have taken a pair of silk socks from the Avilion Cooperative Distribution Store.

Describing his accoutrements, his sunshade is an inverted convolvulus, as he does not fear for his head; wit is only vulnerable from behind; it is the pooh! pooh! of stupidity that disconcerts it, and makes it hide under the sentry-box mushroom; the stalk forms a note of interrogation. I do not know where he got his shield-leaf from, so cannot assert its classification, and it is not of much use except as a large fan, behind which he can laugh at your discomfiture; his bulrush is his great assistance in activity, which he uses pretty much as the clown uses the stick and bladder, but it is full of electricity, in fact it is a sort of fluffy Leyden jar, with which lie gives you that flash so provocative (through its inopportune influence) of fun, in witnessing the distress of the friendly. There is a large family of Ticklewits; a few may be seen at Osmond's Hotel, in the Strand, opposite Southampton Street, who, it is assumed, will cheer your appetite as it is dissipated and aid digestion by the infusion of their gentle geniality.

Slipshodity.

I do not know if you observed it—but whether you did or not, in the Contents page of Part I. the word Ephemeral is spelt wrong. I may as well say at once I can't spell. The ences and the ances, and the ents and ants were heads and tails with me until I resolved to be consistent, and say all words ending in ence mean completion, all words ending in ance a non-completion. So I should say a man of competence had enough, and a man of competance wanted more. As you might say a man of considerable competance, but not competence. Say Ether evolved the Ethereal, would this Ethereal be Etheriance or Etherience. I should say Etheriance was our perception of the Etherience. Let us say the Ether is an apple tree, the Etherience is a full sack, the Etheriance a pocketful from the sack. But I cannot spell across country, so to speak, though I now get from memory decently enough along the ordinary road of writing. It will therefore be understood I never gained a prize at a Spelling Bee. I am nervously anxious for the spotlessness of *New Ideas*, so I have engaged a retired editor, and supervise him by a reader. The one holds by Johnson, the other by Webster. Who shall decide when even Dictionaries disagree? Comprehensionism cannot teach spelling; nobody can. It is an art, like trouffle hunting; the person must have a speciality for spelling, and they who have that gift are generally devoid of ideas; in fact, their delight is tripping up ideas, and biting the heel of aspiration. They always remind me of those who paid tithes of Mint, Anise, and Cummin, and so the weightier matters of the law as the weightier matters of life pass unheeded above them. But this unfortunate car of frozen mutton

At the Lord Mayor's Procession, 1883, a car of frozen mutton somehow joined in. It was so cold that the cold shoulder of officialism had no effect upon it, so it dangled along to stimulate the gastritience of the multitude.

got into my show after it had started. My City Marshall (the Editor) had punctuated to irritation. The Master of the Ceremonies (the revisionist) had passed the programme, and yet I could not escape Fate. When I was born, the 12th Fairy said, he will always fail in the requisites. The 13th Fairy came and said, but these failings shall be the stepping-stones to "New Ideas," and so it has been. The frozen mutton sidled in at an off moment. There was a blank page, and as it struck me that it was not unusual for a magazine to have a table of Contents—for even a cruet-stand in the middle of the dinner table is a dinner *a la Russe*, if only of potatoes—so I thought I would spread out the four articles as a make-believe of magnitude. The printer had already printed them, so he could not make a mistake, but to distinguish the transitory, I headed it Ephemeral, which, on seeing, I said "All right," and did not discover the misspelling until it was "Late, too late, you cannot alter now," and the frozen mutton remains for ever and for ever, as long as the *New Ideas* flow. The mistake is the point for the long-nailed finger of fate as the decree of my 12th Fairy. A certain Prince was predicted to die within 40 days; his parents shut him up in a tower, with a faithful attendant, whose watchfulness was the ebullition of unceasing anxiety. The 40th day arrived; the blast from the bugle at the Portcullis notified to the attendant that a coach and six was waiting for the Prince at the outer drawbridge. The Prince was therefore duly apparelled as a Mediaeval Masher, who for complement of titivation, asked his attendant to reach him down a bottle of the Extract of Pomegranate to scent his handkerchief. Standing open-mouthed to get his request, a tenpenny nail that lay in front of the bottle was accidentally pushed off the shelf, shot down the Prince's open-mouthed throat, and he died on the spot; and in the over-exhilarating slipshodity of saying "All right" to the printer, I swallowed my tenpenny nail.

B.—Well it is done. "That which," as Macbeth says, "is done cannot be undone," is a fact as that it has been done. Even stony Arabia, with all its pumice stone, cannot rub out that "little (Spot!) o," and put an e in its place. The only hope is to realize the expectancy as a second edition to restore, but not obliterate; but just look at other publications. Why I was reading a series of papers by a literateur who is a scientist and a lecturer; if it had been bad spelling I should not have minded, but his logical slipshodity was the acrostic of the unthinkable. In one paper he advocates an argument, and supports it by precedents the exactly opposite. In another, the numerous examples of what it is not, are so inter-spersed with the expressions of approval of the objections that it really comes at last to a question of "which is Daniel and which is the Lions."

C.—Ah! but it is there; it may escape notice; if it does not the reader will say the Author could not spell, and the reader would only speak the truth. In the body of the work it may be revised before printing; hut sooner or later I should slip in something and kill myself, so I may as well swallow my tenpenny nail at once.

B.—Well, it is certainly a new idea for an Editor to assert he cannot spell, but nearly the whole world is in the same boat with you, though the public will see your confession, and disregarding your new ideas, will answer you as the complainant of the trespassing pig was answered, "Sir, I shall be obliged if you would sty your pigg, who overruns my garden," and who received the reply—" Sir, I beg to acknowledge your letter, and to inform you that pig is spelt with one g."

Philosophicism. No. 1.

A.—So you have constructed a one-arm chair?

C.—Yes, you see I got a bar of wood screwed to the left front leg and seat, with 16 inches above the seat, and then nailed webbing to this post and the back. Try it. You sit all but up-right, with a light lean to the left, the webbing slightly yields, and so makes the position very comfortable, without the chair taking up the space that you might suppose it would.

A.—Well, it's a novelty in furniture, but I did not come to see the chair, I came to congratulate you on Part I. But have you not put too high a price upon it?

C.—Yes, I have, as measured by reviews and magazines, but their interest passes with the month, they are merely pailsful of liquid literature; but I told you that I publish "New Ideas" as a permanent appeal to the intelligent.

But what am I to do? If a thinker wants *New Ideas* he will give sixpence for them, because he will recognise how few there are who appreciate the publication. But, you may say, would not the same appreciation be secured at threepence? Yes, it would, but threepence a number would not pay for the thousand, even if all were sold, independent of the advertisements, handbills, and presentation copies, which cost more than the work, for without them, it would be worse than "selling hearth-stones in a whisper." But though I—

Early to bed, and early to rise;

Stick to my work, and advertise,

I must still consider myself like the poor woman who set up a "mutton pie-shop." "How is it," enquired a customer, "that you give such good pies for a penny?" "Well, sir, you see I do put a pen'orth of mutton into

them, and I had the flour at hand, and my time is my own." So it is with me; I do all the drawing and writing, and my time is my own; but with this difference, she could sell more than she could make; I can make a greater quantity than I can sell, and when the publisher shall have sold the thousand, I shall have made no profit, so you may set your mind at rest as to its being a lucrati-tence.

A.—Well, as you put it, publication, like virtue, is its own reward; but I also came to ask you to explain a difficulty, which presented itself to me in Part I. Do you really think the Universe is limited? which means there is an outside to the Universe, in which outside there is nothing.

C.—Certainly. The Illimitable, the Inconceivable, the Incomprehensible, the Unmeasurable, and all these expressions of helpless contemplation as applied to matter in entirety are to me the intimation of mental bewilderment. If matter is something, however rarified, there must be an outside to it. You cannot conceive a topless mountain; you cannot conceive a bucket without side or bottom. To say that matter is an ever-extension is to surrender reason to the prostration of the contemplation, in perspective, of a straight line in perpetual extension. Just think of it.

*For exercise to grasp in Comprehension,
Impels the mind to amplify extension;
So spread itself, by starting fair from home
To past the conscious limit, still to roam
O'er space that overspheres this conscious finity;
Here, outside contemplates the unanimity.
Yet this Enspherenement, on which you dwell,
You find does but inclose the inner shell;
Still on, and on! new Spherences recede,
Still on, and on! the last a mustard seed,
To the beyond. Now let your thought explore
This absolute domain of higher law.
As law implies obedience, you must
On some eventual limit surely trust;
For limit to a law is indispensable
Or Comprehension is incomprehensible.*

So you see I cannot think this illimitation, because I am a Comprehensionist, and a Comprehensionist mentally stands outside the Universe. You must realise it, or you could not comprehend it. Now, as a Comprehensionist realises the Soul of the Universe as the intelligence of the Etherealized, then this intelligence must cognate that which is an ever-continuance of extension, and the ever-continuance is not the progressiveness of circumferation, for that would surrender the assertion, but the ever-continuance here means that which intelligence even of Divinity cannot reach to, for how can you super-view that which has no limit? Put it thus: You are as I am the centre of a Material Enspherenence of the visible to our vision; other persons are the centres of other spheres. Now, the aggregate of spheres implies a centre. Let us all represent ourselves as Suns of Planetary Systems, and there must be a centre to these planetary systems, and a centre without a circumference is the surrender of the con- sideration. I am placing the argument roughly, for the proposition is so absurd that I had not tried to invent weapons to contend with the impossible. Bat I should like you to be clear on this point of my Comprehensionism, which comprehends the Universe as an Ego, just as you recognise London from the top of St. Paul's, as a definition; my erception that all the conceivable to perception are egos of this Ego, and as this Ego (the Universe) has Life, Soul, and Light, as its Vivical, Mental, and Wishful attributes, then you and I are each an Ego, as attributed with Life, Soul, and Light, which you and I, and all extant beings profess to possess. That in proportion as you inhere or absorb or intensify these attributes, you find your existence the more enjoyable. It is you that do it (the I myself), as having the Life, Soul, and Light of the Universe within you, and therefore only limited by the measurement of the limitation (if there be such a conception) of these universal attributes. You may call this assumption, or presumption, or self-glorification, "but if you are the son of your father, it is a possibility that you may know as your father, and as I suppose you will allow the whole Universe is a harmonious unity, then there must be a flow from the Soul of God to the Soul of Man, which is therefore the Soul of God in Man. This is our inheritance, this is the teaching of Jesus, and this is what the Church will make every effort to disallow by the Priesthood personifying Jesus, for intervention between you and God. Now you understand why I do not hope to sell this "New Ideas." The Churches will condemn it as exposing their many-sided Christ. The Materialists will condemn it because I recognise a God as the Universe. The Agnostics will condemn it because they will not recognise the ideal in this real. The Positivists will condemn it because progress is their end, and Comprehensionism has no end. The Spiritualists well condemn it because they look outside of themselves for its guidance instead of within as its residence; and, therefore, I can only look for support from the few thinkers who are released from the influence

of meretricious philosophers, who now prove a foot to be eleven inches.

A.—Well, a man who is convinced without reflection will probably be disconvicted by the next person he meets. These are new ideas to me, and I will think them over, for the conception is such a topsy-turvyment of all my previous convictions of Philosophy. But referring to Philosophers, do not you think Goldwin Smith effectually confronted Mr. Leslie Stephen in the December *Contemporary Review*?

C.—I read the article, and Mr. Goldwin Smith reminded me of David repudiating Saul's armour, as putting it aside, for he says, "I set aside all theological dogmas respecting the Trinity, the incarnation, the scheme of redemption, and the atonement." This is Christianity Secularised, or the crown of thorns made thornless. It is this liquidity of Christian profession that I complain of. Say I ask a Church Clergyman if he believes the Thirty-nine Articles. "Oh, yes, I gave my assent to them, but I also dissent from them. Damnation to me only means reproof. Dives in Hell represents a state of probation. The poor in spirit mean rich in spirit, the meek are the self-respectful. Lead us not into temptation means God tempteth no man, so it is a mistake, to be expunged. Then there is the dreadful doctrine of Original Sin, which sends all unbaptised children to hell, we qualify as—not specially blessed with Sacramental grace." But just consider an earnest child taking in these statements literally as believing the Bible to be God's actual words to man, and in the anxious desire to obey the instructions there printed, it simply becomes the door-mat for every inclinationist to wipe his feet upon, in these statements literally producing a weakness of character that is destitute of a moral resistance. Comprehensionism accepts this new revision, but would ask of this modern liquid Christianity, if it thinks as stated, why it does not also so far confess itself Comprehensive, instead of running with the hare and hunting with the hounds, Oh, for a spark of self-respectfulness!

"Freedom's secret wouldest thou know,
Question not of flesh and blood;
Tarry not for cloak or food,
Eight thou feelest—rush to do."

For a true interstanding of Scripture, I think we should consider every statement as a complete proposition in logical examination for truthful conclusion, irrespective of traditional interpretation, and as the conscience becomes more sensitive, which is to say, This above all to thine own inner self be true, the better it will see a deceptive interpolation, or contradictory inference. And the first proclamation of Comprehensionism is, that as the doctrine of Original Sin is the destruction of all moral uprightness, and is a Parliamentary insult to God, "every child shall be free to be true to its inner self as a child of God," as was taught by Jesus himself.

Meditation. No. 1.

*Home! Home! foul! foul! Home;
I cannot get away from the filth of my home!*

So at last magazine opinion has awakened public opinion to the fearful state of the dwellings in which the poor must live. It is something to be awakened to a fact, but it is a very different thing from remedying the evil. Mr. Chamberlain, in the December *Fortnightly*, showed the wise plan (which I did not know the law permitted) as that of the Corporation retaining the purchased property in their possession, and so securing the increment (the increasing value) to the town. But all these philanthropic efforts are but the making of the powder to put into the flea's mouth, in its laughing through your playful irritation of the interstiation under its fifth rib. Mr. Chamberlain lays down some palliative rules, but he confesses his falling short at the extra rating that the town must consequently endure through the experiment, and so the little—is done, exposes the glaring—is to be done. But suppose London or Birmingham a model city. "Where the bee sucks there suck I," is the wish of every one who can tramp or buy a third-class ticket to get there, and the consequence would be that the same complaint would exist, for London would then contain 7 millions instead of 4, but exclude immigration, and with these healthy dwellings, the 50 per cent, of children now dying would be reduced to say 10 per cent., so the "increase and multiply" will soon replenish the earth, or, at all events, London, in occupying houses faster than they could be built for them, and it would again come to the chalking the floors into 6ft. by 3 for the nightly lay down. Is it not monstrous that the City authorities and the Board of Works should emulate Colney Hatch in making a bargain for the ratepayers to insure a loss of a million and a half on a building transaction? For the moment, I wish myself a Figi Islander, that I might laugh at the fact—for so it is. But let them do their assumed best, they must lose say a million, as Mr. Chamberlain ably shows in his measurement of value; you cannot go on rating. The fact is the Government should be well rated for its disgraceful indifference to the

welfare of the people.

*Come now and see, as squalor leads the way,
Where squalor's sceptre has unquestioned sway;
Where man through animal becomes a ghoul,
And crawls in fear and hate through vapours foul.
Hear children screaming as their mother falls
By father's fist, who on his Maker calls,
As, standing o'er his wife in tottering force,
He bellows curses till his throat is hoarse.
Yes! come where filth and misery must dwell,
And from necessity endure the smell,
Dreading the contrast cleanliness would wake
To bestial vice, resignedly partake;
Thus shunning social notice in bereavement,
Will cheat the conscience to impel achievement,
Until the nauseate fumes have choked ability,
And sooth'd their souls to stolid imbecility.
Is such a state of things foredoomed to last?
Yes, hope of modest cleanliness is past;
How can the poor be otherwise than bad,
With not a decent lodging to be had,
Except at prices that they cannot pay
And leave enough to keep the wolf away.
Why not? Because the town is owned by One,
And he takes care that nothing shall be done.
O Parliament! we ask you to attend
To this, and be at last the poor man's friend;
Pull down these nests of fever-breeding dirt,
"Pull up" this owner who is so inert
As to allow his property to stand
For nursing filth and curses in the land;
With Scripture to this napkin hider say,
"You worse than hide—we take your land away."*

This is what we must do; take the landed property, *all of it*, out of the freeholders' hands, and place it in city or town management. "What," says Lord Salisbury, "do you mean to confiscate our streets?" No, though there is no distinction between owning land and owning slaves; if slavery is wrong, personal ground rent claims are wrong, for the slave and the house, or land tenant, both live by permission of the owner. Very well, we take the ground rents and pay the deprived a fair sum down, or for a reasonable period. So much for ground rent claimants. Now that we have got the freehold of the town, the next step is to issue paper notes that shall represent the value of the new houses; these notes will circulate as money, without interest, and the money paid for rental will gradually re-purchase them to liquidation, and so in a few years the town would own a large extent of house property, for which houses it had not paid a penny. The next step will be to say, people shall not come where there is no room for them. I do not let any one into my house unless I please. So the Corporation should say, "We will not let any one into our town unless we please." How prevent it? Simply by fining those who took in an over-estimate of lodgers, and sending the homeless about their business elsewhere. You may call this protection, but some day soon we shall find free-trade in manufactured articles, is the blessing to those who have money, and the curse to those who have none.

I attended Mr. Henry George's reception at St. James's Hall, on the 9th of last month. He proposes, as I understand him, to take the land and house property without compensation, and instanced our payment to the West Indian slave-owners as a demoralising transaction. It appears to me his plan is a dissolution, which is the reverse of an evolution. St. George of Old England slew the Dragon of Wantley; if the St. George of New England purposes to slay the Dragon of Want, he must do it by evolution, as recognising the strata of public opinion, from which the success is to be won; but the damage he did to his cause was the explained distribution of the surplus that would immediately accrue, as of a hundred a year to widows and a dowry to brides. The idea is a tantalizing hope for the multitude, but the multitude must be Comprehensionists, and know the discipline of observance and obedience to the Law of Right, before the programme of absolute happiness can be even whispered to a nation.

Mr. George's speech reminds me of a story of a tenant who on being refused a new set of farm buildings,

applied for a stable, or a cart-shed, or a pig-sty, or a gate. Says the Landlord, "You can have a gate." "Thank you, Sir," replied the tenant, "it was all I wanted, and more than I expected." So in refusing Mr. George, the country may concede the justice that is asked for by Comprehensionism.

But how our Statesmen talk. Last month, Mr. Gladstone recommended Fruit Farming. Fruit means trees. Mr. Gladstone ought to know that five-sixths of the tenants are tenants at will, which implies six months' notice to quit, and if they planted trees, who would pick the fruit? Make them life-leaseholders to the district, and you change our agricultural fog for sunshine; for all tenancy to a private individual (even to Mr. Gladstone) is socially, morally, and politically wrong, and should be legally impossible.

Will Ye Na Come Back Again?

I ENLIST this sad petition for an appeal to the Author of the following lines, which are such a magnificent expression of the Ego, in proclamation of its self-respectfulness, that I had got in reciting so to emphasise them, that a Musician translated the intonation into music, as

The Anthem of Comprehensionism.

*Turn, Fortune, turn, thy wheel with smile or frown;
With that wild wheel we go not up or down;
Our hoard is little, but our hearts are great.
Smile, and we smile, the lords of many lands;
Frown, and we smile, the lords of our own hands;
For man is man, and master of his fate.
Turn, turn, thy wheel above the staring crowd;
Thy wheel and thou are shadows in the cloud;
Thy wheel and thee we neither love nor hate.*

If I had been writing this a year ago, I should have stated the song was written by Alfred Tennyson, Poet Laureate. By whom am I to say now? He who through Enid sang of lowering the proud has taken his place with the proud, and perceived a substance in the cloud. Oh, it is sad to think his exalted heroism should so sell its cairn of national confidence for the meritricious glitter of the inappropriate to posture in, for the invitation to our risible astonishment.

*"Princes and Lords may flourish or may fade,
A breath can make them as a breath has made;
But a great poet once the nation's pride,
As turning tail the nation should deride."*

Who could have thought other than that he who wrote—

"A Prince indeed, beyond all titles," Was also a man himself above all titles.

But it is not too late to retrace the pillory step—he is not like that despairing novice in Dole's picture, who has awakened to the horror of a life-long companionship with a herd of humans—whose "low thoughts but tend to unreal wants—that his fine aspirations will be ridiculed by coarse contrastives, and have his veneration exposed as a scarecrow. He alas! is assumedly buried for life in the monastery. But there is also with the nation's poet an awakement from this dream of self-immolation. A sudden freak of his transpositional ideality may have embodied the subtlety of the discriminative for the enactment of the realistic as the influence of a recitation, so may take captive the willing elopement of the personal. But this exhibition of the transient ceases with the effort to portray. Surely, we hear him even now whilst his health is being proposed at the banquet, to be followed by a weak and inappreciative three times three-rise up and say, "My Lords, that I came among you was in my respect for your order. That I now release myself from the ill-fitting dignity is in respect for myself." And the clarion-voiced multitude join the wild joy bells, for the triumph of self-sincerity, as true again to the pole, after the magnetic storm of bombasticism and swashbucklerism has satiated the fancy. Even now, as a truant "Whittington, he hears the suppliance of the bells, and may he as advantageously heed it.

The Heredity of an Ego. No. 1.

Continued.

IN the First Part the explanation abruptly discontinued is now resumed by pointing out that behind the House is the Malt-loft, and in the distance the Priest's house and the chapel, in which the culminating event of

the narrative was solemnized, but which as we are using the subject as the analysis of heredity, we assume an additional sequence to the text, as of the birth of a son, who will display the influences derived from his peculiar prenatal impressionment.

Judging from the distant hills (which I am sorry to say are very coarsely represented in the zincotype copy from my drawing) the locality might be Yorkshire, and the physique of the farmer would compare with the reputed York-shireman, who has somehow come to identify himself as the original obstinate, push-forward, unhesitating, and unvacillating character of John Bull; even the boy stands in stability. Looking attentively at the picture, you will perceive a glow of placid content as of summer afternoonativeness permeating the atmosphere.

The Pantomimic.—"Behold the mansion swift, upreared by Jack." Of course in the Pantomime the House had to be swiftly presented, and as swiftly withdrawn, but *the* House that Jack built was the intended of invincibility against centuries.

The Philosophical.—Jack is of course the familiar appellation of John Bull, and the House that John Bull has built represents the possessions of the British Empire. So the British Empire enters as the influence of ancestry in the Heredity of the anticipatory Circumstance.

The Heredity of an Ego. No. 2.

THIS IS THE MALT THAT LAY IN THE HOUSE THAT JACK BUILT.

The Juvenilital.—Here is the Malt in plump-stuffed sacks. There are agricultural implements resting on the beams, and the view through the door-way is to the south, if compared with the previous picture for you now see the shadows of the cow quietly chewing the cud, under the trees, and boat on the river are towards you. You see the prospective in the little rat, appearing through a hole in the floor, which was very negligent of Jack not to have stopped. A hole is the symbol of things slipping through it, so it is with characters; if you tell what you should not, or do what you should not, you have hole in your character. Stop it, and the satisfaction of the future success will smooth the memory of the misfortune through the negligence.

The Reflectional.—The Malt is really in the Barn attached to the House, but the House incloses its attachments. If they were not attached they would be offices, or out-houses, or farm buildings,—probably there were large farm buildings; but Jack here is a Maltster, and it was his Malt that specialized him for the flight of the poet's fancy, as his laudation (the at present unattainable) of a good glass of beer; which was then the popular beverage; but the concoctionment we now got at the stand bar makes the pinning on the blue ribbon a health protection rather than a self-denial.

I have put the Malt in sacks, but I believe it is kept on the floor, and only sold in sacks.

The Pantomimic.—" See the Malt stored in many an ample sack."

The Philosophical.—The Malt here is the symbol of the drink of the Englishman. The primitive classification of nationalities was of their eating and drinking; thus our early notions of France were as of a nation of frog-eaters; of Germany, sour crout eaters; of Russia, oil drinkers; Holland was represented by "Mynheer Van Dunk," though it was Hollands he drank, but that would be unintelligible to us, so it was changed to brandy-and-water; Spain was associated with garlic; Scotland with haggis; Italy with macaroni; Turkey with rhubarb; Ireland with whisky, but the Irish stew I suspect was in the mingling of the contrastive, a suggestion of Ireland rather than from Ireland. But the beer and beef of England have a great deal to do with the corporality of the heredity, as placing a solid body for the reception of a solid national mind.

The Detestable Two-Shilling-Piece.

SIR,—Will you allow me to appeal through your valuable publication against this stupid two-shillings-stuck-together coin, that deceives us in its all but imitation of the useful half-crown. What's the good of it? Nothing! What's the evil of it? It is so nearly like half-a-crown that you never receive either coin without looking to see which it is. Think of the universal irritation in such a fact. As for change, it is the embodiment of folly. What are you to do with an eighteen-penny fare without a half-crown or a sixpence? As to its being the little end of the wedge in decimals, the Decimalists are really all dividing the unit into a 100 and

not 10. Look at your bill for a one-and-ninepenny breakfast in Paris, 1 franc 75 cents. In England we save a number, and it is easier to add up. I will not take more of your space, the coin is such a fool, and is no good until changed, and is the abhorrence of the Christmas-box receiver; but it is the twenty per cent, cheat of the tradesman, and the assumption of it if he is not a cheat.

Customer: "It was half-a-crown I gave you."

Tradesman: "Pardon me, sir, it was a two-shillings; here it is."

Customer: "Oh, I thought it was."

But Why coin this Coin of Discord?

Yours respectfully

One of the Irritated to Exasperation.

P.S.—I have heard a whisper of the withdrawal of the half-crowns. This would be to dam up the circulation.

Through the British Empire

In Ten Minutes

With C. E. Howard Vincent, Esq., C.B., M.P.

decorative feature Edinburgh and London W. & A. K. Johnston 1886

World map of the British Empire, 1886

World map of the British Empire, 1786

Contents.

The Howard Vincent Map of the British Empire.

Note.

THE Wall Map to which this forms a Handbook gives an Alphabetical List of all the British Possessions over the World, their extent in square miles, population and revenue, the Stations of the British Navy, Steamboat Routes and distances, Telegraphs, Railways, and the Admiralty Coaling Stations, with an inset Map showing how vast has been the growth of the Empire since 1786.

The Map has met with the warmest approval of all Educational Authorities, and is a most fitting and useful present to any Schoolroom, public or private—one, too, which may have a material influence on the veneration for the integrity of the British Empire by the future men and women of Great and Greater Britain.

The Colonies and Dependencies of the British People.

Their Trade with the Mother Country and Openings for the Men and Women of Great Britain.

The Colonies and Dependencies of the British People.

THE possessions of the British people extend over somewhat more than nine million square miles, and are inhabited by 320 million persons of all nationalities and religions. They embrace the three immense countries of Australia, Canada, and India, each nearly the size of all Europe, and 69 territories and islands in the two hemispheres. It seems incredible that this immense dominion, which covers nearly a sixth part of the habitable globe, and is administered by over 50 different governments, subordinate, in Imperial concerns, to that sitting at Westminster, has been acquired by a people now numbering scarcely more than 36 millions, and occupying but one-seventieth portion of the empire. This empire, five times the size of the Persian Empire under Darius, four times that of the Roman under Augustus, an eighth larger than All the Russias, three times the size of the United States, forty four times that of France, forty-three times that of Germany, is what has been bequeathed to us by our fathers.

These are the fruits of the victories of Marlborough and Wellington, of the genius of former statesmen. This is what we have to show for the indebtedness of the country, which sinks by comparison into insignificance. But in proportion as we gratefully admire the work of former heroes in the senate and the field, and reap the fruits of their courage and wisdom, must we deplore the madness of those who, invested with a brief season of power, lost to Great Britain the vast continent now occupied by fifty million Americans. Had it not been for this black spot on the shield of history a great confederacy of the Anglo-Saxon race would long since have been an accomplished fact.

We cannot dwell as we should, with more time at command, upon the special features of each of the continents, the territories, and the islands, where the sovereignty of the British people proclaims to all men—whatever their faith or colour—freedom of action, freedom of speech, freedom of commerce. But we may glance separately, though briefly, at the leading characteristics of each of the five great groups into which the empire beyond the seas is divided. Let us consider them in this order:—

- The Australasian Colonies.
- The North-American Colonies represented by Canada.
- The South African Colonies.
- The Indian Empire.
- The West Indies.

The Australasian Group.

The Australasian group consists of the eight colonies of New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania, New Zealand, and Fiji. It is difficult to convey to those who have not seen them an adequate idea of the bounties of nature towards this extraordinary region. They include in their wide area of more than three million square miles every geographical characteristic—noble rivers, magnificent mountains, fertile plains, arid deserts, with the most uniform and glorious climate in the world overhead, and below an inexhaustible store of mineral wealth. The senior of them has yet to celebrate the centenary of its foundation. But the chief towns rival the old world in the refinement, the luxury, and the culture of civic life, while the bush rears a hardy race devoted to field sports and all the manly virtues which have contributed to the preeminence of the British people.

It was but fitting that New South Wales should have been the first to declare, conjointly with Canada, that the sons of Greater Britain are not less willing than the children of the mother country to take up arms and lay down their lives for the honour and integrity of the mighty empire we share in common.

Queensland extends over a territory thirteen times the size of Great Britain, abounding in wide pastures, rich gold fields, and deep sugar plantations. The heat—especially in the northern portion, which is seeking separate local government—is tropical, but the energy of the colonists is superior to any mere atmospheric inconveniences.

But it is at Melbourne that the attention of the traveller is first riveted. Fifty years ago the seat to-day of one of the finest cities of the world was but a marsh. Now what a change! There is a new Paris. Unlike Rome, it is almost the work of a day. Melbourne was planted on a foundation of gold, and her magnitude and importance increased with the discovery of each fresh nugget.

South Australia is making rapid headway against difficulties of no mean order, and Western Australia, although still far behind, will doubtless lift up its head in the time to come.

It may be doubted if there is any place in the world where men can live upon air; but if there is one such, it is assuredly Tasmania. There it is a perpetual May Day. The summer sun is tempered by gentle breezes, and the cold grip of winter is unknown.

But the most attractive colony in Australasia is certainly New Zealand. In the lower part of the Middle or South Island, as it is now usually called, we find Scotland reproduced. There are the snowy mountains, there the lochs, there the frequent rain, there the industrious, frugal, farseeing race.

On the Canterbury Plains we have Yorkshire itself, and the country is hardly less attractive in its natural features and daily life than its great prototype.

In the North Island there are still some 40,000 Maoris who own the greater part of the land, and have equal rights with the colonists. They are a quiet, harmless race, idle perhaps, and not scrupulously honest, more especially under the advancing influence of civilisation, European clothing, and Irish whisky. But the North Island of New Zealand stood until lately preeminent in the world in the possession of its hot lakes, hidden in the most cunning formations of nature, and springs containing all the medicines of science. Men arrived on crutches, racked and distorted by disease, and went away cured. Nor was the district a mere hospital. Nature, while benefiting the bodies of the afflicted, delighted their vision with the most extraordinary and exquisite phenomena it was possible to conceive. But recently terrible eruptions took place, destroyed the marvellous terraces, and covered the country for miles with lava. Temporary devastation was the result, but in course of time the ground will become fertile, and if less interesting to the eye, more valuable to the pocket.

Fiji is the centre of a numerous group of islands taken but ten years ago under British protection, and already the happy possessors of a sound administration, a surplus revenue, and that without which no Englishman is thoroughly happy, viz. a good solid grievance.

It lies in the fact that this colony and Western Australia are still administered as Crown colonies. In each of the six others we find a representative Government, of which the Governor nominated by the Crown is head, assisted by a responsible Ministry formed from the Parliamentary majority for the time being. There are two Chambers, the lower elected by universal suffrage, an absolute necessity in so thinly peopled a country. In New South Wales, New Zealand, and Queensland, the members of the Upper House are nominated for life by the advice of the Prime Minister; but in South Australia, Tasmania, and Victoria the Upper House is elected. A former Premier of the latter colony, thus writes on the subject:—"This apparently democratic provision proves in practice a source of endless trouble and conflict. The nominated council, liable to be modified like the House of Lords by new nominations, never proved long intractable to the ascertained wishes of the community. The elected council,' on the contrary, assumes that it is the equal of the assembly, deriving its authority also from the ascertained wish of the electors, and insists that, to give way too promptly in a conflict with the other Chamber, is to betray its special constituents."

Although Australasia, without the New Guinea territory, embraces an area equal to that of all Europe without France or Spain, it contains only 3,000,000 inhabitants. The population is increasing at the rate of 110,000 a year; but when we consider that Europe supports 327,000,000, or 87 persons to the square mile, we arrive at the astounding result that there is room, though not present opening, for some 250,000,000 additional British subjects in the Greater Britain of the South Seas. The population is now increasing at the rate of 42 per cent, in each decennial period, and in 1986 there will be in Australasia, if this progression continues, 94 millions of people.

The North American Colonies, as Represented by Canada.

Some people may have an idea that Canada is a land of perpetual snow. It is far from it, except in the extreme North. In the occupied regions the winters are severe, but the cold is still and dry, not so trying, therefore, as our incessant changes, damp, and east wind. The summer, moreover, is constant and delightful. The Dominion is somewhat larger than Australasia, nearly as large, therefore, as all Europe, and very nearly the same size as the United States. But instead of having fifty million inhabitants it has but five, and of these nearly one-fourth are Frenchmen, industrious, sober, and most loyally attached to England, and so unlike their brethren in Europe that they can scarcely be reconciled to change in anything at any price. We promised their fathers in the last century their language and their customs. We have kept our word, and they hold us to our bond to the great inconvenience of public life and the hindrance of progress. But an event has lately occurred of the deepest moment to Canada and the entire British empire. Not a war, nor a revolution, nor an earthquake, but the triumph of science, the victory of the iron horse. In ten years a railway has been driven three thousand miles, and the Atlantic Ocean has been joined to the Pacific. A vast region has thus been opened to commercial enterprise—most fertile and productive in many parts, and, besides this, a new route is secured between Great Britain, India, and Australasia.

From the seven provinces of Ontario and Quebec, Manitoba and British Columbia, Nova Scotia, New Brunswick, and Prince Edward Island, each with a local legislature bound solidly together in loyalty and attachment to the empire by the Dominion Parliament, and from the newest route to the East, let us cross the Atlantic to the old road round the Cape, and stop at

The South African Colonies.

We have not here the same prosperity and progress which are seen in Australasia and Canada. It is a maxim in the colonial service, and one which has proved but too true, that the difficulties of the administration of the Cape Colony and Natal are such as to ensure the ruin of any reputation. The South African Colonies, without the recently-acquired territory of Bechuanaland, are about the size of Austria-Hungary—that is, a quarter of a million square miles in extent, but with only a million and a half inhabitants. Ever since they came into British possession they have been the scene of incessant warfare and rebellion. The Kaffirs, the Hottentots or Totties, the Dutch Boers, and the Zulus have all given us very serious trouble. All must deplore that a region so favoured by nature, so delightful in climate, should have brought so little good comparatively to the human race. Whether or not we should not have done better to retain the fertile island of Java ceded in 1814, and handed back the Cape of Good Hope to the Dutch, our forerunners in the East, it is too late to inquire. But one great lesson should not be lost upon the statesmen of to-day, and that is, that an independent constitutional and representative Government does not prove successful unless granted to a perfectly united nation existing but for one purpose.

Sailing up the Indian Ocean we pass the sugar island of Mauritius, sorely depressed by the German bounty system, and come to

The Indian Empire.

This immense territory, the size of Europe without Russia, is perhaps that possession which reflects the greatest honour and material advantage upon the British people. Two hundred and fifty-four millions of people bow to the sovereignty of the British Empress of India. The fertile plains which stretch from the slopes of the gigantic Himalayas to the ocean, and thence again to the frontiers of Siam and the densely populated markets of China, are safe now from the devastating hordes which poured down upon them in former days, times without number, through the Khyber Pass from the camps of Central Asia. Much further back into the labyrinths of antiquity runs the history of India than that of Europe. While we here were a rude uncivilised people, India was in advance of the times. But invasion from without—such as has been threatened in recent days, too, and quarrels within, held her back, and now we have caught her up, surpassed, and given her the fruits of a superior intelligence. Five hundred feudal princes are still allowed territorial independence. Hindus, Mohammedans, Buddhists, and Parsees are as free to pursue their religion as Christians. The administration of the country is conducted to a vast extent by native officials. But so just and equitable is our rule, so widely are its benefits recognised, that one British soldier is sufficient to secure the interests of the British people among some 4000 natives. But while this is the case, we must ever remember that a mere handful of Europeans amid rival races, jealous families, antagonistic religions, and an inextricable web of prejudiced castes, should not forget that physical preparation is a necessary guarantee for the preservation of safety and the maintenance of order. We have given the Indian peoples liberally of our substance—our blood, our money, our liberty, our knowledge, our education. While we concede all that progress demands, we must not submit to the use of our very gifts against us at the restless instigation of ambitious spirits, but courageously continue in the course we have followed for two centuries with such conspicuous success, to the advantage of the whole world.

Let us now retrace our path, and glance for a moment at the numerous islands in the West Atlantic forming

The West Indian Possessions.

Time was when their value and importance was far in advance of their position to-day. Of the fifteen principal ones, Jamaica is the chief and in some measure holds its place. Large fortunes were made in by-gone times. But the abolition of forced labour and the creation of a free people, has changed the course of events. An improvement is confidently expected in the early future, and it is to be hoped that Parliamentary efforts may be directed to that end.

We have thus been led rapidly through the five principal regions in which the sovereignty of the British people holds sway. We have not been able to tarry at numerous trading stations over which flies the Union Jack. Nor have we had time to stop at the fortresses and military posts which the far-seeing wisdom of our ancestors acquired to secure us in the possession of their legacy. Of such we have Gibraltar guarding the mouth of the Mediterranean, Aden commanding the entrance to the Red Sea, Singapore holding the gate between the China Sea and the Indian Ocean, and Hongkong watching the broad surface of the Sea of Japan. Then we have the Falkland Islands to watch over the stormy rounding of Cape Horn, St. Helena the tomb of fallen greatness, and last, but not least, the now prosperous Island of Cyprus.

We see, truly, that our empire is one on which the sun never sets, and on some portion of which summer is ever present. We can almost hear the applause of the American Senate as their greatest orator spoke half a century ago of "Britain, that great country, who has illuminated the surface of the whole globe with her

possessions and military posts, whose morning drum beats following the sun in his rising, and keeping company with the hours, encircles the earth with one continuous and unbroken strain of the martial airs of England."

I must now trespass upon your attention while we briefly survey

The Commerce Between our Possessions.

Let us pause, though for a moment, to look at the immense volume of trade in the hands of the British people. It amounts to no less than 1,210 million pounds sterling annually, and of this 760 millions belong to the mother country wherein we stand. We thus see that the import and export trade of the British Empire is more than half that of the whole of the rest of the world put together, and that the foreign trade of the United Kingdom is very nearly double that of France, which stands next in order with 464 millions.

Our total export trade from the United Kingdom amounts to 327 millions, and one-third thereof goes to British possessions. Four-fifths of the imports into India are British. In nearly every colony one-half of the external trade is with Great Britain, and three-fifths of it with the British people located in some portion of their empire. As an illustration of the vast interchange of commerce between British possessions, no better example can be found than Victoria. There the strictest protective duties prevail, and with no diminution as regards British goods. Yet, notwithstanding this, we find that out of a total import trade of 19 millions in 1884, no less than 17 millions' worth were imported from British possessions, and of this more than half came from the United Kingdom. Nor is it less remarkable that the imports from the mother country into British possessions have nearly doubled during the last fourteen years, while the amount of British goods purchased by the great European nations has only increased by one-seventh.

How different is the condition of commerce between Great Britain and foreign States we see at once, when we find that while England buys one-fourth of the total exports of France, British goods only amount to one-twelfth of her imports. We buy one-sixth of the goods sent abroad by Russia, but of the goods the subjects of the Tsar purchase from abroad, ours only amount to one-eighteenth.

In short, if we strike an average of the returns over a term of years, we buy 175 millions' worth of foreign goods in Europe, and only sell to Europe in millions' worth of British goods, that is, a deficiency of 64 millions against us. In foreign countries, not in Europe, we buy 140 millions' worth of goods, but only sell to them in return 70 millions' worth, or one-half. There is, consequently, a balance of considerably over a hundred million annually against us in favour of the foreigner.

To look at the matter in another way. Whereas we find that foreign countries consume an average of less than 10s. per head of British goods, the Canadians consume £2 per head, the South African Colonists £3 per head, and the Australians more than £8 per head. It was a saying in the olden time that one Englishman was a match for two Frenchmen, but now we find that two Australians do more for British commercial interests than thirty-three Americans.

These figures prove beyond all doubt that the object for which our fathers fought, died, and denied themselves, of acquiring colonies to increase the markets of the mother country, has been attained, and this, although the restrictions on colonial trade which overthrew the Spanish and other empires of former ages, and did our own such grievous injury, have been happily removed.

Let us now observe the other side of the picture, and see not only what sale markets we find in the colonies, but also what advantageous markets in which to purchase all we require from other countries for food and clothing, and to work those industries we have established in our midst. We buy from our brethren beyond the sea no less than 90 millions' worth of goods every year, and it is a trade which is constantly extending and increasing. The varied climates and varied soils of the possessions we share in common with Australasians, Canadians, South Africans, Indians, and they with us, are capable of producing every single article any one of us may require for the sustenance of life, the luxury of fashion, or the pursuit of our callings. We provide capital, industry, experience in manufacture, iron, steel, coal, cutlery, machinery, and ships; Australasia gives wool, meat, excellent wine and oil; Canada furnishes corn, beasts, and timber; South Africa sends diamonds, feathers, corn, and wine; India supplies corn, tea, rice, silk, and cotton; while the West Indies provide sugar, coffee, and tobacco. If, then, all the rest of the world were closed to us, and our condition reduced to that of only trading within our own empire, we should only be sufferers in degree, provided we had not lost sight of the necessity of material force, especially on the high seas as of old, in the days present and to come of might and right.

Addressing the London Chamber of Commerce, not long since, Mr Colquhoun, a gentleman who, the *Times* said, has had unrivalled opportunities of studying British commerce abroad, declared that: "An examination of the total trade of the fourteen principal States of Europe from 1860 to 1881 brings out the significant fact that, while our trade has increased 85 per cent., that of the fourteen countries combined has

grown 162 per cent, or nearly twice as fast as our own; and these figures are becoming more and more unfavourable. In the growth of the European continental trade we have failed to participate, except as carriers. We have up to the present time proceeded on the old, comfortable, easy system of permitting things to arrange themselves, and the only policy, or what has taken the place of a policy, has been *laissez aller*. This was possible while markets were to be had at will, and customers were more numerous than producers. But now, with overstocked markets at home, our population increasing, and hemmed in by competition and hostile tariffs on all sides, we must not only reverse this easy-going policy, but throw ourselves into the struggle with our utmost energies. There is room here in abundance for drastic reform. The only remedy for this state of affairs is to discover new customers, who are to be found in new markets, and in developing those already existing. These areas for the extension of our commerce are to be found in the colonies and in the unopened markets of Asia and Africa. The value of the British colonies and possessions is not even yet recognised by the mercantile and manufacturing classes of the country, and still less by the working man. They are by far our best customers."

I agree in this view. The mutual trade of the British Empire is only in its infancy. It behoves us to increase and develop it by every possible means. We must throw ourselves into the struggle with increased energy.

All patriotic Britons are now seeking to bring about that Imperial Federation of our glorious Empire which will secure that united action, that general concern of each individual in the welfare of the whole commonwealth, which are the only pillars of stability, prosperity, and might. But, at the same time, let us put aside all prejudice, and by the persevering instruction of our youth in practical geography, the science of trading, and foreign languages, fit them for that commercial life which is the pride of the country.

Let us inquire into the openings British men and women can find in Greater Britain. During the last thirty-two years, no less than 5½ million persons have emigrated from the mother country. Of these, 20 per cent., or one-fifth, have gone to Australasia, 10 per cent, to Canada, and 60 per cent, to the United States of America. Is there a true patriot who can look without sorrow at the emigration of nearly four million British subjects to another flag? It is not only because in their oath of naturalisation they "particularly, absolutely, and entirely renounce and abjure all allegiance and fidelity to Victoria, Queen of Great Britain and Ireland;" but also because they do the friends they leave behind a grievous wrong.

There can be no true relationship without a common nationality; and who would not sooner cut off his right hand than lose his British citizenship or take that oath, while there is British soil equally attractive and offering better prospects crying out for population? The four millions of emigrants who have gone to America may not only one day have to take up arms against us — pray God that it may be in the very distant future, if at all; but they only consume, as we have seen, £2,000,000 worth of British manufactures per annum, instead of £32,000,000 worth, if they had gone to Australasia. It is much to be regretted that past Governments have not recognised this matter, and taken steps to prevent the cheaper passage to America deciding the choice of a new home. Nobody wants those to emigrate who are doing well here. But if times are hard, trade bad, or competition excessive, why hesitate? There is no reason why a man should go for good. The journey for a single man is nothing at all, and if he does not like it he can come home again. He will find a glorious climate, plenty of work for industrious hands, the telegraph tells him every day all that is passing here, and every week brings letters from "Our Home." The laws are the same, the customs are the same, the sports are the same, and the openings are unbounded. But do not misunderstand me. There are openings without number for capital, for enterprise, for intelligence, and for hands. But there are none for "ne'er-do-wells," or for mere clerical aptitude. Hands are wanted—not heads. There are too many heads already, and all the vacancies are filled up from the well-educated ranks of born colonials.

Now what are the class of men who are wanted and who find ready employment? Chief among them, come men with a knowledge of machinery, who can drive a stationary or locomotive steam engine, understand its mechanism, and do the repairs themselves. Then carpenters, plumbers, masons, and bricklayers are in constant demand. But most of all, farm labourers and handy men are in request. The wages vary in the several colonies, but they may be generally taken as fully half as much again as at home, and with every prospect of advancement in life. House rent is dearer in the neighbourhood of towns, but living is not expensive, and in most parts of Australasia 4d. or 5d. a pound for prime meat is high. It goes without saying that for men with large or even small capital, say £1000, the chances of very favourable investment are innumerable if they will only bide their time, look before they leap, gain colonial experience, and unlearn much of their old-world knowledge. But those who want to get on must work desperately hard, perhaps harder than they ever did at home, with many ups and downs; they will have to undergo many hardships in all probability; yet in front of all there is wealth, position, and influence. It is attainable by the most persevering of the very humblest.

But I must not forget the ladies. They must pardon my want of gallantry if I tell them that females are greatly in excess in England. They are, however, greatly in the minority in the colonies. The demand for female domestic servants is far greater than the supply, and wages are excellent. They are well treated and fed, and in

addition to all this, they will probably be able to exercise much freedom of choice to what fortunate man they will say "for better, for worse." In spite of the great areas wanting population, and the constant demand for good hands in Australasia, the Colonial Governments have to be very careful of their popularity in assisting immigration, as, of course, the tendency is to reduce the rate of wages by increasing the supply of labour. But the Governments of Queensland and New South Wales still offer considerable facilities, as does Canada and the Cape Colony.

It is not my purpose to recommend anyone to emigrate, and still less to recommend any particular colony. But if there is any single man under thirty-five years of age, any single female under thirty, any married couple under forty years of age, who think for any reason of seeking a new home, then the best advice I can give them is to get the "Handy Guide to Emigration to the British Colonies," published by the Central Emigration Society, and then write to the Agent-General of the Colony they select, in Victoria Street, London, for all the latest particulars as to passage, and information as to free grants of land, etc. But whatever the decision be,

*"Hold with Britain heart and soul—
One life, one flag, one fleet, one throne—
Britons hold your own,
And God guard all!"*

C. E. Howard Vincent.

October 1886.

British Colonies and Possessions.

The Possessions of the British People.

Approximate Statistics.

Approximate Armed Defensive Strength of our Empire.

500 Ships of War; 106,000 Sailors.

2,250,000 Soldiers (Regular, Reserve, Retired, or of the Great Police Army of Order) and 20,000 Cannon.

The English-speaking People over the World number about 100,000,000.

The Mother Country.

The Approximate Naval Strength of the British Empire.

500 Ships of War with an aggregate burden of about 1,000,000 tons, and a total of 106,000 Officers, Seamen, and Royal Marines.

THE BRITISH NAVY (including the Naval Forces, of course, of Australasia and India) consists of 80 Armour-plated Vessels of War, each averaging 7000 tons burden.

140 Armed Cruisers, Sloops, and Gun-boats, averaging 1300 tons burden.

160 Torpedo Vessels and Boats.

120 Armed Transports, Troop Ships, Despatch Vessels, and Tugs.

500 (At least) Fast Ocean Steamers, easily adaptable and ready at short notice as Armed Cruisers with their complement of able Officers and Seamen from the Merchant Marine.

47,000 Officers and Sailors in permanent employ.

13,000 Officers and Soldiers of the Royal Marine Artillery and Light Infantry.

22,000 Naval, Regular, and Volunteer Reserve.

24,000 Trained "British Tars" on pensions, but ready with Hearts of Oak to obey their country's call.

The Approximate Military Defensive Strength of the British Empire.

TWO MILLION TWO HUNDRED AND FIFTY THOUSAND MEN.

185,000 Officers, Non-Commissioned Officers, and Soldiers of the British Regular Standing Army at Home and Abroad.

460,000 Officers and Soldiers in the Reserve Forces of Great Britain and Ireland.

65,000 Drilled Police.

500,000 (At least) Officers and Soldiers, in Great Britain trained to arms, in the Regular Army, Militia, or that Volunteer Force for National Defence, which is the proudest institution of British patriotism, but now retired from active duty until summoned by their country's bugle-call.

700,000 Officers and Soldiers, in Greater Britain (Australasia, Canada, and South Africa), who have been trained to arms, and are now in either the Permanent Forces, Armed Constabulary, Standing Militia, Reserve Militia, or Volunteer Forces.

150,000 Indian Troops.

190,000 Indian Police.

Comparative Surface of British Colonies to that of other States.

England has 65 square miles of colony to the square mile of her own area; Holland 54; Portugal, 20; Denmark, 6.30; France 1.90; Spain, 0.86 square miles.

The area of the British Colonies is nearly 8,000,000 square miles—rather less than the area of the Russian Empire, including Siberia and Central Asia; but if the area of the native feudatory States in India, amounting to 509,284 square miles, be added, over which England exercises as great control as Russia does over much of the territory under its sway, together with that of the United Kingdom itself, 120,757 miles, then the area of the British Empire exceeds that of the Russian Empire by about 200,000 square miles, and it covers within a fraction of one-sixth of the whole land area of the globe.

NOTE 1.—The mutual trade between the Possessions of the British People embraces every single article required for food, clothing, education, commerce, manufacture, or agriculture, and for all the pursuits, avocations, and pleasures of every class of the people; and is capable of such limitless expansion, by reason of the diversities of climates and geological conditions, as to make the British Empire—with a due commercial understanding between its several local governments—absolutely independent of the productions of every other country in the world.

NOTE 2.—The foregoing Table is compiled from the various Official Annual Statements issued in this country, and the values are in almost all cases those at which the articles are appraised on importation, which include the freight and cost of transport. These statements are deficient in many of the particulars needed for full information, as may be seen by the many *blanks*, and the absence of many Possessions, denoting that there are no available returns. It must be taken, therefore, as but an approximation, though a close one, to complete accuracy. So far as the inter-colonial trade is concerned, most of the figures which make up the 2nd column as imports *into* the one possession are again included in column 4 as exports *from* another. The grand total, therefore, in column 5 is swollen through this duplication by about £43,000,000, but it falls short by many smaller amounts, of which there are no returns. It may be approximately stated that the whole mutual trade of the Empire is to the value of between £250,000,000 and £300,000,000.

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The Law of Population: Its Consequences, and Its Bearing upon Human Conduct and Morals
By Annie Besant.

[Ninetieth Thousand.]

decorative feature London: Freethought Publishing Company, 63, Fleet Street, E.C. 1884

Price Sixpence.

London Printed by Annie Besant and Charles Bradlaugh, 63, Fleet Street, E.C.

Preface to Seventieth Thousand.

English Edition, 1882.

FOUR-AND-A-HALF years have passed away since this little book was first issued; it was written for the poor, in the hope that by the information therein given—information long familiar to and long acted upon by the wealthier classes of society—poor men and women might make the home happy, and rear in respectability and comfort a limited number of children, children who should hereafter bless the parents whose wisdom and forethought had given them a fair chance in the life-race. That hope has been largely realised. During these years fifty thousand copies of the book have found their way into English homes; across the Atlantic it has found warm welcome, and very large American editions have been sold. It has been translated into German, Italian, French, Swedish, and Dutch, and has thus spread over the Continent of Europe, while the English edition has been largely sold in Hindustan, Australia, and New Zealand. A circulation so wide is the sign of the need which this pamphlet has striven to supply. Everywhere men and women are struggling for life; everywhere the labor market is overcrowded and the workers are starving; no longer are the masses content to labor and die without effort to change their condition; education is spreading, and men in becoming rational become prudent and far-seeing. Parents see the labor market over-crowded to-day, and can calculate the result of largo families growing up in the near future, so that ten shall fight for the work which is already too little for two. Hence the determination to limit the number of the family within the means of sustaining it in decency and in comfort.

This growing determination has been largely spread by the work of the Malthusian League. This body was founded to defend and promulgate the doctrine of early marriage, parental responsibility, and limitation of the family. By tracts, leaflets, and lectures these doctrines have been taught from one end of the United Kingdom to the other; doctors and clergymen are found within the ranks of these workers for humanity; wives and mothers have pressed in to aid in the good work. To the President of the League, C. Drysdale, M.D., the poor owe largo debt of thanks, and in the days to come his name will not be unremembered by those to whom he has devoted his means and his life.

The progress made by the views advocated in this pamphlet has been startlingly rapid. At first no words were too strong to hurl against the audacious teachers of doctrines offensive to the wealthy although welcomed by the poor. Mr. Truelove was imprisoned for selling a publication identical in object with the present work, and Sir George Jessel, the Master of the Polls, thought no words too coarse and too brutal for condemnation of myself. Today, all thoughtful people are recognising the absolute necessity of grappling with the growing poverty of the masses, and the leading journals even of London, deprecate the reckless multiplication which renders nugatory all attempts to cure the sore of pauperism. People are beginning to understand that some change must be made; they see France growing in prosperity, peaceful and contented, and they see the threatening socialism of Germany; they contrast the conjugal prudence of the French with the conjugal recklessness of the German; they note the birth-rate of the two countries, and see therein one of the reasons for the contrast. They see the high birth-rate of England and of Ireland, the constant strain of living, the scarcity of work and of food. Rational human beings cannot fold their arms idly in face of these perils, and they are gradually accepting as an axiom the doctrines which they at first repelled with scorn.

"The world moves," and it moves onward. Early marriage and limitation of the family mean growth of social purity and of homo happiness among the people. The bigots and the persecutors may, if they will, still fight against the inevitable, but the people have caught a glimpse of the path, out of poverty and none can turn them back. Persecution has only popularised our doctrines. The first issue of this little book was a rallying flag held firmly in the whirl of the struggle; the present issue of the seventieth thousand is the triumphal flag planted

on the citadel which has been won from the foe.

ANNIE BESANT.

In issuing another twenty thousand of this little book, I have nothing to add to the above.—A. B., 1884.

The Law of Population.

Chapter I. The Law of Population.

THE law of population first laid down in this country by the Rev. T. R. Malthus in his great work entitled "The Principle of Population," has long been known to every student, and accepted by every thinker. It is, however, but very recently that this question has become ventilated among the many, instead of being discussed only by the few. Acknowledged as an axiom by the naturalist and by the political economist, the law of population has never been appreciated by the mass of the people. The free press pioneers of the last generation, Richard Carlile, James Watson, Robert Dale Owen—these men had seen its importance and had endeavored, by cheap publications dealing with it from its practical side, to arouse attention and to instruct those for whom they worked. But the lesson fell on stony ground and passed almost unheeded; it would, perhaps, be fairer to say that the fierce political conflicts of the time threw all other questions into a comparative shade; nor must the strong prejudice against Malthus be forgotten—the prejudice which regarded him as a hard, cold theorist, who wrote in the interest of the richer classes, and would deny to the poor man the comfort of wife and home. The books issued at this period—such as Carlile's "Every Woman's Book," Knowlton's "Fruits of Philosophy," R. D. Owen's "Moral Physiology"—passed unchallenged by authority, but obtained only a limited circulation; here and there they did their work, and the result was seen in the greater comfort and respectability of the families who took advantage of their teachings; but the great mass of the people went on in their ignorance and their ever-increasing poverty, conscious that mouths multiply more rapidly than wages, but dimly supposing that Providence was the responsible agent, and that where "God sends mouths" he ought to "send meat." One or two recognised advocates for the people did not forget the social side of the work which they had inherited; men like Austin Holyoake and Charles Bradlaugh, carrying on the struggle of Carlile and Watson, were not careless of this vital portion of it, and Mr. Holyoake's "Large and Small Families," and Mr. Bradlaugh's declaration that the *National Reformer* was to be "Malthusian" in its political economy, proved that these two, at least, were sound on this scarcely regarded branch of social science.

Now, all has changed; Malthusianism has become one of the "burning questions" of the day, and a low-priced work, stating clearly the outlines of the subject, has become a necessity. Our paternal authorities, like their predecessors, entertain a horror of cheap knowledge, but they will have to assent to the circulation of cheap information on social science, as those who went before them were compelled to tacitly assent to cheap information touching kings and priests.

The law of population, tersely stated, is—"there is a tendency in all animated existence to increase faster than the means of subsistence." Nature produces more life than she can support, and the superabundant life is kept down by the want of food. Malthus put the law thus: "The constant tendency in all animated life to increase beyond the nourishment prepared for it." It is observed by Dr. Franklin," he writes, "that there is no bound to the prolific nature of plants or animals but what is made by their crowding and interfering with each other's means of subsistence . . . Throughout the animal and vegetable kingdoms, nature has scattered the seeds of life abroad with the most profuse and liberal hand; but has been comparatively sparing in the room and the nourishment necessary to rear them." "Population," Malthus teaches, "when unchecked, goes on doubling itself every twenty-five years;" "in the northern States of America, where the means of subsistence have been more ample, the manners of the people more pure, and the checks to early marriages fewer than in any of the modern States of Europe, the population has been found to double itself, for above a century and a half successively, in less than twenty-five years . . . In the back settlements, where the sole employment is agriculture, and vicious customs and unwholesome occupations are little known, the population has been found to double itself in fifteen years. Even this extraordinary rate of increase is probably short of the utmost power of population."

The "power of increase" of the human species, according to John Stuart Mill, "is indefinite, and the actual multiplication would be extraordinarily rapid, if the power were exercised to the utmost. It never is exercised to the utmost, and yet, in the most favorable circumstances known to exist, which are those of a fertile region colonised from an industrious and civilised community, population has continued for several generations, independently of fresh immigration, to double itself in not much more than twenty years . . . It is a very low

estimate of the capacity of increase, if we only assume that in a good sanitary condition of the people, each generation may be double the number of the generation which preceded it." James Mill wrote: "That population therefore has such a tendency to increase as would enable it to double itself in a small number of years, is a proposition resting on the strongest evidence, which nothing that deserves the name of evidence has been brought on the other side to oppose."

Mr. McCulloch tells us that "it has been established beyond all question that the population of some of the states of North America, after making due allowance for immigration, has continued to double for a century past in so short a period as twenty, or at most five-and-twenty, years." M. Moreau de .Tonnes gives us the following table of the time in which the population of each of the under-mentioned countries would double itself:—

We shall take but a narrow view of the law of population if we confine ourselves exclusively to human beings. Man is but the highest in the animal kingdom, not a creature apart from it, and the law of population runs through the animal and vegetable worlds. To take the commonest illustration: the horse is but a slowly breeding animal, producing but one at a birth, and that at considerable intervals of time; yet how small a proportion of the horses of a country are either stallions or brood mares; the reproductive organs of the colt are destroyed in the enormous majority of those born, and, nevertheless, our production of horses suffices for the vast needs of our commercial and luxurious classes. Darwin, in his "Origin of Species," writes:—"There is no exception to the rule that every organic being naturally increases at so high a rate that, if not destroyed, the earth would soon be covered by the progeny of a single pair. Even slow-breeding man has doubled in twenty-five years, and at this rate, in a few thousand years, there would literally not be room for his progeny. Linnæus has calculated that if an annual plant produced only two seeds—and there is no plant so unproductive as this—and their seedlings next year produced two and so on, then in twenty years there would be a million plants. The elephant is reckoned the slowest breeder of all known animals, and I have taken some pains to estimate its probable minimum rate of natural increase; it will be under the mark to assume that it breeds when thirty years old, and goes on breeding till ninety years old, bringing forth three pair of young in this interval; if this be so, at the end of the fifth century there would be alive 15,000,000 elephants, descended from the first pair. But we have better evidence on this subject than mere theoretical calculations, namely, the numerous recorded cases of the astonishingly rapid increase of various animals in a state of nature, when circumstances have been favorable to them during two or three following seasons. Still more striking is the evidence from our domestic animals of many kinds which have run wild in many parts of the world; if the statements of the rate of increase of slow-breeding cattle and horses in South America, and latterly in Australia, had not been well authenticated, they would have been incredible. So it is with plants; cases could be given of introduced plants which have become common throughout whole islands in a period of less than ten years. Several of the plants, such as the cardoon and a tall thistle, now most numerous over the wide plains of La Plata, clothing square leagues of surface almost to the exclusion of all other plants, have been introduced from Europe; and there are plants which now range in India, as I hear from Dr. Falconer, from Cape Comorin to the Himalayas, which have been imported from America since its discovery. In such cases, and endless instances could be given, no one supposes that the fertility of these animals or plants has been suddenly and temporarily increased in any sensible degree. The obvious explanation is that the conditions of life have been very favorable, and that there has consequently been less destruction of the old and young, and that nearly all the young have been enabled to breed. In such cases the geometrical ratio of increase, the result of which never fails to be surprising, simply explains the extraordinary rapid increase and wide diffusion of naturalised productions in their new homes. In a state of nature almost every plant produces seed, and amongst animals there are very few which do not annually pair. Hence, we may confidently assert that all plants and animals are tending to increase at a geometrical ratio, that all would most rapidly stock every station in which they could anyhow exist, and that the geometrical tendency to increase must be checked by destruction at some period of life."

Mr. John Stuart Mill also remarks: "The power of multiplication inherent in all organic life may be regarded as *infinite*. There is no species of vegetable or animal, which, if the earth were entirely abandoned to it, and to the things on which it feeds, would not in a small number of years overspread every region of the globe of which the climate was compatible with its existence."

The rapid multiplication of rabbits in Australia has lately given a startling instance of reproductive power; a number of rabbits were taken over and let loose; the district was thinly peopled, so they were not shot down to any great extent; their natural enemies, the hawks, weasels, etc., that prey on their young in England, were not taken over with them; food was abundant, and there was no check to keep them back; the consequence was that whole districts were overrun by them, and the farmers were at their wits' end to save their crops from the swarming rodents. In France, again, owing to the wholesale destruction of small birds, there was a perfect plague of insects, and the inhabitants of many districts have striven to import birds, so as to prevent the insects from practically destroying the vegetation.

While in the vegetable and animal kingdoms the rapidity of the increase is generally far greater than in the human race, we have yet seen how rapidly man has been found to increase where the circumstances surrounding him were favorable to vigorous life. We have never yet, however, seen the full power of reproduction among mankind; the increase of population in America "falls very far short," says the author of the "Elements of Social Science," "of the possible rate of increase, as is seen by the short average of life in America, and by the largo amount of the reproductive power which, even in that country, is lost from celibacy and prostitution. . . . The Capacity of increase in the human race, as in all other organised beings, is, in fact, boundless and immeasurable."

But while animated existence increases thus rapidly, no such swift multiplication can be secured of the means of subsistence. The means of subsistence of vegetable life are strictly limited in quantity; the amount obtainable from the soil may be increased by manure, by careful tillage, by rotation of crops, by improved methods of husbandry, but none the less is this amount limitable, while there is no limit to the power of life-production; if the soil and air and light could be indefinitely stretched, vegetable life would still suffice without effort to clothe the increased surface. But since the size of the globe inexorably limits the amount of vegetable produce possible of growth, the limited vegetable produce must, in its turn, limit the amount of animal life which can be sustained. While increased knowledge, skill and care may augment the means of subsistence obtainable from the earth, yet animal life multiplies more rapidly than can its food. As is truly said by the author just quoted: "From a consideration of the law of agricultural industry, and an estimate of the rate at which the means of subsistence could be increased in old countries, even under the most favorable circumstances, it may be inferred with certainty that these means of subsistence could not possibly be increased so fast as to permit population to increase at its natural rate. . . . Let us apply the American rate of increase to the population of this country. Is it conceivably possible that the population of England or any old country should double itself every twenty-five years? In Great Britain there are now" (the book was written many years ago) "about twenty-one millions; is it conceivable that the means of subsistence could be so rapidly increased as to allow those twenty-one millions to swell to forty-two millions in the first twenty-five years; to eighty-four millions in the next; 168 millions in the next, &c.? The supposition is evidently absurd. Even the rate of increase of the last fifty-three years (in which time the population has doubled) cannot possibly be long continued. If it were, it would increase our population in three centuries to about 1,300 millions; or, in other words, to more than the total population of the globe, which is estimated at about 1,000 millions."

Wherever, then, we look throughout Nature, we find proofs of the truth of the law, that "there is a tendency in all animated existence to increase faster than the means of subsistence." This is the law of which Miss Martineau said that it could be no more upset than a law of arithmetic; this is the law which John Stuart Mill regarded "as axiomatic;" this is the law which the Lord Chief Justice designated "an irrefragable truth." Controversialists may quarrel as to its consequences, and may differ as to man's duty in regard to them, but no controversy can arise among thinkers on the law itself, any more than on the sphericity of the earth.

Chapter II. Its Consequences.

It is abundantly clear, from experience, that population does not, as a general rule, increase at anything like the rate spoken of in the preceding chapter. The earth would, long ere now, have become unable to support her offspring if they had multiplied at the pace which the naturalist tells us is possible—if, for instance, all rabbits had increased in the same ratio as those taken over to Australia and naturalised there. Some cause must therefore be at work checking the increase and preventing over-rapid multiplication, holding the balance, in fact, roughly even between the means of subsistence and the living creatures who consume them. In the vegetable kingdom the checks to increase are not difficult to find. Every plant needs for its development suitable soil, moisture, air, and light; these are its means of subsistence. The amount of these is limited, while the power of multiplication in the vegetable is unlimited. "What is the necessary consequence"? That of the myriad seeds produced only a few will develop into seed-bearing plants; each seed needs a certain proportion of soil, moisture, air, light; if they fall round the parent stem and sprout into seedlings they so crowd each other that the weaker perish; every gardener knows that his seedlings need thinning if any are to grow into useful plants, that his plantations must be thinned out if any tree is to have full development; an over-crowded plantation, an over-crowded garden-bed, gives a crop of dwarfed, stunted, weak, and useless plants. These facts are so commonplace that they pass continually before our eyes, and the simple inference from them is unregarded. There is another check of a severe character on vegetable increase. Birds eat the seeds; animals browse on the plants; man uses many kinds for his own support; the wheat sown in one year not only produces the seed-corn for the ensuing season, but also affords so vast a multiplication as to supply the world with bread; the animal world preys on the vegetable, and so is made a chock which destroys the mature, as well as the check of want of room and nourishment which destroys the infant, growth. Out of 357 seedlings of English

weeds, carefully watched by Mr. Darwin, 295 were destroyed. On some heaths near Farnham, in the portions enclosed during ten years previously, self-sown firs were observed by him springing up so closely that all could not live, while in the unenclosed portions not one young tree was to be seen. On close examination Mr. Darwin found in one square yard thirty-two little trees no higher than the heather, one with twenty-six rings of growth; the check here was the browsing of cattle over the open part of the heath. In the animal kingdom the same class of checks is found; the rabbit which in Australia has become an intolerable plague, is kept down to a fair level in England, not because he multiplies less rapidly, but because the check of destruction is brought to bear upon him; food is scarcer in the more cultivated land; guns and traps send him to the market in millions; hawks, weasels, cats, prey upon his young; he produces life rapidly, but the check of death waits upon him and keeps him down. the swift increase of plants and animals under favorable circumstances, dealt with in Chapter I., shows the enormous power of the destructive checks which generally keep in subjection the life-producing force. Once more turning to Mr. Darwin, we read:—

"Of the many individuals of any species which are periodically born, but a small number can survive A struggle for existence inevitably follows from the high rate at which all organic beings tend to increase. Every being, which during its natural lifetime produces several eggs or seeds, must suffer destruction during some period of its life, and during some season or occasional year, otherwise on the principle of geometrical increase, its numbers would quickly become so inordinately great that no country could support the product. Hence, as more in [*unclear*: deciduals] are produced than can possibly survive, there must in every case be a struggle for existence, either one individual with another of the same species, or with the individuals of distinct species, or with the physical conditions of life. It is the doctrine of Malthus applied with manifold force to the whole animal and vegetable kingdoms; for in this case there can be no artificial increase of food, and no prudential restraint from marriage. Although some specks may be now increasing more or less rapidly in numbers, all cannot do so, for the world would not hold them Our familiarity with the larger domestic animals tends, I think, to mislead us; we see no great destruction falling on them, and we forget that thousands are annually slaughtered for food, and that in a state of nature an equal number would have somehow to be disposed of. . . . In looking at nature, it is most necessary to keep the foregoing considerations always in mind—never to forget that every single organic being around us may be said to be striving to the utmost to increase in numbers; that each lives by a struggle at some period of its life; that heavy destruction inevitably falls either on the young or old during each generation or at recurrent intervals. Lighten any check, mitigate the destruction ever so little, and the number of the species will almost instantaneously increase to any amount."

If there be such vast destruction of life throughout the vegetable and animal kingdoms, necessarily consequent on the superabundance of life produced, is man exempt from the same law?

Malthus laid down the three following propositions, propositions of which this book is only an amplification:—

- Population is necessarily limited by the means of subsistence.
- Population invariably increases where the means of subsistence increase, unless prevented by some very powerful and obvious checks.
- These checks, and the checks which repress the superior power of population, and keep its effects on a level with the means of subsistence, are all resolvable into moral restraint, vice, and misery.

"The ultimate check to population appears to be a want of food, arising necessarily from the different ratios according to which population and food increase. But this ultimate check is never the immediate check, except in cases of actual famine. The immediate check may be stated to consist in all those customs and all those diseases, which seem to be generated by a scarcity of the means of subsistence; and all those causes, independent of this scarcity, whether of a moral or physical nature, which tend prematurely to weaken and destroy the human frame." These causes which retard the growth of population by killing human beings, either slowly or rapidly, are all classed together by Malthus under the head of "positive" checks; they are the "natural" checks to population, common alike to vegetables, to animals, to man; they are all checks of suffering, of want, of disease; they are life-destroying, anti-human, brutal, irrational.

These checks are, as might be imagined, more striking, more openly repulsive, more thorough, among savage than among civilised nations. "War, infanticide, hardship, famine, disease, murder of the aged, all these are among the positive checks which keep down the increase of population among savage tribes. War carries off the young men, full of vigor, the warriors in their prime of life, the strongest, the most robust, the most fiery—those, in fact, who, from their physical strength and energy would be most likely to add largely to the number of the tribe. Infanticide, most prevalent where means of existence are most restricted, is largely practised among barbarous nations, the custom being due, to a great extent, to the difficulty of providing food for a large family. Hardship carries away many a child in savage life: "Women," says Malthus, "obliged, by their habits of living, to a constant change of places, and compelled to an unremitting drudgery for their husbands, appear to be absolutely incapable of bringing up two or three children nearly of the same age. If

another child be born before the one above it can shift for itself, and follow its mother on foot, one of the two must almost necessarily perish from want of care." Famine, so easily caused among a primitive community, sweeps off young and old together; epidemics carry away almost a whole tribe at one swoop; the aged are often slain, or left to perish, when their feebleness no longer permits them to add to the productive force of the community.

All these miseries are the positive and natural checks to population among uncivilised beings; among the more civilised the checks are the same in kind although more decently veiled. But the moment we come among civilised nations a new factor is introduced into the problem which complicates it very considerably. Hitherto we have seen Nature—apart from man—going her own way, producing and destroying without let or hindrance. But when we examine civilised nations we find a new agent at work; Nature's grandest product, the brain of man, now comes into play, and a new set of circumstances arises. Men, women, and children, who would be doomed to death in the savage state, have their lives prolonged by civilisation; the sickly, whom the hardships of the savage struggle for existence would kill off, are carefully tended in hospitals, and saved by medical skill; the parents, whose thread of life would be cut short, are cherished on into prolonged old age; the feeble, who would be left to starve, are tenderly shielded from hardship, and life's road is made the smoother for the lame; the average of life is lengthened, and more and more thought is brought to bear on the causes of preventible disease; better drainage, better homes, better food, better clothing, all these, among the more comfortable classes, remove many of the natural checks to population. Among these nations wars become less frequent and less bloody; famines, owing to improved means of intercommunication, become for a time almost impossible; epidemics no longer depopulate whole districts. In England, in A.D. 1258, no less than 15,000 people were starved to death in London alone; in France, in A.D. 1348, one-third of the whole population perished from the same cause; in Borne, from A.D. 250-265, a plague raged, that, for some time, carried off daily 5,000 persons; in England, in A.D. 1506 and 1517, the sweating sickness slew half the inhabitants of the large towns and depopulated Oxford; in London, in A.D. 1603-4, the plague killed 30,578 persons, and in A.D. 1664-5 it destroyed 68,596; in Naples, in A.D. 1656, 400,000 died, and in Egypt, A.D. 1792, above 800,000. These terrible epidemics and famines have ceased to sweep over Europe, but for how long? This decrease of natural checks to population, consequent on advancing civilisation, has, unfortunately, a very dark side. Darwin has remarked: "Lighten any check, mitigate the destruction ever so little, and the number of the species will almost instantaneously increase to any amount." A signal instance of the truth of this remark is now being given to us in our Indian empire by the introduction there of Western civilisation; Lord Derby says: "We have established there order and peace; we have done away with local wars; we have lessened the ravages of pestilence; and we do what we can—and, in ordinary seasons, we do it with success—to mitigate the effects of destitution. The result is, naturally and necessarily, a vast increase in population; and, if present appearances can be trusted, we shall have in every generation a larger aggregate of human beings relying upon us for help in those periods of distress which must, from time to time, occur in a country wholly agricultural and liable to droughts." So that it appears that our civilisation in India, taking away the ordinary natural checks to population, *and introducing no others in their stead*, brings about a famine which has already destroyed more than 500,000 people in one Presidency alone, and has thrown about one and a half million more on charity. From this point of view civilisation can scarcely be regarded as an unmixed blessing, and it must not be forgotten that what is happening in India now must, sooner or later, happen in every country where science destroys the balance of nature.

Turning to England, we find that our population is growing rapidly enough to cause anxiety; although there are some severe checks, with which we shall deal presently, England has almost doubled her population during the last fifty years. In 1810 the population of England and Wales was about 10,000,000, and in 1860 it was about 20,000,000. "At the present time," writes Professor Fawcett, "it is growing at the rate of 200,000 every year, which is almost equivalent to the population of the county of Northampton. If in fifty years the descendants of one million become two millions, it is obvious that in 100 years the two millions will have become four millions, so that if the population of England were eight millions in 1810 it would be 80 millions in 1960." Forty years hence, if we maintain the rate of increase which we have kept up since the commencement of this century, some 40 millions of people will be crowded into our little island; yet "at the present time it is said that there is a great redundancy of labor. Many who are willing to work cannot find employment; in most of our important branches of industry there has been great overproduction; every trade and every profession is overcrowded; for every vacant clerkship there are hundreds of applications. Difficult as it is for men to obtain a livelihood, it is ten times more difficult for women to" do so; partly on account of unjust laws, and partly because of the tyranny of society, they are shut out from many employments. 'All that has just been stated is admitted by common consent—it is the topic of daily conversation, and of daily complaint—and yet with the utmost complacency we observe 200,000 added to our population every year, and we often congratulate ourselves upon this addition to our numbers, as if it were an unerring sign of advancing

prosperity. But viewed in relation to the facts just mentioned, what does this addition to our numbers indicate? To this question only one reply can be given—that in ten years' time, where there are a hundred now seeking employment there will then be a hundred and twenty. This will not apply simply to one industry, but will be the case throughout the whole country. It will also further happen that in ten years' time for every hundred who now require food, fuel, and clothing, a similar provision will have to be made for one hundred and twenty. It therefore follows that, low as the general average standard of living now is, it cannot by any means be obtained, unless in ten years' time the supply of all the commodities of ordinary consumption can be increased by 20 per cent., without their becoming more costly." The continually rising price of food is one of the most certain signs that population in England is pressing over hard on the means of subsistence; although our own corn and meat production is enormously supplemented by supplies from abroad, prices are always going up, and the largo amount of adulteration practised in every food-supplying trade is, to a great extent, an effort to equalise the supply and the demand. Much of the food on which our poor live is unwholesome in the extreme; let anyone walk through the poorer districts of London, or of any large town, and see the provisions lying for sale in the shops; it is not only the meat sold for cooking at home, the doubtful sugar, and not doubtful apology for butter, the blue milk, the limp and flabby vegetables—but let the enquirer stop at the cook-shop and inspect the fish, unpleasant both to eye and smell, in itself and in its cooking; the "faggots"—the eating of which killed a child the other day; the strangely shaped and strangely marked lumps of what should be moat; and, after an hour's walk, the searcher will not wonder at the wan, haggard fares of those who support life on this untempting fare. Even of this fare, however, there is not enough; the low fever so sadly common in poor districts, the "falling away," the hollow cough, the premature old age, all these are the results of insufficiency of food—insufficiency which does not kill at once, but slowly and surely starves away the life. Much of the drunkenness, most common in the poorest districts, has its root in lack of food; the constantly craving stomach is stilled with drink, which it would not desire if it were better filled.

But the pressure on the means of subsistence has other consequences than the living on unwholesome food. One of the earliest signs of too rapidly increasing population is the overcrowding, of the poor. Just as the overcrowded seedlings spoil each other's growth, so do the overcrowded poor injure each other morally, mentally, and physically. Whether we study town or country the result of our enquiries is the same—the houses are too small and the families are too large. Take, as illustrating this, the terrible instances given by Mr. George Godwin, in his essay on "Overcrowding in London." In Lincoln Court he states that: "In the majority of the houses the rooms are small, and the staircases are narrow and without ventilation. In two of them it was admitted that more than thirty-five persons lived in each; but it would probably be nearer truth to say that each house of eight rooms contains on' an average, including children, forty-five persons." "A child was found dead in Brown low Street, and on enquiry it was Learnt that the mother, a widow, and six children slept in one bed' in a small room. The death of the child was attributed to the bedclothes." "In a model lodging house for families, a father, who with his wife and one child occupies one room, has accommodated six of his nine other children the crossway on two camp bedsteads, while three elder girls, one sixteen years old, sleep on a small bedstead near." "In a respectable house not far from the last, occupied by steady artisans and others, I found that nine persons slept in one of the rooms (12 feet by 14 feet), a father, mother and seven children. Eleven shoemakers worked in the attics; and in each of the other five rooms there was a separate family. I could quote scores of such cases of overcrowding in what would seem to be decent houses." "Hundreds of modern houses, built in decent suburban neighborhoods, as if for one family only, are made to contain several. The neat external appearance of many of them gives no suggestion of the dangerously crowded state of the houses. A description of one of them in Bemerton Street, Caledonian Load, will be more truthful. The basement below the level of the street contains in the front room an old man and his wife; in the back room, two lodgers: in the parlors there are a man and his wife and eight children. On the first floor, a man and his wife and infant; two girls, sixteen and eighteen years of age, and occasionally their mother—all in the front room; and in the small back room, two women, a girl, and two young children. On the second floor, a father, mother, two grownup sons, an infant, and a brood of rabbits. Two women and two boys in the back room make the whole population of the house thirty-four. In the next there were thirty-three persons similarly divided." "In one small house, with staircase in the centre, there were in the four small rooms on each side of it, forty persons in the daytime. How many there may be at night I cannot say. The atmosphere on the staircase was sickening." Who can wonder that the death-rate is so high in large cities, and that the difference in the death-rate between the rich and poor sections of the same city is appalling? In Glasgow, for the quarter ending Juno 30th, the death-rate in the Blythswood division was 19; that in the Bridgegate and Wynds division 52½. Many of the deaths in the richer districts might be prevented by better sanitary arrangements and wider sanitary knowledge; the excess in the poorer districts is dearly preventible; with our present knowledge, and preventible death is manslaughter. As might be expected, the rate of infant mortality is very high in these overcrowded districts; where 200 children under the age of five; years die among the rich, 600 die among the poor; a young child is easily killed, and the

bad air and unwholesome food rapidly murder the little ones; again quoting from the Glasgow report: "A large number of the deaths, bearing the relation of 13½ per cent, to the total births, were those of children under one year." In addition to the actual deaths caused by overcrowding, we must add to the mass of misery accruing from it, the non-fatal diseases and the general debility and lack of vigorous life so common in our large centres of industry. "Overcrowding," says Mr. Godwin, "means want of pure air; and want of pure air means debility, continued fever, death, widowhood, orphanage, pauperism, and money loss to the living." Epidemics are most fatal in over-crowded districts, not only because they pass so rapidly from one to another, but also because the people dwelling in those districts have less vitality, less vigor of resistance, than those more fortunately circumstanced. "The great reason," said Dr. Drysdale in the late trial in the Court of Queen's Bench, "that typhus fever is so terrible a disease is that people are crowded. It is impossible to have health with large crowded families." Here then is one of the commonest checks to population in all great cities. Nor must the results to morality be omitted in this imperfect summary of the evils which grow out of over-crowding. What modesty, what decency, what self-respect is possible to these men and women, boys and girls, herded together, seven, ten, fourteen in a room? Only the absence of these virtues could make the life endurable for four-and-twenty hours; no delicacy of feeling can exist there, and we cannot wonder at Dr. Drysdale's sad answer in the recent trial: "They do not know what modesty is."

Can there be any doubt that it is the large families so common among the English poor that are at the root of this over-crowding? For not only would the "model lodging house" spoken of above have been less crowded if the parents, instead of having ten children, had had only two, but with fewer children less money would be needed for food and clothing, and more could be spared for rent. The artisan with six children, forced to live in a stalling pair of rooms in a back street in London in order to be near his work, might, if he had only two, spare money enough to pay his rail to and fro from the suburbs, where the same rent would give him decent accommodation; and not only would he have a better home, but the two children would grow strong in the free air, where the six pine in the London street, and the two would have plenty of food and clothing, where the six lack both. Mr. Godwin, recognises this fact; he says: "Amongst the causes which lead to the evil we are deploring we must not overlook the gradual increase of children, while in the case of the laboring man the income mostly remains the same As the children increase in number the wife is prevented from adding by her earnings to the income, and many years must elapse before the children can be put to work." "Ought to be put to work" would be a truer phrase, for the age at which young children are forced to help in winning their daily bread is one of the disgraces of our civilisation.

Overcrowding in country districts is, naturally, not so injurious to health as it is in the towns; the daily work in the open air, the fresh breeze blowing round the cottage, and cleansing, to some extent, the atmosphere within, the fields and lanes where the children can play, all these things may do much to neutralise the harm to health wrought by overcrowding at night. The injury to health caused by large families among the agricultural poor, arises more from other causes than from over-crowding; the low wage cannot pay for a house sufficiently good, and the cheap ill-built cottage, damp, draughty, badly-drained, brings to those who live in it the fever and the ague and the rheumatism so sadly common among these laboring classes. But the moral effect of over-crowding is, as the present Bishop of Manchester said—when serving as the Rev. J. Eraser in the Royal Commission on the employment of children, young persons, and women in agriculture—"fearful to contemplate." "Modesty," he goes on, "must be an unknown virtue, decency an unimaginable thing, where, in one small chamber, with the beds lying as thickly as they can be packed, father, mother, young men, lads, grown and growing up girls—two and sometimes three generations—are herded promiscuously; where every operation of the toilette and of nature—dressings, undressings, births, deaths—is performed by each within the sight or hearing of all; where children of both sexes, to as high an age as twelve or fourteen, or even more, occupy the same bed; where the whole atmosphere is sensual, and human nature is degraded into something below the level of the swine."

The too early putting of the children to work is one of the consequences of over-large families. In the country the children working in gangs in the fields learn evil speech and evil act at an age when they should be innocent, at school and at play. In town, in the factory and in the workroom, the seeds of disease are sown in the child-laborers. "Children in big families," says Dr. Drysdale, "are taken out to work very early, and premature exertion often injures them for life. . . . Children are not fit to do very much work so long as they are half developed, and early death is often the consequence." Children should not work for their bread; the frame is not fit for toil, the brain is not ready for the effort of long attention; those who give the life should support and protect it until the tenderness of childhood is passed away, and the young body is firm-knit and strong, prepared to take its share of the battle, and bear the burden and heat of the day.

From the same pressure and struggle for existence, consequent on the difficulty of winning the means of life in an over-crowded land, arise the unhealthy conditions among which many kinds of work are carried on. Mr. Godwin remarks, as to artificial flower-making: "In an upper room in Oxford Street, not ten feet square, I

have seen a dozen delicate young women closely shut up, pursuing this occupation Many of the workrooms of fashionable milliners are similarly over-crowded, as are those where young girls are engaged in book-stitching. Take, as an example, a house in Fleet Street, looked at not long ago. The passage is narrow; a door in it shuts with a spring; the staircase is confined and without ventilation; the atmosphere is steamy and smells of glue; ascending, it is seen that all the doors shut with springs. In the first room looked into, forty young women and girls were sorting and stitching books. . . . Poor creatures so placed are being slowly slain." Dr. Symes Thompson, writing on the "Influence of Occupation on Health and Life," points out the death-bringing circumstances under which too many of our wealth-producers toil; if there were fewer of them their lives would be more valuable than they are; horses and cattle are cared for and protected; the very machinery used is oiled and polished; only the human machines are worked under life-ruining conditions, and are left to struggle on as best they may. Dr. Thompson gives cases of printers—which every one connected with journalism can supplement by his own experience—where unwholesome atmosphere and preposterously long hours destroy the constitution. He tells us how the shoddy-grinders, the cocoa-matting weavers, the chaff-cutters, the workers in flax, woollen, and cotton factories, suffer from a "peculiar kind of bronchitis, arising from the irritation of the dust" and other matters inhaled, and the cough "is followed by expectoration, and, if the occupation is continued, emphysema, or, in those-predisposed to phthisis, tubercle is developed." At Sheffield the "inhalation of metal filings" is "destructive" to the knife and fork grinders, and although this might be prevented by the use of respirators the men's lives are not sufficiently valuable to be thus saved. If grit got into the works of a machine and ruined them the works would be covered over, but it may pass into men's lungs and kill them, and no one troubles. Brass-finishers and stonemasons labor under the same disadvantages; lead-poisoning is common among plumbers, painters, &c.; "women employed in lead works rarely bear healthy children; in a large number of cases miscarriage occurs at the fifth or seventh month, and if the children are born alive they rarely survive long. Lead exerts a similar influence on the reproductive powers in the male sex; men with lead affections seldom produce healthy children." Many of these diseases might be prevented, if the excessive number of workers did not make the prevention a matter of indifference to those concerned. Dr. Thompson says: "Let over-crowding and over-heating be avoided. There should be an abundant supply of pure air. The hours of work should be moderate, with fair intervals for meals. If there is much dust or other foreign matter in the air a suitable respirator should be used, or the offensive particles should be carried off by a current of air produced by a chimney or revolving wheel. Again, mechanical appliances may often take the place of hand-labor, and much may often be accomplished by the application of practical science and chemical knowledge." Thus we see indifference to life resulting from the over-crowding of the labor market, and in the unhealthy conditions among which many kinds of work are carried on we find a widely-spread check to population.

Baby-farming has only too justly been called the "hideous social phenomenon of the nineteenth century." It is the direct result of the pressure of over-large families, and is simply a veiled form of infanticide. Mr. Benson Baker, one of the medical officers of Marylebone, has written a sad notice of baby-farming. He speaks of a notorious case: "One of the stock from that model baby-farm is now under my care. This child, three years old, was employed by the proprietress as a gaffer or ganger over the younger babies. His duties were to sit up in the middle of the bed with eight other babies round him, and the moment any one of them awoke to put the bottle to their mouth. He was also to keep them quiet, and generally to superintend them." A vast number of children are slowly murdered annually in this way, and the death-rate is also very high in every place where many infants are kept together, whether it be in workhouse, hospital, or creche.

Another consequence of large families which must not be overlooked is the physical injury caused to the mothers. Among the poor, cases of *prolapsus uteri*, or falling of the womb, are only too common; *prolapsus uteri* results frequently from "getting about" too rapidly after child-birth, it being impossible for the mother of the increasing family to be by for that period of rest which nature absolutely enjoins. "Women," says Dr. Drysdale, "ought never to get up from confinement for some weeks after the child is born; but these poor women are so utterly unable to do without work that they are compelled to get up in a day or two. The womb being full of blood, falls down and produces infirmity for life." The doctor also says of this disease: "It is extremely common. Indeed, when I was obstetrical assistant at Edinburgh, it was one of the commonest diseases among women—the principal one, in fact." "Prolapsus, or falling of the womb," says Dr. Graily Hewett, "is an affection to which women are in one form or other exceedingly liable, and it is one which is not unfrequently productive of very much inconvenience and distress." The reason of the disease is not far to see. The womb, in its unimpregnated state, is "from two and a half to three inches long, and an inch and a half wide, more or less, at its largest part, and about an inch thick" (Dr. Marion Sims). During the nine months of pregnancy this organ is stretched more and more, until, at the end of nine months, it is capable of containing the fully developed infant. During these nine months the muscular substance of the womb "increases in thickness, while the whole organ enlarges in order to accommodate the growing foetus and its appendages" (Dr. Dalton).

At birth the muscular fibres begin to contract, and the womb ought to return to almost its original size. But in order that it may so return, the horizontal position is absolutely necessary for some days, and much rest for some weeks, until the muscles connected with the womb have regained something of their natural elasticity. If the mother be forced to leave her bed too early, if she be compelled to exert herself in housekeeping cares, to stand over the wash-tub, to bend over the fire—what happens? The womb, so long distended, has no chance of healthy contraction; the muscles which support it in its proper position have not recovered from the long strain; the womb itself is heavy with the blood flowing from the vessels yet unclosed, and it naturally falls and "produces infirmity for life." Too frequent pregnancy is another cause of *prolapsus vteri*, and of many other diseases of the womb. "We frequently find that the uterus becomes diseased from the fact that the pregnancies rapidly succeed each other, the uterus not having recovered its natural size when it becomes again occupied by an ovum" (Dr. Graily Hewett). The womb is too constantly put on the stretch, and is not allowed sufficient rest to recover its original vigor and elasticity. It takes about two months for the womb to thoroughly reconstruct itself after the delivery of a child; a new mucous membrane develops, and a degeneration and reconstruction of the muscles takes place, technically known as "the involution of the uterus." During pregnancy, the uterine muscles "increase very considerably in size. Their texture becomes much more distinctly granular, and their outlines more strongly marked . . . The entire walls of the uterus, at the time of delivery, are composed of such muscular fibres, arranged in circular, oblique, and longitudinal bundles. About the end of the first week after delivery, these fibres begin to undergo a fatty degeneration. . . . The muscular fibres which have become altered by the fatty deposit, are afterwards gradually absorbed and disappear, their place being subsequently taken by other fibres of new formation, which already begin to make their appearance before the old ones have been completely destroyed. As this process goes on, it results finally in a complete renovation of the muscular substance of the uterus. The organ becomes again reduced in size, compact in tissue, and of a pale ruddy hue, as in the ordinary unimpregnated condition. This entire renewal or reconstruction of the uterus is completed, according to Heschl, about the end of the second month after delivery" (Dr. Dalton). No words can add strength to this statement, proving the absolute right of women to complete repose from sexual disturbance during this slow recovery of the normal condition of the womb. Many a woman in fairly comfortable circumstances suffers from lack of knowledge of physical laws, and from the reckless English disregard of all conjugal prudence. Short of absolute displacement of the womb, and of grave uterine diseases, various disorders result from weakness of the over-taxed generative organs. Leucorrhœa is one of the commonest of these, producing general debility, pain in the back, indigestion, &c. It is not right, it is not moral, that mothers of families should thus ruin their health, causing suffering to themselves and misery to those around them; it is only a perverted moral sense which leads men and women to shut their eyes to these sad consequences of over-large families, and causes them thus to disregard the plainest laws of health. Sexual intemperance, the over-procreation of children, is as immoral as intemperance in drink.

Among the melancholy consequences of over-population we must not omit the foolish and sometimes criminal attempts made by ignorant people to limit the family; the foolish attempt is the prevalent habit of over-lactation arising from the mistaken idea that conception is impossible during the nursing of a child; the criminal attempt is the procuring of abortion by means of drugs or by the use of instruments. These will be more fully dealt with in Chapter III., and are only alluded to here as among the consequences of the pressure of over-population. Too often, indeed, do these come under the head of the positive, the life-destroying checks.

To turn to a different and more immediately life-destroying class of checks, that of war cannot, of course, be left out of this melancholy picture. Great famines are positive checks on a still more frightful scale. Lord Derby says as to India: "If present appearances can be trusted, we shall have in every generation a larger aggregate of human beings relying upon us for help in those periods of distress which must from time to time occur in a country wholly agricultural and liable to droughts." But what a confession of helplessness! Is it possible to sit down with folded hands and calmly contemplate the recurrence at regular intervals of such a famine as lately slew its tens of thousands? Yet the law of population is "an irrefragable truth," and these people are starved to death according to natural law; early marriages, large families, these are the promises; famine and disease, these are the conclusions. The same consequences will, sooner or later—sooner in an agricultural country, dependent on its crops, later in a manufacturing country commanding large foreign supplies, but always inexorably—produce the same fearful results.

One more melancholy positive check must be added, the last to which we shall here refer. It is the absolute child-murder by desertion or by more violent means: Dr. Lankester said that "there were in London alone 16,000 women who had murdered their offspring." Dr. Attwood lately stated of Macclesfield that the doctors in that town often had moral, though not legal, proof that children were "put away," and that Macclesfield was "no worse than any other manufacturing town."

Such are some of the consequences of the law of population; the power of production is held in check by the continual destruction, the number of births is balanced by the number of deaths. Population struggles to

increase, but the want of the means of existence heats it back, and men, women, and children perish in the terrible straggle. The more civilisation advances the more hopeless becomes the outlook. The checks imposed by "nature and providence," in which Sir Hardinge Giffard trusts for the prevention of over-population, are being removed, one by one, by science and by civilisation. War will be replaced by arbitration, and those who would have fallen victims to it will become fathers of families; sanitary knowledge will bring sanitary improvement, and typhus fever and smallpox will disappear as the plague and black death have done; children will not die in their infancy, and the average length of human life will increase. The life-destroying checks of "nature and providence" will be met with the life-preserving attempts of science and of reason, and population will increase more and more rapidly. What will be the result? Simply this: India to-day is a microcosm of the world of the future, and the statesman of that time will re-echo the words of the present Foreign Secretary with a wider application. Ought we then to encourage positive checks so as to avert this final catastrophe? Ought we to stir up war? Ought we to prevent sanitary improvements? ought we to leave the sickly to die? Ought we to permit infants to perish unaided? Ought we to refuse help to the starving? These checks may be "natural," but they are not human; they may be "providential," but they are not rational. Has science no help for us in our extremity? has reason no solution to this problem? has thought no message of salvation to the poor?

Chapter III. Its Bearing upon Human Conduct and Morals.

To the question that closes the last chapter there *is* an answer; all thinkers have seen that since population; increases more rapidly than the means of subsistence, the human brain should be called in to devise a restriction of the population, and so relieve man from the pressure of the struggle for existence. The lower animals are helpless, and must needs suffer, and strive, and die, but man, whose brain raises him above the rest of animated existence, man rational, thoughtful, civilised, he is not condemned to share in the brute struggle, and to permit lower nature to destroy his happiness and his ever-growing rapidity of progress. In dealing with the law of population, as with every other natural law which presses on him unpleasantly, civilised man seeks so to alter the conditions which surround him as to produce a happier result. Thinkers have, therefore, studied the law and its consequences, and have suggested various views of its bearing on human conduct and morals. It was acknowledged that the only way of escape from pauperism and from the misery occasioned by positive checks, was in the limitation of the population within the available means of subsistence, and the problem to be solved was—How shall this be done? Malthus proposed that preventive, or birth-restricting, should be substituted for positive, or life-destroying, checks, and that "moral restraint" should supersede "misery and vice." He lays it down as a principle of duty, that no one "is to bring beings into the world for whom he cannot find the means of support." This obligation, he says, is a "duty intelligible to the humblest capacity." But the duty being admitted on all sides, the crucial point is—How is this duty to be fulfilled? Malthus answers:—By delay of marriage. We are bound "not to marry till we have a fair prospect of being able to support our children;" in a right state of society "no man, whose earnings were only sufficient to maintain two children, would put himself in a situation in which he might have to maintain four or five;" a man -should "defer marrying, till, by industry and economy, he is in a capacity to support the children that he may reasonably expect from his marriage." Thus marriage—if ever possible to the poor—would be delayed until the middle of life, and the birth-rate would be decreased by a general abstention from marriage until a comparatively late age.

This preventive check would doubtless be an effectual one, but it is open to grave and fatal objections, and would only replace one set of evils by another. If late marriage were generally practised the most melancholy results would follow. The more marriage is delayed, the more prostitution spreads. It is necessary to gravely remind all advocates of late marriage that men do not and will not live single; and all women, and all men who honor women, should protest against a teaching which would inevitably' make permanent that terrible social evil which is the curse of civilisation, and which condemns numbers of unhappy creatures to a disgraceful and revolting calling. Prostitution is an evil which, we should strive to eradicate, not to perpetuate, and late marriage, generally adopted, would most certainly perpetuate it. The state of the streets of our large towns at nightfall is the result of deferred marriage, and marriage is deferred owing to the ever-increasing difficulty of maintaining a large family in anything like comfort.

Mr. Montagu Cookson, writing in the *Fortnightly Review*, says: "If, indeed, we could all become perfect beings, the rule of life deduced by Malthus from the unalterable law of population would be both practicable and safe; as it is, it has a direct tendency to promote the cardinal vice of cities—that of unchastity. The number of women in England who ply the loathsome trade of prostitution is already large enough to people a county, and, as our great thoroughfares show at nightfall, is certainly not diminishing. Their chief supporters justify themselves by the very plea which Malthus uses to enforce the duty of continence, namely, that they are not well enough off to maintain a wife and family. If they could be sure that they could limit the number of their children, so as to make it commensurate with their income, not only would the plea be-generally groundless,

but I believe it would not be urged, and the so-called social evil would be stormed in its-strongest fortress."

The evils resulting from late marriage to those who remain really celibate, must not be overlooked in weighing this recommendation of it as a cure for the evils of overpopulation. Celibacy is not natural to men or to women; all bodily needs require their legitimate satisfaction, and celibacy is a disregard of natural law. The asceticism which despises the body is a contempt of nature, and a revolt against her; the morality which upholds virginity as the type of womanly perfection is unnatural; to be in harmony with nature, men and women should be husbands and wives, fathers and mothers, and until nature evolves a neuter sex celibacy will ever be a mark of imperfection. Very clearly has nature marked celibacy with disapproval; the average life of the unmarried is shorter than the average life of the married; the unmarried have a less vigorous physique, are more withered, more rapidly aged, more peevish, more fanciful; "the disordered emotions of persons of both sexes who pass lives of voluntary or enforced celibacy," says Dr. Drysdale in his essay on Prostitution, "is a fast of every-day obsecration. Their bad temper, fretfulness, and excitability are proverbial." We quote from the same tractate the following opinions: "M. Villamay, in his 'Dictionnaire des Sciences Médicales,' says: 'It is assuredly true that absolute and involuntary abstinence is the most common cause of hysteria.' Again, at a meeting of the Medico-Chirurgical Society, reported in the *Lancet* of February 14th, 1859, Mr. Holmes Coote is reported to have said: 'No doubt incontinence was a great sin; but the evils connected with continence were productive of far greater misery to society. Any person could bear witness to this, who had experience in the wards of lunatic asylums.' Again, Sir Benjamin Brodie, at the Birmingham Social Science Meeting, is reported to have said, in a discussion on prostitution, that 'the evils of celibacy were so great that he would not mention them; but that they quite equalled those of prostitution!'" M. Block informs us that in France, out of 100 male lunatics, 65.72 are celibate, 5.61 are widowers, and only 28.67 are married; of 100 female lunatics, 58.16 are celibate; 12.48 are widows, and 29.36 are married. M. Bertillon, dealing with France, Holland, and Belgium, states that men who live celibate lives after twenty have, on an average, six years less of life than those who marry. The same fact holds good as regards married and unmarried women. A long train of formidable diseases results from celibacy—such as spermatorrhoea in the male, chlorosis and hysteria in the female—and no one who desires society to be happy and healthy should recommend late marriage as a cure for the social evils around us. Early marriage is best, both physically and morally; it guards purity, softens the affections, trains the heart, and preserves physical health; it teaches thought for others, gentleness and self-control; it makes men gentler and women braver from the contact of their differing natures. The children that spring from such marriages—where not following each other too rapidly—are more vigorous and healthy than those born of middle-aged parents, and in the ordinary course of nature the parents of such children live long enough to see them make their start in life, to aid, strengthen, and counsel them at the beginning of their career.

Fortunately, late marriage will never be generally practised in any community; the majority of men and women will never consent to remain single during the brightness of youth, when passion is strongest and feelings most powerful, and to marry only when life is half over and its bloom and beauty have faded into middle-age. But it is important that late marriage should not even be regarded as desirable, for if it became an accepted doctrine among the thoughtful that late marriage was the only escape from over-population, a serious difficulty would arise; the best of the people, the most careful, the most provident, the most intelligent, would remain celibate and barren, while the careless, thoughtless, thriftless ones would marry and produce large families. This evil is found to prevail to some extent even now; the more thoughtful, seeing the misery resulting from large families on low wage, often abstain from marriage, and have to pay heavy poor-rates for the support of the thoughtless and their families. The preventive check proposed by Malthus must therefore be rejected, and a wiser solution of the problem must be sought.

Later thinkers, recognising at once the evils of overpopulation and the evils of late marriage, have striven to find a path which shall avoid both Scylla and Charybdis, and have advocated early marriages and small families. John Stuart Mill has been one of the most earnest of these true friends of the people; in his "Political Economy" he writes: "In a very backward state of society, like that of Europe in the Middle Ages, and many parts of Asia at present, population is kept down by actual starvation. . . . In a more improved state, few, even among the poorest of the people, are limited to actual necessities, and to a bare sufficiency of those; and the increase is kept within bounds, not by excess of deaths, but by limitation of births. The limitation is brought about in various ways. In some countries, it is the result of prudent or conscientious self-restraint. There is a condition to which the laboring people are habituated; they perceive that by having too numerous families they must sink below that condition, or fail to transmit it to their children; and this they do not choose to submit to. The countries in which, so far as is known, a great degree of voluntary prudence has been longest practised on this subject are Norway and parts of Switzerland. . . . In both these countries the increase of population is very slow; and what checks it is not multitude of deaths, but fewness of births. Both the births and the deaths are remarkably few in proportion to the population; the average duration of life, is the longest in Europe; the population contains fewer children and a greater proportional number of persons in the vigor of life than is

know to be the case in any other part of the world. The paucity of births tends directly to prolong life, by keeping the people in comfortable circumstances." Clearly and pointedly Mill teaches "conjugal prudence;" he quotes with approval the words of Sismondi, who was "among the most benevolent of his time, and the happiness of whoso married life has been celebrated:" "When dangerous prejudices have not become accredited, when a morality contrary to our true duties towards others, and especially towards those to whom we have given life, is not inculcated in the name of the most sacred authority, no prudent man contracts matrimony before he is in a condition which gives him an assured means of living, and no married man has a greater number of children than he can properly bring up." Many other eminent men and women have spoken in the same sense; Professor Leone Levi advocates "prudence as regards the increase of our families." Mrs. Fawcett writes: "Those who deal with this question of pauperism should remember that it is not to be remedied by cheap food, by reductions of taxation, or by economical administration in the departments, or by new forms of government. Nothing will permanently affect pauperism while the present reckless increase of population continues." Mr. Montagu Cookson says that some may think "prudential restraint after marriage wilder than anything Malthus ever dreamt," but urges that "the numbers of children born after marriage should be limited," and that "such limitation is as much the duty of married persons as the observance of chastity is the duty of those that are unmarried."

It remains, then, to ask how is this duty to be performed? It is clearly useless to preach the limitation of the family and to conceal the means whereby such limitation may be effected. If the limitation be a duty it cannot be wrong to afford such information as shall enable people to discharge it.

There are various prudential checks which have been suggested, but further investigation of this intricate subject is sorely needed, and it is much to be wished that more medical men would devote themselves to the study of this important branch of physiology. At present all one can do is to lay before the public the various checks suggested, on every one of which controversy is rife.

The check we will take first in order is that to which Mr. Montagu Cookson alludes in his essay: he says that the family may be limited by "obedience to natural laws which all may discover and verify if they will." The "natural laws" to which Mr. Cookson refers, would be, we imagine, the results of observation on the comparative fertility with women of some periods over others. It is well known that the menstrual discharge, or the Catamenia, recurs in normal cases at monthly intervals, during the whole of the fertile period of female life; a woman does not bear children before menstruation has commenced, nor after it has ceased. There are cases on record where women have borne children but have never menstruated, but these are rare exceptions to the general rule; menstruation is the sign of capability of conception, as its cessation is the sign of future disability to conceive. Recent investigators have collected many cases in which "the menstrual period was evidently connected with the maturation and discharge of ova" (Carpenter). "The essential part of the female generative system," says Dr. Carpenter, "is that in which the ova (eggs) are prepared In the higher animals, as in the human female, the substance of the ovarium is firm and compact, and consists of a nucleated, tough, fibrous, connective tissue, with much interspersed fusiform muscular tissue, forming what is known as the *stroma* As development proceeds the cells . . . multiply, and single cells or groups of cells, round, ovoid, or tubular, come to be enclosed in the tissue of the ovary by delicate vascular processes which shoot forth from the stroma. These cells constitute the primordial ova." These ova gradually mature, and are then discharged from the ovary and pass into the uterus, and on the fertilisation of one of them conception depends. Dr. Kirke writes: . . . "It has long been known that in the so-called oviparous animals the separation of ova from the ovary may take place independently of impregnation by the male, or even of sexual union. And it is now established that a like maturation and discharge of ova, independently of coition, occurs in mammalia, the periods at which the matured ova are separated from the ovaries and received into the Fallopian tubes being indicated in the lower mammalia by the phenomena of *heat* or *rut*; in the human female by the phenomena of *menstruation*. . . . It may, therefore, be concluded that the two states, heat and menstruation, are analogous, and that the essential accompaniment of both is the maturation and extrusion of ova." Seeing, then, that the ova are discharged at the menstrual period, and that conception depends on the fertilisation of the ova by the male, it is obvious that conception will most readily take place immediately before or after menstruation. "It is quite certain that there is a greater aptitude for conception immediately before and after that epoch than there is at any intermediate period" (Carpenter). A woman "is more apt to conceive soon after menstruation than at any other time" (Chavasse). So much is this fact recognised by the medical profession, that in cases of sterility a husband is often recommended only to visit his wife immediately after the cessation of the Catamenia. Since women conceive more easily at this period, the avoidance of sexual intercourse during the few days before and after menstruation has been recommended as a preventive check. Dr. Tyler Smith writes: "In the middle of the interval between the periods, there is little chance of impregnation taking place. The same kind of knowledge is of use, by way of caution, to women who menstruate during lactation, in whom there is a great aptitude to conceive; pregnancy, under such circumstances, would be injurious to the health of the fœtus, the child at the

breast, and the mother herself, and therefore should be avoided, if possible." The most serious objection to reliance on this check is that it is not certain. M. Raciborski says that only six or seven per cent, of conceptions take place during this interval, but the six or seven exceptions to the general rule prevent recommendation of the check as thoroughly reliable; we can scarcely say more than that women are far less likely to conceive midway between the menstrual periods than either immediately before or after them.

The preventive check advocated by Dr. Knowlton consists in the use of the ordinary syringe immediately after intercourse, a solution of sulphate of zinc or of alum being used instead of water. It is probable that this check is an effective one, a most melancholy proof of its effectiveness being given by Dr. J. C. Barr, who, giving evidence before the Commission on the working of the Contagious Diseases Act, stated: "Every woman who leaves the hospital is instructed in the best mode of preventing disease. These are cleanliness, injections of alum, and sulphate of zinc." Professor Sheldon Amos, dealing with the same painful subject, refers to this evidence, and quotes Dr. Barr, as saying again: "My custom is to instruct them to keep themselves clean, to use injections and lotions." These women are not meant to bear children, they are to be kept "fit for use" by Her Majesty's soldiers. Apart altogether from this sad, but governmentally authorised, use of this check, there are many obvious disadvantages connected with it as a matter of taste and feeling.

The check which appears to us to be preferable, as grating on no feeling of affection or of delicacy, is that recommended by Carlile many years ago in his "Every Woman's Book." In order that impregnation should take place, "the absolute contact of the spermatozoa with the ovum is requisite" (Carpenter). The ovum passes from the ovary down the Fallopian tube into the uterus; the spermatazoa, floating in the spermatic fluid, pass upwards through the uterus, and fecundate the ovum either in the uterus, in the tube, or in the ovary itself. To prevent impregnation it is then only necessary to prevent this contact. The neck of the uterus, where it enters the vagina, ends with the *Os uteri*, an orifice varying in shape in different individuals. Through this orifice the male semen must pass in order to fertilise the ovum. To prevent impregnation, pass to the end of the vagina a piece of fine sponge, which should be dipped in water before being used, and which need not be removed until the morning. Dr. Marion Sims, who in cases of retroversion of the uterus constantly used mechanical support to maintain the uterus in its normal position, and so make pregnancy possible, gives much useful information on the various kinds of pessaries. He sometimes used a "small wad of cotton, not more than an inch in diameter," which was "secured with a string for its removal;" this was worn during the day and removed at night. He says that the woman using a pessary should be able "to remove and replace it with the same facility that she would put on and pull off an old slipper." There is, in fact, no kind of difficulty in the use of this check, and it has the great advantage of unobtrusiveness.

There is a preventive check attempted by many poor women which is most detrimental to health, and should therefore never be employed, namely the too-long persistence in nursing one baby, in the hope of thereby preventing the conception of another. *Nursing does not prevent conception*. A child should not be nursed, according to Dr. Chavasse, for longer than nine months; and he quotes Dr. Farr, as follows: "It is generally recognised that the healthiest children are those weaned at nine months complete. Prolonged nursing hurts both child and mother: in the child, causing a tendency to brain disease, probably through disordered digestion and nutrition; in the mother, causing a strong tendency to deafness and blindness." Dr. Chavasse adds: "If he be suckled after he be twelve months old, he is generally pale, flabby, unhealthy, and rickety; and the mother is usually nervous, emaciated, and hysterical . . . A child nursed beyond twelve months is very apt, if he should live, to be knock-kneed, and bow-legged, and weak-ankled, to be narrow-chested, and chicken-breasted." If pregnancy occur, and the mother be nursing, the consequences affect alike the mother, the babe, and the unborn child. To nurse under these circumstances, says Dr. Chavasse, "is highly improper, and it not only injures her own health, and may bring on a miscarriage, but it is also prejudicial to her babe, and may produce a delicacy of constitution from which he might never recover."

Another class of checks is distinctly criminal, *i.e.*, the procuring of abortion. Various drugs are taken by women with this intent, and too often their use results in death, or in dangerous sickness. Dr. Fleetwood Churchill gives various methods of inducing labor prematurely, and argues, justly, that where the delivery of a living child at the full time is impossible, it is better to bring on labor than be compelled to perform later either craniotomy or the Cæsarian section. But he goes further: "There are cases where the distortion [of the pelvis] is so great as to render the passage of a seven months' child impossible, and others still worse, where no reduction of the viable child's bulk will enable it to pass. I do not see why abortion should not be induced at an early stage in such cases." And Dr. Churchill quotes Mr. Ingleby as saying: "Premature labor may with great propriety be proposed on pregnancy recurring, assuming the delivery of a living child at term to have already proved impracticable." If there is a chance for the child's life, this is sound advice, but if the delivery of a living child has been proved to be impossible, surely the prevention of conception is far better than the procuring of abortion. The destruction of the foetus is destruction of life, and it is immoral, where a woman cannot bear a living child, that she should conceive at all.

If this system of preventive checks were generally adopted, how happy would be the result both to the home and to the State! The root of poverty would be dug up, and pauperism would decline and at last vanish. Where now overcrowded hovels stand would then be comfortable houses; where now the large family starves in rags, the small family would then live on sufficient food, clad in decent raiment; education would replace ignorance, and self-reliance which supersedes charity. Where the workhouse now frowns the busy school would then smile, and care and forethought for the then valuable fives would diminish the dangers of factory and of work-room. Prostitution would cease to flaunt in our streets, and the sacred home would be early built and joyously dwelt in; wedded love would enter the lists against vice, and, no longer the herald of want, would chase her counterfeit from our land. No longer would transmitted diseases poison our youth, nor premature death destroy our citizens. A full possibility of life would open before each infant born into our nation, and there would be room, and love, and cherishing enough for each new-comer. It remains for England to have all this if she will; but the first upward step towards that happier life will only be taken when parents resolutely determine to limit their family to their means, and stamp with moral disapprobation every married couple who selfishly overcrowd their home, to the injury of the community of which they are a part.

Chapter IV. Objections Considered.

MANY people, perfectly good - hearted, but somewhat narrow-minded, object strongly to the idea of conjugal prudence, and regard scientific checks to population as "a violation of nature's laws, and a frustration of nature's ends." Such people, a hundred years ago, would have applauded the priest who objected to lightning conductors as being an interference with the bolts of Deity; they exist in every age, the rejoicers over past successes, and the timid disapprovers of new discoveries. Let us analyse the argument. "A violation of nature's laws;" this objection is couched in somewhat unscientific phrase; nature's "laws" are but the observed sequences of events; man cannot violate them; he may disregard them, and suffer in consequence; he may observe them, and regulate his conduct so as to be in harmony with them. Man's prerogative is that by the use of his reason he is able to study' nature outside himself, and by observation may so control nature as to make her add to his happiness instead of bringing him misery. To limit the family is no more a violation of nature's laws than to preserve the sick by medical skill; the restriction of the birth-rate does not violate nature's laws more than does the restriction of the death-rate. Science strives to diminish the positive checks; science should also discover the best preventive checks. "The frustration of nature's ends." Why should we worship nature's ends? Nature flings lightning at our houses; we frustrate her ends by the lightning conductor. Nature divides us by seas and by rivers; we frustrate her ends by sailing over the seas, and by bridging the rivers. Nature sends typhus fever and ague to slay us; we frustrate her ends by purifying the air, and by draining the marshes. Oh! it is answered, you only do this by using other natural powers. Yes, we answer, and we only teach conjugal prudence by balancing one natural force against another. Such study of nature, and such balancing of natural forces, is civilisation.

It is next objected that preventive checks are "unnatural" and "immoral." "Unnatural" they are not; for the human brain is nature's highest product, and all improvements on irrational nature are most purely natural; preventive checks are no more unnatural than every other custom of civilisation. Raw meat, nakedness, living in caves, these are the *irrational* natural habits; cooked food, clothes, houses, these are the *rational* natural customs. Production of offspring recklessly, carelessly, lustfully, this is irrational nature, and every brute can here outdo us; production of offspring with forethought, earnestness, providence, this is rational nature, where man stands alone. But "immoral." What is morality? It is the greatest good of the greatest number. It is immoral to give life where you cannot support it. It is immoral to bring children into the world when you cannot clothe, feed, and educate them. It is immoral to crowd new life into already over-crowded houses, and to give birth to children wholesale, who never have a chance of healthy life. Conjugal prudence is most highly moral, and "those who endeavor to vilify and degrade these means in the eyes of the public, and who speak of them as 'immoral' and 'disgusting,' are little aware of the moral responsibility they incur thereby. As already shown, to reject preventive intercourse is in reality to choose the other three true population checks—poverty, prostitution, and celibacy. So far from meriting reprobation, the endeavor to spread the knowledge of the preventive methods, of the great law of nature which renders them necessary, is in my opinion the very greatest service which can at present be done to mankind" ("Elements of Social Science").

But the knowledge of these scientific checks would, it is argued, make vice bolder, and would increase unchastity among women by making it safe. Suppose that this were so, it might save some broken hearts and some deserted children; men ruin women and go scatheless, and then bitterly object that their victims escape something of public shame. And if so, are all to suffer, so that one or two already corrupt in heart may be preserved from becoming corrupt in act? Are mothers to die slowly that impure women may be held back, and wives to be sacrificed, that the unchaste may be curbed? As well say that no knives must be used because

throats may be cut with them; no matches sold because incendiarism may result from them; no pistols allowed because murders may be committed by them. Blank ignorance has some advantages in the way of safety, and if all men's eyes were put out none would ever be tempted to seduce a woman for her beauty. Let us bring for our women the veil to cover and the eunuch to guard, and so be at least consistent in our folly and our distrust! But this knowledge would *not* increase unchastity; the women who could thus use it would be solely those who only lack opportunity, not will, to go astray; the means suggested all imply deliberation and forethought. Are these generally the handmaids of unchastity? English women are not yet sunk so low that they preserve their loyalty to one only from fear of the possible consequences of disloyalty; their purity, their pride, their honor, their womanhood, these are the guardians of their virtue, and never from English women's heart will fade the maiden and matronly dignity which makes them shield their love from all taint of impurity, and bid them only surrender themselves where the surrender of heart and of pledged faith have led the way. Shame on those who slander England's wives and maidens with the foul thoughts that can only spring from the mind and the lips of the profligate!

Another class of objectors appears—those who argue that there is no need to limit the population, at any rate for a long while to come. Some of these say that there is food enough in the world for all, and point out that the valley of the Mississippi would grow corn enough to feed the present population of the globe. They forget that the *available* means of subsistence are those with which we have to deal. Corn in Nebraska and starving mouths in Lancashire are not much use to each other. When the test of carriage exceeds the money-power of the would-be buyer, the corn-fields might be in the moon for all the good they are to him. If means can be discovered of bringing corn and mouths together, well and good; but until they are discovered, undue production of mouths here is unwise, because their owners will starve while the corn is still on the other side of the sea.

But if the corn can't be brought to the mouths, may not the mouths go to the corn? Why not emigrate? Because emigration is impracticable to the extent needed for the relief of the labor market. Emigration caused by starvation pressure is not a healthy outlet for labor. If it is Government-aided, helpless, thriftless folk flock to it for a while, and starve on the other side. If land is given, capital is wanted by the emigrant, for before he can eat his own bread he must clear his land of timber, plough or dig it, sow his corn, and wait for his harvest. If he goes out poor on what is he to live during the first year? Men with £300 or £400 of capital may find more profitable investment for it in the West in America, or in our colonies, than at home; but their outgoing will not much relieve the labor market. Emigration for penniless agricultural laborers and for artisans means only starvation abroad instead of at home. And it is starvation under worse conditions than they had left in the mother-country. They have to face vicissitudes of climate for which they are utterly unprepared, extremes of heat and of cold which try even vigorous constitutions, and simply kill off underfed, half-clothed, and ill-housed new comers. Nor is work always to be had in the New World. No better proof of the foolishness of emigration to the United States can be given than the fact that at the present time contractors in England are in treaty with American workmen with the object of bringing them over here. Unskilled labor does not improve its chances by going abroad. Nor is skilled labor in a better position, for here the German emigrant undersells the British; he can live harder and cheaper, and has had a better technical education than has fallen to the lot of his British rival. One great evil connected with emigration is the disproportion it causes between men and women, both in the old country and in the new, those who emigrate being chiefly males. Nor must it be forgotten that when England colonised most, her population was far smaller than it is at the present time. Physical vigor is necessary for successful colonising, and the physical vigor of our laboring poor deteriorates under their present conditions. As the Canadian roughly said at the meeting of the British Association at Plymouth: "The colonies don't want the children of your rickety paupers." Colonisation needs the pick of a nation, if it is to succeed, not the poor who are driven from home in search of the necessaries of life. John Stuart Mill points out how inadequate emigration is as a continued relief to population, useful as it is as a sudden effort to lighten pressure. he remarks that the great distance of the fields of emigration prevents them from being a sufficient outlet for surplus laborers; "it still remains to be shown by experience," he says, "whether a permanent stream of emigration can be kept up sufficient to take off, as in America, all that portion of the annual increase (when proceeding at its greatest rapidity) which, being in excess of the progress made during the same short period in the arts of life, tends to render living more difficult for every averagely situated individual in the community. And unless this can be done, emigration cannot, even in an economical point of view, dispense with the necessity of checks to population." 1,173 infants are born in the United Kingdom every day, and to equalise matters about 1,000 emigrants should leave our shores daily. Careful calculations are sometimes entered into by anti Malthusians as to the acreage of Great Britain as compared with its population, and it is said that the land would support many more than the present number of inhabitants; quite so; there is a very large quantity of land used for deer, game, and pleasure, that, if put under cultivation, would enormously increase the food-supply. But to know this, does not remedy the pressing evils of over-population;. what service is it to the family

crowded into a St. Giles' cellar to tell them that there are large uninhabited tracts of land in Perthshire? In the first place they can't get to them, and if they could, they would be taken up for trespassing. Such information is but mockery. Land reform is sorely needed, but, to meet the immediate needs of the present, land revolution would be necessary; it is surely wiser to lessen the population-pressure, and to work steadily at the same time towards Reform of the Land Laws, instead of allowing the population-pressure to increase, until the starving multitudes precipitate us into a revolution.

An extraordinary confusion exists in some minds between preventive checks and infanticide. People speak as though prevention were the same as destruction. But no life is destroyed by the prevention of conception, any more than by abstention from marriage; if it is infanticide for every man and woman not to produce as many children as possible during the fertile period of life, if every person in a state of celibacy commits infanticide because of the potential life he prevents, then, of course, the prevention of conception by married persons is also infanticide; the two things are on exactly the same level. When conception has taken place, then prevention is no longer possible, and a new life having been made, the destruction of that life would be criminal. Before conception no life exists to be destroyed; the seminal fluid is simply a secretion of the body; its fertilising power is not a living thing, the non-use of which destroys life; the spermatozoa, the active fertilising agents, are not living existences, and "they have been erroneously considered as proper animalculæ" (Carpenter). Life is not made until the male and female elements are united, and if this is prevented, either by abstention from intercourse among the unmarried, or by preventive intercourse among the married, life is not destroyed, because the life is not yet in existence.

Mr. Darwin puts forward an argument against scientific checks which must not be omitted here; he says: "The enhancement of the welfare of mankind is a most intricate problem; all ought to refrain from marriage who cannot avoid abject poverty for their children, for poverty is not only a great evil, but tends to its own increase by leading to recklessness in marriage. On the other hand, as Mr. Galton has remarked, if the prudent avoid marriage, whilst the reckless marry, the inferior members tend to supplant the better members of society. Man, like every other animal, has no doubt advanced to his present high condition through a struggle for existence, consequent on his rapid multiplication, and if he is to advance still higher it is to be feared that he must remain subject to a severe struggle; otherwise he would sink into indolence, and the more gifted men would not be more successful in the battle of life than the less gifted. Hence our natural rate of increase, though leading to many and obvious evils, must not be greatly diminished by any means."

If the struggle for existence among mankind were waged under the same conditions as among animals, then Mr. Darwin's argument would have great force, terrible as would be the amount of human misery caused by it. Then the strongest, cleverest, craftiest, would survive, and would transmit their qualities to their offspring. But Mr. Darwin forgets that men have qualities which the brutes have not, such as compassion, justice, respect for the rights of others—and all these, man's highest virtues, are absolutely incompatible with the brutal struggle for existence. Where the lion would leave his parents to starve, man would feed his; where the stag would kill the sickly one, man would carry him to the hospital and nurse him back to health. The feeble, the deformed, the helpless are killed out in brute nature; in human nature they are guarded, tended, nourished, and they hand on to their offspring their own disabilities. Scientific checks to population would just do for man what the struggle for existence does for the brutes: they enable man to control the production of new human beings; those who suffer from hereditary diseases, who have consumption or insanity in the family, might many, if they so wished, but would preserve the race from the deterioration which results from propagating disease. The whole British race would gain in vigor, in health, in longevity, in beauty, if only healthy parents gave birth to children; at present there is many a sickly family, because sickly persons marry; they revolt against forbiddance of marriage, celibacy being unnatural, and they are taught that "the natural consequences of marriage" must follow. Let them understand that one set of "consequences" results naturally from one set of conditions, another set from different conditions, and let them know that *laissez aller* in marriage is no wiser than in other paths of life.

Leaving objectors let us look at the other side of the question. The system of preventive checks to population points us to the true pathway of safety; it is an immediate relief, and at once lightens the burden of poverty. Each married couple have it in their power to avoid poverty for themselves and for their children, by determining, when they enter on married life, that they will not produce a family larger than they can comfortably maintain: thus they avoid the daily harass of domestic struggle; they rejoice over two healthy, robust, well-fed children, instead of mourning over seven frail, sickly, half-starved ones; they look forward to an old age of comfort and of respectability instead of one of painful dependence on a grudgingly-given charity.

How rapidly conjugal prudence may lift a nation out of pauperism is seen in France; the proportion of adults to the whole population is the largest in Europe, the proportionate number of persons under thirty being the smallest; hence, there are more producers and fewer non-producers than in any other country. The consequence of this is that the producers are less pressed upon, and live in greater comfort and with more

enjoyment of life. There are no less than 5,000,000 of properties under six acres, each sufficient to support a small family, but wholly inadequate for the maintenance of a large one, and it was from these independent peasants that M. Thiers borrowed the money to pay off the indemnity levied by the Germans after the late war. If those peasants had been struggling under the difficulties of large families, no savings would have been made to fall back upon in such an emergency. France shows a pattern of widely-spread comfort which we look for in vain in our own land, and this comfort is directly traceable to the systematic regard for conjugal prudence. Small agricultural holdings directly tend to this virtue, the fact of the limitation of the food-supply available being obvious to the most ignorant peasant. So strongly rooted is this habit in France that the Roman Church in vain branded it as a deadly sin, and Dr. Drysdale writes that a French priest begged the Vatican Council to change this direction; he said: "It is not the sin which is new, but the circumstances which have changed. This practice has been spreading more and more for half a century from the force of things. As Providence does not multiply animals, when they have not wherewithal to eat, so it will not require reasonable man voluntarily to multiply when there is no longer the condition for his subsistence. This is human calculation, pecuniary motives if you will, but a calculation as inevitable as destiny. Countries enjoying the faith do not thus calculate, it is true, and so long as obedience is possible they will obey the priest without a murmur; but a day will come when the prevailing doctrine will be applicable to them all, and hence we earnestly plead for reform. Other times, other customs. The laws should change with the customs."

It is well worthy of notice that those who have pleaded for scientific checks to population have also been those who have been identified with the struggle for political and religious freedom; Garble defended the use of such—as advocated in his "Every Woman's Book"—as follows:—

"There are four grounds on which my 'Every Woman's Book' and its recommendation can be defended, and each of them in itself is sufficient to justify the publication, and to make it meritorious. First—the political or national ground; which refers to the strength and wealth of the nation, and the greatest happiness of the greatest number of the people. Second — the local or commercial ground, or the ground of the wages of labor, and its supply in the several trades and districts. Third—the domestic or family ground, where the parents may think they have already children enough, and that more will be an injury. Fourth—the individual ground, where the state of health in the female, or her situation in life, will not justify a pregnancy; but where the abstinence from love becomes as great an evil. . . . It is objected to me that there is a sufficiency of natural checks already in existence, to remedy the evils of which I complain. My answer is, that these natural checks are the evil of which I do complain, and *which I seek to remove by the substitution of a moral check, that shall furnish no pain, no degradation, no discomfort, no evil of any kind.* The existing natural or physical checks are disease or pestilence and famine. Surely it is to be desired that neither of these should exist. It is not wise, not parental, not kind, to breed children to such disasters. It is better that they should not be born than be cut off prematurely by disease or famine, or struggle through a life of disease, poverty, and misery, a life of pain to themselves, and both a pain and burthen to their parents."

Mr. Francis Place argues: "The mass of the people in an old country must remain in a state of wretchedness, until they are convinced that their safety depends upon themselves, and that it can be maintained in no other way than by their ceasing to propagate faster than the means of comfortable subsistence are produced If above all it were once clearly understood that it was not disreputable for married persons to avail themselves of such precautionary means as would, without being injurious to health, or destructive of female delicacy, *prevent conception*, a sufficient check might at once be given to the increase of population beyond the means of subsistence, and vice and misery to a prodigious extent might be removed from society."

Mr. James Watson showed his view of the matter by publishing Dr. Charles Knowlton's "Fruits of Philosophy."

Mr. Robert Dale Owen (son of Robert Owen, and American minister in Florence), in his "Moral Physiology," advocates and describes scientific checks.

Mr. James Mill says that "if the superstitions of the nursery were disregarded, and the principle of utility kept steadily in view, a solution might not be very difficult to be found."

Mr. John Stuart Mill strongly urges restraint of the number of the family, and he took an active part in disseminating the knowledge of scientific checks.

The members of the old Freethought Institution in John Street made it part of their work to circulate popular tracts, advocating scientific checks, such as a four-page tract entitled: "Population: is not its increase at present an evil, and would not some harmless check be desirable?"

Mr. Austin Holyoake, in his "Large and Small Families," follows in the same strain, and recommends as guides Knowlton's pamphlet and Owen's "Moral Physiology."

Mr. George Jacob Holyoake, writing as one of the Vice-Presidents of the National Secular Society in 1876, points to the difference between Christian and Secular morality on this head; he says: "Let any one regard for a moment the Christian's theory of this life. It tells us that all human beings born are immortal, and that God has

to provide for them above or below! Yet in every portion of the land scoundrel or vicious parents may bring into existence a squalid brood of dirty, sickly, depraved, ignorant, ragged children. Christianity fails utterly to prevent their existence, and hurls quick words of opprobrium upon any who advocate the prevention of this progeny of crime. Yet the Christian teaches that, by mere act of orthodox belief, these ignorant and unclean creatures can be sent from the gutter to God. A Secularist cannot help shuddering at this doctrine and this practice, so fatal to society, so contemptuous to heaven."

Thus has the effort to obtain social reform gone hand in hand with that for political and religious freedom; the victors in the latter have been the soldiers in the former. Discussion on the Population Question is not yet safe; legal penalty threatens those who advocate the restriction of birth instead of the destruction of life; the same penalty was braved by our leaders in the last generation, and we have only to follow in their steps in order to conquer as they conquered and become sharers of their crown. We work for the redemption of the poor, for the salvation of the wretched; the cause of the people is the sacreddest of all causes, and is the one which is the most certain to triumph however sharp may be the struggle for the victory.

Appendix.

ONE of the most eminent of London physicians, the late Dr. Palfrey, who had paid great attention to this matter, with a view to discover some definite protection for those women who are the subjects of distortion of the pelvis, and to whom labor often means death—while conversing with me on this subject pointed out the weak spot in the check most frequently recommended, and suggested by Dr. Knowlton, and he wrote me as follows:

"I must point out that the ordinary Higginson's syringe fitted with the common female tube is perforated at the extremity of the tube, and therefore is not to be trusted. The tube should be perforated with holes at the *sides only*, and so perforated as absolutely to secure a stream flowing in the reverse (backward) direction only. Higginson's syphon syringes are manufactured and sold by Messrs. Maw and Thompson, 7 to 12, Aldersgate Street, London, E.C., and 'I Higginson's syphon syringe with reverse current' is what should be asked for. These syringes may be obtained of all respectable chemists or druggists, and their price is from 3s. 6d. to 5s. each.

"Instead of a solution of alum or of sulphate of zinc being used, in the manner mentioned in the text, a dessert spoonful of a powder—composed of sulpho-carbolate of zinc, and dried sulphate of zinc, of each 1 ounce, alum 4 ounces—is recommended. Care must be taken that these drugs be reduced to a *perfectly fine powder*. The better plan is to dissolve the quantity of the powder just named in a few ounces of boiling water to ensure its perfect solution, to pour this solution when cool into a bottle, and keep it ready for use, adding the solution to a pint of tepid, or in hot weather cold, water at the time of using the syringe, and this is the quantity to be used on each occasion.

"As a matter of caution the solution must be kept from the reach of children or curious persons, and it is wise to label the bottle in which the solution is kept, '*Poison.*' "

Dr. Palfrey informed me that in his own practice he continually recommended the use of this check to married women, and that it had been very largely and very successfully adopted.

The Financial Depression Its Cause and Remedy.

By R. D. L. Duffus.

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The Financial Depression.

ALL well-informed and observant men are aware that the great battle of life—the struggle to make both ends meet and keep that unwelcome guest Poverty at a safe and respectful distance, has been daily growing more and more cruelly severe for the last ten years.

A vast, a truly alarming proportion of those engaged in agricultural, commercial, and industrial pursuits, in almost every land, now find to their dismay, and proclaim with one voice, that, in spite of every possible care and effort on their part, they are gradually being ground down, lower and lower, from bad to worse, by the force of circumstances over which they have absolutely no control; that they can no longer, in fact, meet their engagements and liabilities, or provide by their labour as heretofore an honest living for themselves and those dependent upon them.

It is an undeniable fact, acknowledged by all, that the steady and progressive fall in general prices since

1874 is at the root of the stagnation of industry, with its deplorable consequences. The question then is how to account satisfactorily for that universal decline.

J. S. Mill tells us that "a general rise or general fall in prices is merely tantamount to an alteration in the value of money," and Professor Fawcett likewise exposes what he calls "the erroneous nature of a statement not unfrequently made that there is a general rise or fall in the value of all commodities"—proving clearly that nothing more than "an increase in the demand for gold is evidenced by a fall in the price of commodities," and demonstrating beyond dispute that "a general rise or fall in prices means that the standard of value is altered."

Economists point out that the changes in the purchasing power of money, causing high or low prices, are of two kinds. They may be either those transient fluctuations which occur periodically from the expansion and contraction of credit during the vicissitudes of speculation, or permanent ones, arising from an alteration in the exchange value of the precious metals of which money is composed, resulting from an increase or decrease in the cost of their production or some change in the proportion between supply and demand.

Let us examine these two radical causes of financial disturbance a little more closely, and endeavour to discover, if possible, from which of them the world is now suffering.

All civilised communities are so familiar with the periodical fluctuations of the market arising from over-speculation or the abuse of credit that they require very little explanation. They commonly occur somewhat in this manner. When under the influence of panic prices have fallen—as they invariably do at such times—far below their natural level, a reaction must speedily set in, and since those who speculate when prices are at low-water mark realise large profits, many are tempted to follow their example, and each speculative purchase tends to enhance market prices till the safe and proper margin is again gradually passed, and, in the fictitious prosperity that ensues, credit is both given and accepted in the most reckless manner, since all think themselves, and appear to others, to be thriving. Fancy prices may be thus kept up upon credit for a considerable period. Human credulity, however, has its limit, like everything else, and when speculators are at last afraid to venture further, many overburdened holders of land and property of various kinds are soon obliged to realise at any sacrifice to meet their pressing liabilities, which bursts the speculative bubble, and a commercial crash speedily ensues.

Thus, where there is no deep disturbing element to counteract them, alternate waves of inflation and depression, caused by commercial gambling, generally follow one another in regular cycles every few years. Their essential and unmistakable peculiarities are that they are not universal, or at least do not affect all communities simultaneously, and the gradual improvement in prices for a considerable period is followed by a sharp, sudden, and complete collapse of comparatively short duration before prices again begin to rally.

After a severe depression values advance slowly for several years, as men speculate cautiously at first even upon a rising market, but when the disastrous ebb tide of falling prices once fairly sets in, all who are merely holding property on speculation, as so many do, at once rush into the market, being naturally eager to save themselves from the ruinous consequences of being caught under full sail by the whole force of the coming storm, which would of course involve financial shipwreck.

On the other hand, when the decline in prices is the result of a permanent change in the standard of value arising from its increased cash of production, or from the supply of that metal from any cause falling short of the ever-increasing demand, instead of the more or less local disturbance, and the gradual rise in prices followed by panic, and a sudden and severe crash, and speedy recovery to a certain extent, the whole course of change is just the opposite. The depression is not necessarily preceded by excessive speculation, while the fall in prices is gradual and persistent and as universal as the standard, and goes on steadily increasing in severity from year to year till the cause is removed.

The purchasing power of money gradually declined for several centuries after the discovery of America, falling no less than three and a half-fold, in consequence of the increased supply of the precious metals lowering their exchange value, and unparalleled progress was the result. From 1810 to 1830, on the contrary, the production of the mines decreased considerably and prices steadily fell simultaneously, as was proved by Mr. Tooke and Professor Jevons, and the subsequent increase in their production up to 1848 was quite insufficient to keep pace with the ever growing demand, and the consequence was that deplorable stagnation of industry which characterised the second quarter of this century, and the world-wide suffering of that gloomy epoch so graphically recorded by Sismondi, Martineau, and others, is certainly one of the darkest pages of history.

Between 1848 and 1870, however, the rich treasures discovered in various parts of the globe nearly doubled the annual supply of gold and silver, and prices during that period rose from 18 to 20 per cent., so stimulating industry and commerce that the whole civilised world progressed by leaps and bounds—industrial marvels springing up on all sides as if beneath an enchanter's wand. But from 1873 to the present day the supply of gold has been steadily decreasing, while at the same time many civilised nations have blindly followed the example set by England since 1816, and adopted a gold standard and almost discontinued the coinage of silver.

Thus while the annual production of gold is steadily declining, the whole burden of the currency has been suddenly thrown upon that one metal, instead of being, as previously, borne by two. In this manner, during the last ten or twelve years, the supply of the standard of value has been wantonly reduced by bungling statesmen from 40 to 18 millions sterling, a fact which, in spite of Mr. Mulhall's extraordinary assertion to the contrary, all intelligent men must at once perceive is alone quite sufficient to account for the steady and persistent rise in the value of gold, or, as we commonly say, fall in general prices now going on.

When it was first proposed to institute a general crusade against silver, the disastrous effect that such a wholesale change would have upon industry was pointed out by the *Economist*, Laveleye, Seyd, Bagehot, and other authorities too numerous to mention. Disraeli said, "I attribute the monetary disturbance that has occurred, and is now to a certain degree acting very injuriously to trade, to the great changes which the Governments of Europe are making in reference to their standard of value. . . . It is quite evident that we must prepare for great convulsions in the money market not occasioned by speculation or any old cause, but by a new cause with which we are not sufficiently acquainted." And that able statesman, Mr. Goschen, said in 1878, the "demonetisation of silver would produce a more disastrous crisis than any of those recorded in history."

Both high financial authorities and practical business men are now rapidly realising the palpable fact that the present depression is mainly the result of the appreciation of gold; and a very powerful and influential organisation has suddenly and simultaneously sprung into vigorous life in Great Britain, Germany, and the United States, advocating bi-metallism or demanding some other immediate remedy for that deplorable modern blunder, the demonetisation of silver, which has so speedily entailed incalculable misery upon every nation that has been a party to it.

Eminent British statesmen are already calling upon the electors to investigate this momentous problem. Lord Churchill, late Secretary of State for India, and now Chancellor of the Exchequer, said in one of his recent public addresses, "It will be for you in Lancashire to turn your attention to the dark and apparently unfathomable question of the relative value of silver and gold, and endeavour to ascertain, by your ingenuity and by your experience, whether some policy in the nature of fixing permanently the relative value of these two metals may not possibly bring, not only security to Indian finances, but prove a real remedy for the decay in trade and be the means of reviving British commerce and enterprise."

At the annual meeting of the Institute of Bankers held in London on the 19th of May last, as reported in the *London Times*, no less an authority than Mr. Giffen, alluding in a paper, which he read upon "Bi-metallism," to the evils that have already resulted from the late proscription of silver, said, "The primary offender in the matter was perhaps Germany, which made a mistake, I believe, in substituting gold for silver as the standard money of the country. . . . More recently a great deal of evil has been caused by the unfortunate legislation of the United States. No doubt the pressure upon gold would have been more severe than it has been, if the United States had not passed the 4 Bland Coinage Law (an Act providing that £5,000,000 worth of silver dollars may still be coined annually). To some extent Italy has also been an offender in this matter; the resumption of specie payments in that country upon a gold basis being entirely a work of superfluity, the resumption on a silver basis would have been preferable."

Another member of the Institute remarked, that "what bi-metallists wanted was to preserve the world from the dire calamity that would happen if the silver question were not dealt with." A third said, that "if nothing were done with the silver question, prices would fall to one-half what they were now. He believed that if silver were monetised over a wide area of the world to the old ratio there would be, not a fall, but a rise in prices all over Europe of 10 to 20 per cent."

Mr. Shaw Lefevre, M.P., asked, "Was the fall that had been caused by the appreciation of gold any disadvantage to the country? Debtors were adversely affected, but creditors were benefited, and it was to be remembered that England was the creditor of the world." A cruel joke, indeed, at our expense.

Another said, "That according to the report of the United States Mint of 1884, there was not enough gold in existence to pay the national debts of the world. He held that it was necessary to supplement one metal with the other;" while Professor Marshal (Cambridge) contended "that prices were likely to go down. He thought that we ought to see whether, with no great change, we could not bring about something that would in the long run be more productive of good than anything the bi-metallists proposed." The only rational plan to adopt, since a radical remedy for constant fluctuations in the standard of value during this age of rapid progress and advancement, and not a mere temporary make-shift, should certainly be the aim of statesmen.

Of the total yearly production of gold, now about £18,000,000 sterling, Soetbeer estimates that £12,000,000 are annually consumed in the arts and manufactures; £4,000,000 are absorbed in the East; leaving only £2,000,000 to supply the whole civilised world with a medium of exchange. That small supply, moreover, is steadily decreasing, while the demand for gold for various purposes is rapidly increasing in every quarter of the globe.

The famous economist, M. Laveleye, who has long been calling public attention to this momentous social

problem, writing in the *Contemporary Review* of May last, said, "It can no longer be concealed that the gold budget presents a really alarming aspect. . . . If losses and wear and tear are taken into consideration, there remains only £1,000,000 to cover the monetary requirements of the entire world with all its growing population and trade. Should not this single fact suffice to open the eyes of statesmen, if they could for a single instant turn their eyes in this direction? The quantity of gold available for currency being insufficient now silver is proscribed, it is quite certain that we are approaching a universal *régime* of paper money."

If any further proof of the contraction of the currency is required, we have it in the fact that the coinage of all European nations, with the solitary exception of Russia, has of late years come almost to a standstill. The amount annually issued by the English Mint during the last six years has averaged only £1,318,805, or less than one-third as much as for some years previously, a large proportion of which is only the recoinage of old sovereigns, and the authority just quoted concludes, from careful calculation, that her stock of coin, estimated by the Director of her Mint at £120,000,000 sterling, has decreased nearly one-fourth since 1878.

Even the great gold producing countries now have little to spare. Australia, which from 1871 to 1875 exported that metal to England to the annual value of £7,000,000 sterling, has gradually reduced the amount year by year till in 1884 it was only £709,388, being actually £210,612 short of what was imported from London during that season.

In the United States likewise, between 1879 and 1884, the whole production of the gold mines fell short of the quantity of that metal actually coined at their own mint, by no less than 150 million dollars. Yet, in the face of such startling facts and figures, the more the depression increases in severity from the fall in prices, or more correctly speaking, rise in the value of an artificially contracted standard, and the consequent crushing competition of silver-using nations, just so much more tenaciously, with truly incomprehensible blindness and superstition, do monometallists cling to their golden idol. Atkinson, the American champion of that infatuated school, after pointing out in his recent work on "The Distribution of Products," that a long continued stagnation of industry cannot possibly result from over-production, says: "What other cause can be assigned for the continued depression *except the uncertainty as to the standard of value which is caused by the coinage of low priced silver dollars?* If all doubt as to the stability of the currency could be again removed by the cessation of the coinage of silver, a period of activity and prosperity might quickly come." Whereas, as we have just been told by Mr Giffen, the greatest living authority upon such questions, the law providing for the annual coinage of a small quantity of silver dollars in the United States is really the only safety-valve that prevents the disastrous pressure upon our gold standard from being more severe than it is at present.

India, Russia, Austria, and China are comparatively unaffected by the growing scarcity of gold since they yet adhere almost exclusively to silver as their medium of exchange, and that metal still maintains its relative price to the products of industry, although, like all other commodities, it is seriously depreciated as compared with its costly rival, which has risen so enormously in value since 1873. The consequence is, as might naturally have been expected, that those nations, though their foreign liabilities are unjustly increased, are not suffering, like gold-using countries, from the prevailing depression.

It is a very common error to suppose that the fall in the price of silver of late years has arisen from its excessive production as compared with gold. Mr Mulhall's calculations however clearly demonstrate that that ground is quite untenable, since, according to his estimate, the quantity of silver possessed by mankind is now only nineteen times as much as the amount of gold, while in 1850 the proportion was no less than thirty-two to one.

Professor Fawcett, writing in 1883, maintains that up to that time there had certainly been no fall in the purchasing power of silver in India, and in support of his contention he argues that, "if such a decline had occurred, general prices in that country must have advanced, whereas there seems to be no doubt that during the last few years, when silver has been falling in price, general prices have not advanced in India." He explained that the only way in which India suffered from the appreciation of gold, was because the interest upon her national debt, and all her other foreign liabilities were necessarily estimated in that metal, an unjust addition to her burdens, now amounting to the enormous sum of £4,000,000 per annum.

Sir George Grey said truly, in one of his late public addresses in Auckland, that the industrial depression was largely caused by the increased severity of competition from India; but he did not explain why that competition had become so formidable during the last ten years. Let us pursue the inquiry a little, and endeavour to ascertain why it is that the enterprising and industrious Anglo-Saxon is now unable to hold his own as proudly as formerly against inferior and semi-barbarous races. Have our industrial classes the bone and sinew of the nation—degenerated? Or have they rather been unjustly handicapped in the great battle of life by blind statesmen and bungling legislation?

Let us first put the farmer in the witness-box, since his occupation is the sheet anchor and mainstay of every country. Ask him why he has to throw up the sponge and confess himself beaten at his own trade by the semi-barbarous hordes of India and Russia, and other silver-using countries that now easily undersell him in all

the great markets of the world.

His plain matter-of-fact statement is simply this:—That while for a given quantity of produce, costing say £900, he formerly received £1,000 in the London market, leaving him £100 for his labour, now, since prices have fallen 10 per cent., he receives for a similiar shipment a draft on his banker for only £900, leaving him absolutely no margin of profit whatsoever.

On the other hand the same quantity of wheat or other produce shipped from India to London also sold till within the last ten years for £1,000, which was returned to the Indian producer in the form of a draft on his banker for 10,000 silver rupees, the currency of his country, leaving him likewise a profit of one tenth, or 1,000 rupees. The £900, however, which the same quantity of produce at present realises in London is now remitted to India in the shape of a bank draft for 12,000 rupees, since the exchange value of the rupee, as estimated in England's gold coin, has fallen twenty-five per cent., or from 2s. to 1s 6d. But since the purchasing power of silver has not declined in India, as pointed out by Professor Fawcett, and clearly proved by the commission that lately sat to investigate that question, the cost of production is manifestly still the same there as formerly. The Indian producer, therefore, has just three times his former profit, or 3,000 rupees for his trouble instead of 1,000.

Thus while the profits of all nations using a gold standard and currency have, upon such exports, been already swept away by the appreciation of that metal, which is still rapidly rising in value, the profits on the exported productions of those that still possess a silver standard, have been actually trebled at their expense. For although we have selected India as an example, the same of course holds equally true of frozen meat, hides, wool, tallow, and every export of Russia and all other countries that still adhere to silver.

The farmer is not alone in his trouble, for all branches of industry now suffer alike, and the looms of Manchester pay just as heavy a tribute to rival competitors through the incapacity of our tardy and bungling statesmen as the virgin pastures, wheat fields, and forests of Australia.

While our public men are looking listlessly on, or calling in vain upon Jupiter for help, instead of putting their shoulders promptly to the wheel to protect the interests of a proud and high-spirited nation, the very life-blood of the Anglo-Saxon race is being crushed out of them for the benefit of our great European rival, and the teeming hordes of India, China, and other semi-barbarous countries.

It is hardly necessary to call attention to the obvious fact that the late rise in the value of gold of 25 per cent., as compared with silver, is precisely equivalent to a protective duty of that amount to exclude the produce and manufactures of those nations that have a gold standard from all states that employ silver for that purpose. Hence the large export of silver to those countries in exchange for their products.

To any one who is cognizant of the great financial changes now in progress it is really painful in the extreme to witness our industrious settlers struggling manfully with strong arms and brave and willing hearts to boar up against such terrible odds, and striving in vain to keep their heads above water under the crushing burden of that unjust competition of which their blind rulers seem to be about as unconscious as the man in the moon.

From 1850 to 1870, while gold was depreciated in value from the excessive supply, England, being the only nation possessing a gold standard, throve immensely—in fact, far better than any country in the world, and many very naturally attributed her unexampled prosperity to her free trade policy; but the moment gold began rising in value that beautiful fallacy was scattered to the winds for ever, by the fact that industrial stagnation speedily overtook her in spite of her magnanimous tariff. On the other hand, the present deplorable condition of France, Germany, and other protective countries likewise clearly shows that the most rigid protection, which is the curse of our race, by stirring up national jealousies and animosities, is equally powerless to baffle for a moment against a fluctuating standard.

In all countries where the coinage is based upon gold the enterprising business man now finds his once profitable game most uncertain and precarious, for in what can he safely invest or speculate when all values are daily depreciating?

The merchant not only has to bear the full loss arising from the fall in the value of his own property, but may be utterly ruined from the inability of those whom he habitually trusts to meet their liabilities in such trying times. The farmer finds the value of his land, his stock-in-trade, and all he produces falling perpetually lower and lower, while at the same time his financial burdens are proportionately increased, since, in consequence of the fall in prices, it will take just so much more stock or produce to meet a given sum for wages, interest, rent, or taxes.

Joint stock companies, in which such a large proportion of every community are interested, are, with the exception of banks, loan offices, and a few close monopolies, among the first and severest sufferers from a rise in the standard of value, since they usually have their capital fully invested, and heavy liabilities, and cannot curtail expenses and contract operations as speedily as private individuals

The wage-earning class are generally the last to realise the full effects of a fall in prices from the

appreciation of the standard, since custom keeps the rate of wages up for a time, and employers keep their works going for a year or two, even at a loss, in hopes of prices rallying; but as such unprofitable business steadily contracts, the ranks of the unemployed are gradually swollen to alarming proportions, and having nothing to fall back upon, the masses are reduced to the verge of starvation. Thus workmen are invariably the severest sufferers in the end. Employers are now probably feeling the pinch most severely, but their servants must necessarily soon share their calamity.

The question, then, that naturally suggests itself is this—How can prudent men best hold their own until the electors are sufficiently aroused to compel statesmen to provide a remedy for the iniquitously unjust standard and currency now in use?

The President of the Bank of New Zealand said truly at a late meeting of the shareholders, that under such circumstances as the present "there is no room for speculative business, and as a rule he is doing best who is doing least." Beware of speculating in land, ships, buildings, or anything in fact but gold, and invest every pound which you can spare in such a manner that it will be safely restored to you at some future day in that metal. If you lend money out upon good security the return in interest may seem small, but your capital will steadily grow in value day by day in the same proportion as the purchasing of money is increased by the fall in prices.

Sir Julius Vogel said, in his late public address in Wellington, that statistics showed that the market prices of both imports and exports had fallen more than 14 per cent, during the last five years. Assuming his figures to be correct, if anyone had lent, say, £1,000 five years ago, that money, if now called in, would be worth—in addition to the interest received—14 per cent, more real wealth, the fruits of industry, than it was when lent, or an increase of £140 worth—a difference arising solely from the unearned increase in the value of gold. Those, however, who have had their capital invested in joint stock companies engaged in agricultural or industrial pursuits know from bitter experience that the difference since 1880 has been in most cases far greater than that—a fact proved to demonstration by the market quotations of any stock exchange in the colony. Can we reasonably wonder, then, that industry stagnates when so heavily handicapped?

Capital is proverbially sensitive to its own interests, and although moneyed men as a rule probably know very little about the appreciation of gold, they are undoubtedly learning wisdom very quickly by practical experience, for while they will now leave their money lying idle rather than invest it in the most tempting ventures, they will lend it out at very low rates of interest and eagerly tender for Government loans at a nominal figure.

The authority just quoted said, in his late financial statement, that "within the last two years only there has been a fall all round in the rate of interest of about 2 per cent., and that fall is continuing," which clearly points in that direction.

Some may imagine that a low rate of interest would show that there is no increase in the exchange value of gold, but the truth is that it is the very strongest possible proof of the contrary, for when industry becomes unprofitable from the persistent fall in prices, or rise in the purchasing power of money, there is but little demand for it on loan, since the unearned increase in the value of gold is a crushing tax upon borrowers.

M. Laveleye, writing in May last, says: "It is a very singular but a perfectly evident fact that if half the coin in circulation were suddenly suppressed, the other half, instead of being insufficient, would be superabundant. If an article formerly worth £1 can be purchased for 10s., exchanges can be effected with as much facility as before, only on a basis of prices reduced one-half. In addition to this there would be a terrible disturbance throughout the economic world, all business would be suspended, and a quantity of money would lie idle. This is precisely the present situation."

Mill and other economists clearly point out the gross and cruel injustice that is done to the taxpayer and all private debtors by the appreciation of the standard. If prices fall 50 per cent, all national and other debts are thereby doubled. To meet a given sum of interest upon a foreign loan a colony would have to export twice as much produce as before, and the man who had borrowed money to purchase a homestead or invest in farming or other enterprises would have to dispose of twice as much of the fruits of industry as that gold was worth when he borrowed it, to repay the amount, which would of course mean utter ruin to the great majority of debtors from no fault of their own.

When men once realise the indisputable fact that gold is now steadily growing in value, they must instantly perceive that under such circumstances a borrowing policy, for either State or individual, is perilous in the extreme, and must, if persisted in, end eventually in either bankruptcy or repudiation. To borrow gold while it is daily becoming more and more scarce, to speculate upon a falling market, is nothing more or less than recklessly and wilfully committing financial suicide. England has been making great efforts to reduce her national debt ever since the battle of Waterloo, and has paid off about £100,000,000 sterling, but it is an indisputable fact that the late change in the standard of value has increased that burden more, as estimated in the fruits of industry during the last seven years, than the weary, struggling taxpayer had reduced it in seventy,

without giving him one fraction in return for that munificent gift to bond-holders.

A fact which calls forcibly to mind an incident related by Sir Edward Parry, who tells us that upon one occasion, during his Arctic explorations, when his party were making, as they thought, great progress in sledges over the icebergs towards the goal of their ambition, scientific observations revealed the startling fact that the whole ice field upon which they were toiling in vain so laboriously was steadily drifting with them far faster in the opposite direction.

Unlike the proverbial ill wind, there is no single redeeming feature in a depression arising from a contraction of the currency. As Laveleye says, "All incomes diminish, whether they are derived from land, from industry, or from commerce. The entire social body is in a state of decline." The only persons who really gain are bondholders, and those who have fixed and stated incomes, since they, of course, daily grow richer and richer while prices are falling from the very cause that is reducing the rest of the community to poverty, augmenting the burden of taxation, and so terribly increasing the bitter struggle of life. So far, however, as official salaries are concerned, that advantage can only last just so long as the electors fail to grasp the problem which we are considering. The Premier tried to introduce a clause into the civil Service Reform Bill this session to provide for the readjustment of all official salaries periodically in proportion to the decrease in the cost of the necessaries of life, which shows how short-lived the present advantage derived by civil servants from the late fall in prices is likely to be—a temporary gain, probably in most cases far more than outweighed by the fall in the value of property in which they are directly or indirectly interested.

As the *Edinburgh Review* justly said, in an able article on "The Scarcity of Gold," in January last: Our only consolation is that, "fortunately, the source of our present difficulties is no longer the mystery that it was even to our statesmen in former times. The fact that nowadays it can be traced to its fundamental cause constitutes the best hope amidst our present difficulties."

Adam Smith foresaw the possibility of a crisis arising from a scarcity of the precious metals, and pointed out the only rational remedy in the first chapter of the fourth book of "Wealth of Nations," saying: "If gold and silver should ever fall short in a country that has wherewithal to purchase them, there are more expedients for supplying their place than that of almost any other commodity. If the materials of manufacture are wanted, industry must stop. If provisions are wanted, the people must starve; but if money is wanted barter will supply its place, though with a good deal of inconveniency. Buying and selling upon credit, and the different dealers compensating their credits with one another once a month, or once a year, will supply it with less inconveniency. *A well regulated paper money will supply it not only without any inconveniency, but in some cases with some advantages*" over the precious metals themselves.

What he meant by a well regulated paper money he explains in the second chapter of the second book of his great work, where he says: "A prince who should enact that a certain proportion of his taxes should be paid in a paper money of a certain kind, might thereby give a certain value to this paper money, even though the term of its final discharge and redemption should depend altogether upon the will of the prince. If the bank which issued this paper was careful to keep the quantity of it always somewhat below what could easily be employed in this manner, the demand for it might be such as to make it even bear a premium, or sell for somewhat more in the market than the quantity of gold and silver currency for which it was issued."

J. S. Mill was a most bitter opponent of paper money, since he wrote just at the time when the precious metals were so plentiful that there seemed no chance of a growing scarcity of gold, but quite the reverse, yet he frankly acknowledged that "if the issue of inconvertible paper were subjected to strict rules, one rule being that whenever bullion rose above the mint price the issues should be contracted until the market price of bullion and the mint price were again in accordance, such a currency would not be subject to any of the evils usually deemed inherent in an inconvertible paper."

How the exact balance between the price of paper and bullion could be easily maintained has been pointed out very clearly by the great economist, Ricardo, so justly famous for solving abstruse social questions.

In his "Proposals for an Economic and Secure Currency," he says: "To secure the public against any other variations in the value of the currency than those to which the standard itself is subject, and at the same time carry on the circulation with a medium the least expensive, is to attain the most perfect state to which a currency can be brought, and we should possess all these advantages by subjecting the bank to the delivery of uncoined gold or silver at the mint standard and price in exchange for its notes, instead of the delivery of guineas; by which means paper would never fall below the value of bullion without being followed by the reduction of its quantity. To prevent the rise of paper above the value of bullion, the bank should be obliged to give its paper in exchange for standard gold at the price of £3 17s per ounce."

No writer up to the present day has exposed in detail all the fallacies of the multitudinous schemes propounded for creating wealth by the issue of paper money, with as much vehemence and ability as D. H. Macleod, Fellow of the Cambridge Philosophical Society, in his well known modern work, entitled "The Principles of Economical Philosophy;" and this is his definition of what a perfectly safe and absolutely reliable

paper money should be: "If, for the public convenience, it is deemed advisable to issue an inconvertible paper currency, the only way of maintaining its currency at par is by limiting its quantity. We do not mean by this limiting its quantity to an absolute fixed amount, but by devising some means whereby *a greater quantity of it shall not be issued than if it were convertible into gold*. If more than this is issued it will be followed by the same result as attends an excessive issue of silver, it will fall to a discount, which in this case is depreciation; and the necessary consequence of a depreciated currency will follow, viz., the market price (or paper price) of bullion will rise above the mint price, and the foreign exchanges will fall.

"Now if such a state of things happens, the proper remedy is to diminish the quantity of the paper in circulation until the market price of bullion is reduced to the level of the mint price. If the direct power of demanding five sovereigns be taken away from the holder of a £5 note, still if he can purchase bullion with it in the market to the amount of five sovereigns, it is an infallible proof that the note is current at par, and the limitation need not proceed beyond that. . . .

"It becomes in all respects a new standard just as much as gold or silver, and its value will be affected by the same principles as these two, viz., by the sole question of the quantity of it in circulation compared to the operations it represents.

"If the direct power of demanding coin be taken away by the State, the power of commanding a certain amount of bullion in the market still equally remains as the only test of its value."

This conversion of paper money at pleasure into uncoined gold or silver, is, of course, just what Ricardo's famous suggestion provides for. Such an arrangement is probably the very best that could be made, for it would relieve the State from the necessity of keeping any coin, and replace all the metallic currency but small change by State notes, and thus effect an enormous saving and greatly relieve the strain upon gold, and, at the same time, prevent the possibility of State paper depreciating, for if it fell in the slightest degree it would be immediately exchanged for the precious metals for export.

Some may imagine that the State would have to keep a large quantity of uncoined treasure on hand to meet the ordinary demand for money for foreign trade, but that is a great mistake.

J. S. Mill says: "All interchange is, in substance and effect, barter, . . . and so of nations—their trade is a mere exchange of exports for imports; and whether money is employed or not, things are only in their permanent state when the exports and imports exactly pay for each other. When this is the case, equal sums of money are due from each country to the other, the debts are settled by bills, and there is no balance to be paid in the precious metals."

And Professor Fawcett points out that even the interest upon foreign loans is paid, not in gold and silver, but by an excess of exports of the fruits of industry over those imported by means of bills of exchange.

Since we have no State bank to serve as a clearing house, some of our banks are now constantly exporting coin while others are importing it, which entails a great and suite unnecessary risk and loss, for which their customers, of Course, have to pay.

How little coin, however, is really required for export, is proved by the fact that our exports and imports of money very nearly balance each other. Thus, in 1881 the difference against the Colony was £13,000; in 1882, £3,320 only, and since then our imports have considerably exceeded our exports, in consequence, probably, of the depression having alarmed our banks.

During great and protracted wars nations are obliged to issue large quantities of absolutely inconvertible paper, which is, of course, simply raising enforced loans from their subjects, and it has been justly suggested by modern economists, that upon such occasions, when the public safety demands the issue of paper for which bullion is not forthcoming on demand, State notes should be convertible at pleasure into Government bonds bearing a fair rate of interest.

With such a provision for the security of holders of State paper, it could never have fluctuated in price as it did to the great disturbance of business during the long struggle with Napoleon, when for twenty-two years Bank of England notes were absolutely inconvertible, or as the notorious American green-backs more recently did.

Anyone who is cognizant of the world-wide distress already prevailing, and so rapidly increasing, must, we think, come to the conclusion that since its fundamental cause is now clearly recognised, the little narrow prejudices of bankers, bondholders, and bullionists will be soon disregarded, for men as a rule speedily open their eyes in cases where their daily bread, the interest of themselves and their families, is so nearly concerned. The probability, however, is very great that tardy, procrastinating statesmen will at first try and simply tide over the difficulty for a time by adopting the suggestion of bi-metallists, and reinstating silver in its former position. That would, of course, afford considerable relief, and greatly check the present progressive fall in prices, but the fact that after the late gold discoveries the trade of the whole world, as pointed out by Mr. Mulhall, expanded four and a quarter-fold in thirty-four years, while the annual production of the precious metals is now practically at a standstill, should surely satisfy any intelligent man that the recoinage of silver would at best

only mitigate the depression, and postpone the evil day for a very limited period. The real remedy undoubtedly lies in providing that the universal standard of value shall be economised as far as possible by the general use of paper money for home requirements, reserving the precious metals to be used as international money in the form of uncoined treasure.

It is absolutely essential that something should be done as speedily as possible to put a stop to the wholesale spoliation of debtors which is now going on through the appreciation of gold, to the utter ruin of the most enterprising and energetic men in every community where that metal is employed as the standard of value.

Justice revolts at the very idea of systematically robbing either debtors or creditors through the means of a standard which is rapidly changing in value in either direction. It is nothing more or less than the public use of false weights and measures to plunder one class to enrich another. How debtors now stand such treatment so patiently to the utter sacrifice of the interests of themselves and their families passes all comprehension. Their apathy probably only shows that they have hitherto failed to grasp this problem rather than any wilful and unmanly neglect of the first law of nature—self-defence.

J. S. Mill says "there cannot be intrinsically a more insignificant thing in the economy of society than money, except in the character of a contrivance for saving time and labour." Experience, however, proves that the adequate or inadequate supply of that "contrivance for saving time and labour" just makes all the difference between the bright golden age through which we have so recently passed and the death-like stagnation which is now draping the whole civilised world in mourning from one end of the globe to the other.

The same great authority tells us that "credit coined into notes as bullion is coined into pieces of money to make it portable and devisable, is so much purchasing power superadded in the hands of every successive holder to that which he may derive from his own credit. . . . Every bank note issued renders the credit of the banker a purchasing power in the hands of the successive holders."

If men could only realise this great fact, and perceive that the note which the State pays a workman to-day may pass through many different hands in the course of a year, providing the means of finding as much useful employment for as many different individuals, they would easily comprehend how greatly trade, industry, and commerce may be stimulated by making use of public credit in the form of national paper money.

The discovery of a great gold field, for which men now long so anxiously to remove the depression, could do no more than provide material for augmenting the quantity of that machinery by means of which Darter is facilitated, and since the value of all money is purely artificial, that machinery could be provided just as well by a paper currency based upon uncoined treasure as suggested by Ricardo and other economists.

Let us now glance at the popular arguments most commonly urged against a State paper currency.

1. We are sometimes gravely told *that Government notes would infallibly come to grief at the first bank they entered—that they could not possibly float.*

That objection takes it for granted that all private banks could exchange State notes for sovereigns, and deluge the market with their own doubtful paper instead. But how could that possibly occur if State notes were the only legal tender? Have private bankers been able to suppress national paper money in India, Canada, the United States, or any other nation upon earth? The idea is palpably absurd.

2. Again, it is said *people would mistrust State paper money.*

That objection implies that men are such fools that they would rather rely upon the credit of a few private speculators, whose sole object is to fleece them, than upon that of a whole nation legislating for the public good. To say that existing bank notes are always convertible into sovereigns is nonsense, for what would become of their small reserve of gold if a panic set in? It is only a delusion and a snare. That the credit of any British colony is far better than that of any ring of private individuals is proved to demonstration by the incontestible fact that it can borrow vast sums of money at much lower rates of interest, giving no security whatsoever but the promise of the people's representatives.

3. Others maintain that *since our note circulation is now less than one million, the annual saving at present from a State issue could not possibly exceed £40,000.*

This very common assertion is based upon the supposition that State notes would only displace that paper money now in circulation, whereas they could largely supersede our metallic currency as well which is about twice as much. Our note circulation in March last was actually £42,528 less than in the corresponding month seven years ago, although our population had enormously increased during that period. Hence we may fairly conclude that our paper currency could be very considerably augmented by the judicious management of our finances, and expenditure of public money, with immense advantage to the whole community. We maintain that the present depression is largely attributable to the contraction of the currency. Those who absurdly imagine that all that is required is to secure for the public treasury the comparatively trifling profit which private banks now make upon their note circulation propose to secure that by increasing the tax upon their paper issues. So far however from such a cheeseparating policy mending matters, the certain result of depriving the existing banks of the profit now made upon their notes, without issuing State paper to take their place,

would be to augment the depression by contracting the currency still further, since bankers, in self defence, would naturally decrease their note circulation in the same proportion as it was rendered unprofitable by increased taxation.

4. Interested alarmists pretend that if *private issues were driven out of circulation by State paper the existing banks could come down upon the colony for heavy compensation.*

If, through bungling legislation, they have secured any such monstrous and unjust monopoly let their claim by all means be settled immediately before any further liability is incurred. The Hon. J. Bathgate, however, said in the Legislative Council only a few weeks since, "The banks here have no especial charter or vested or exclusive right granted to them of issue. In every one of their acts there is a special saving clause reserving the rights of the crown and of every corporation. They have no exclusive privilege conferred upon them." That the existing note circulation here is entirely under the control of the State, is proved by the fact that the banks now pay a tax upon their paper issue of two per cent., which the Parliament has the power to increase at pleasure.

We do not, however, propose to interfere with legitimate banking in any way. The banks would be the greatest gainers through the influence of State paper in arresting the depression and promoting prosperity. In the words of the authority just quoted from Hansard, "If we wish our monetary institutions to survive the period of hurricane rapidly approaching, we must fill their coffers with notes of legal tender that will have a right to circulate throughout the colony without question."

One of the greatest perils at present under the existing system is, that our banks must collapse one after another, causing widespread misery and ruin, just so fast as their securities become rotten with the progress of the depression and the consequent depreciation in the value of land.

The Right Hon. W. E. Gladstone has told us that "private issues should disappear like private mints, and each kingdom have one uniform paper circulation, issued from a single central State department more resembling a mint than a bank," contending that "the profit of issues belongs to the State, and what is much more important than the profit, the responsibility of issues also belongs to the State." Again, in his famous oration on Home Rule in April last, he said: "Ireland might think fit to pass a law providing for the extinction of private issues of notes in Ireland, and providing that no bank notes be issued in Ireland excepting under the authority and for the advantage of the State. I own that it is my opinion that Ireland would do an extremely sensible thing if it should pass such a measure. It is my strongest and most decided opinion that we ought to have such a measure, but the block of business has prevented that and many other good things towards which we are now going to open and clear the way."

It is easy to paint glowing pictures of the folly of issuing paper, or metallic money either, in excess of legitimate requirements, for every schoolboy knows that it is not only utterly useless but absolutely dishonest to depreciate the currency, but it has yet to be shown—in spite of all the ridicule that has been ignorantly or selfishly heaped upon it—that national paper money based upon sound economic principles, would not preserve the equilibrium of the standard and prove an incalculable blessing to mankind.

None can possibly dispute the economy of substituting paper for a metallic currency. Adam Smith compared such a change to replacing old-fashioned and costly machinery with the latest modern inventions and then adding the difference saved thereby to a nation's productive capital.

McCulloch estimated and pointed out how many millions sterling were annually lost by civilised nations in the shape of interest, and wear and tear, upon their costly medium of exchange. And J. S. Mill said, "the substitution of paper for a metallic currency is a national gain. . . . And so long as the notes are no addition to the currency, but merely supersede gold or silver to the same amount, the gain to the issuer is a loss to no one, It is obtained by saving to the community the expense of the more costly material."

Professor Fawcett endorses the same view, saying, "The economy of this substitution is obvious; gold is a valuable commodity requiring much labour and capital to obtain it."

To quote one colonial authority, W. E. Hearn, LL.D., Professor of Political Economy in the University of Melbourne, says in his able work "Plutology": "The precious metals, as their name denotes, require much time and trouble for their attainment. It is not every nation that can afford to use such expensive machinery. There is no community so opulent as not to derive a perceptible relief from the substitution of an equally efficient but less costly medium," as he justly styles paper money.

While gold was rapidly depreciating in value between 1850 and 1870 we had several sharp commercial panics resulting from the sudden contraction of credit after periods of excessive speculation, as for instance in 1857 and 1866, and in precisely the same way we may reasonably expect periods of transient revival from the speculative expansion of credit, even while the standard of value is changing in the opposite direction. In fact we may look with confidence for a rise in the market in the case of such commodities as, from exceptional causes, are depressed in price far beyond what can be accounted for by the reduced cost of production in silver-using countries, or the change in the value of gold.

Some over-sanguine people now apparently imagine that the world wide depression is just at an end

because the wool market has somewhat recovered, and the effect of the late improvement in the value of that staple commodity must be immense in wool-growing localities, but that the price of that article had been unduly depressed was obvious, since its value had fallen out of all proportion to that of other products of industry. This was clearly pointed out by Sir Julius Vogel in his financial statement just before the late partial recovery occurred. He said: "Lest it may be supposed that what I have said about the present depression means that I think its principal cause—the reduced value of wool—is likely to continue, I must say that such is not my opinion. It seems to me that a sharp rally in prices must occur. *I am one of those who believe that all commodities have fallen in nominal value because of the appreciation of gold, but the fall in wool has been disproportionately great.*"

Some argue, like Mulhall and Atkinson, that gold cannot be growing scarce, because, since 1850, the quantity of that metal in circulation has doubled, while population has only increased 40 per cent.; but such writers overlook the fact that the demand for gold has enormously increased of late years for various purposes, and they conveniently forget the late wholesale demonetisation of silver. Again, while endeavouring to account for the fall in prices by attributing it to improvements in machinery and the means of transit, they fail to explain how it was that prices went on steadily rising, in spite of all such changes and improvements, until the close of the Franco-Prussian war, when the general crusade against silver and the rage for a gold standard and currency set in. The absurdity of such a palpably shallow theory as that, is proved to demonstration by the fact, that the market prices of all commodities have fallen quite irrespective of whether there has been any such saving in the cost of production or not.

A doctrine very common in the commercial world is that credit instruments of various kinds are increasing with sufficient rapidity to facilitate exchanges as gold becomes more and more scarce. But Mr. Giffen himself says: "I much doubt whether any serious economy has been effected with regard to the exchanges accomplished by the substitution of credit for gold." Recent reports tell us that the clearings in London have been gradually decreasing of late years, which plainly shows, as might naturally have been anticipated, that, under existing arrangements, the volume of credit instruments contracts rather than expands as industrial stagnation increases from the growing scarcity of gold.

Many imagine that the production of wealth could not be either stimulated or retarded by any alteration in the standard of value since the purchasing power of money rises or falls in exact proportion; but, as J. S. Mill says, "there is a disturbance, in short, of fixed money contracts, and this is an evil whether it takes place in the debtor's favour or the creditor's," and he fully explains that the effect of the appreciation of gold is to despoil the active members of every community for the benefit of the do-nothings.

Some, again, contend that a growing scarcity of gold would only sacrifice present debtors to enrich their creditors, which would certainly be bad enough, since most energetic men who are engaged in active enterprises have serious liabilities. Unfortunately, however, the trouble will not end there, for while gold is steadily rising in value all financial contracts entered into in the future, until some remedy is devised, must become just as viciously unjust five years after as those now are which were made as many years ago.

Writing upon this subject, the *Edinburgh Review* lately said: "The doctrine that changes in the amount of the circulating medium are really of no consequence, inasmuch as such an increase or decrease is *pari passu* attended by a proportionate change in the value of money, so that the effective power of the currency remains unaltered, is now all but extinct, and can survive only in minds which are impervious to the remarkable lessons of the last 30 years." Those lessons that teach us that the mighty march of human progress which accompanied the development of modern goldfields between 1850 and 1874, when the medium of exchange was abundant, was abruptly brought to a disastrous standstill and steadily succeeded by an industrial famine, so soon as prices began falling from a decline in the production of gold, accompanied by an artificial contraction of the standard of value through the general banishment of silver from the mints of the world.

The poor, as they deplore the scarcity of employment, often attribute their hard fate to labour-saving machinery, forgetting that experience in every age has proved that countries like England and America, which have become famous for the excellency of their mechanical appliances, have invariably rewarded labour far better than any other nations upon earth. In proportion as industry becomes more or less profitable, all engaged in it must feel the consequences in the world-wide competition.

The effect which the increased application of capital and machinery to industrial pursuits has upon the wage-earning classes was clearly defined by Bastiat in his "Harmonies of Political Economy" thus: "*In proportion to the increase of capital, the absolute share of the total product falling to the capitalist is augmented, but his relative share is diminished; while, on the contrary, the share of the labourer is increased both absolutely and relatively.*"

The rich, on the other hand, who often look upon the stagnation of industry as a curse brought upon civilisation by the extravagance and extortion of the working classes are equally oblivious of the fact, clearly demonstrated by no less an authority than the great economist McCulloch, namely, that the inevitable result of a

high rate of wages is to bring labour-saving machinery to greater perfection and thus, instead of destroying a nation's industries, enable it to distance all competitors. This, as he points out, is proved alike both by theory and experience. He therefore justly concludes that "the best interests of society require that wages should be elevated as high as possible—that a taste for the comforts, luxuries, and enjoyments of life should be widely diffused, and if possible interwoven with the national habits and prejudices."

And that most rigidly conservative writer, E. Atkinson, tells us, in his work on "The Distribution of Products," that "low rates of wages are not essential to a low cost of production, but, on the contrary, usually indicate a high cost of production. . . The cheapest labour is the best paid labour; it is the best paid labour applied to machinery that assures the largest product in ratio to the capital invested."

Many ridicule the very idea of trying to relieve industrial stagnation by Act of Parliament, but what, we should like to know, but wise legislation enables man to accumulate wealth at all? It is cowardly in the extreme to shut our eyes to stubborn facts or hide our heads like the ostrich in the face of danger instead of boldly meeting such questions like men.

If, as is pretended by monometallists, it is absolutely essential that our domestic currency should mainly consist, as at present, of gold, which is now failing us, the future prospects of our race appear gloomy in the extreme. If, as others maintain, the great march of human progress depends upon brain and muscle, or brave and willing hearts and strong arms, guided by wise legislation, rather than upon a few tons of one of the most intrinsically valueless of metals, then mankind have the remedy for the present depression entirely in their own hands; and when the electors imperatively demand some adequate machinery for the interchange of the fruits of their industry, it will be speedily forthcoming, to the injury of no man, but the incalculable benefit of all.

If coal or iron were running short, we might well tremble for the consequences, but reason distinctly tells us that gold and silver are merely toys which, when prejudices are outgrown, can be easily dispensed with. Those who are not wilfully blind must clearly perceive that civilisation is now tottering ominously upon the brink of a great crisis—one that may either overwhelm it for ever, or prove the dawn of an industrial millenium.

When reason can clearly trace the present world-wide calamity to some absurd blunder of statesmen—some defect in the currency laws—shall we superstitiously hesitate to try and retrace our steps, and, if possible, improve upon that circulating medium which was adopted by our barbarous ancestors to supply their little wants, when the great science of national finance was utterly unknown? That this is not merely what is called a soldier's battle, depending mainly upon courage, brute force, and endurance, is clearly proved by the indisputable fact that millions of careful, struggling, deserving men in every quarter of the globe, where a gold standard has been adopted, now find it utterly impossible to hold their own against the disastrous ebb tide of falling prices, by the most anxious, heart-breaking exertions, and incessant laborious toil.

The forlorn ships of State with their precious freights—the lives of millions—are drifting rapidly towards unknown dangers for want of able and far-seeing commanders to guide them, far more than from any lack of bold, enterprising, and industrious crews. Who can deny that if equal facilities were afforded them the Anglo-Saxon race would be just as able and willing to create wealth of every description to-day as they were ten years ago. They have far better tools and machinery, and nature is just as bountiful as ever. No man living can assign any logical reason why, if supplied with a sufficiency of a reliable medium of exchange, and a just standard of value, the industrial classes could not now create wealth and prosperity on all sides just as rapidly as they did during the best days of the goldfields, or indeed far faster, for the supply of currency even then was always costly and uncertain, while the medium of exchange should be inexpensive, economical, and perfectly accessible at all times to any who are willing to give good value in exchange for it, since it has no conceivable limit short of the legitimate requirements of civilisation for the distribution of the fruits of industry. Any State that could contrive to keep all its people, who were willing to work, fully occupied in creating wealth, would soon be the greatest and richest nation upon earth.

When our settlers wish once more to find a ready and profitable sale for their produce, and to see their lands and other property grow steadily in value with the increase of population and the march of progress, as in former times, and are satisfied that they have had a sufficiency of cheerless and ever-increasing poverty, they will rise like one man and demand that their interests shall be protected against unjust foreign competition, by the adoption of an honest standard of value, and an adequate and inexpensive paper currency, such as suggested by economists, in lieu of that costly," contracted, and starving metallic one, for which we are now paying such a ruinous price.

The time has certainly fully arrived for Englishmen to decide once and for ever how much further they are willing to sacrifice the interests of themselves and their country to satisfy the unjust greed and rapacity of bondholders and bullionists, and enrich those teeming hordes of barbarians who still possess a silver standard.

To show how rapidly this question is now coming into prominence in Europe, we extract the following from that influential journal the *Nineteenth Century* of June last:—

"Is there a palpable and increasing scarcity in the gold supply? Has this scarcity, coupled with the large

demands on gold, caused a corresponding contraction in our currency? To these questions we say yes. . . An undue inflation and enhancement of gold have occurred, increasing its purchasing power as against silver and every other commodity. And what does this increase of power signify other than low unremunerative prices all round—a positive check to all forms of industry, leading to partial cessation of labour, enforced lowering of wages, and a general paralysis in every branch of commercial and industrial enterprise? The farmer, for instance, keenly feels the brunt of the formidable competition with Indian cereals—an assertion easy of demonstration. The appreciation of gold," the writer continues, "is a sort of shifting, ponderous millstone, by which British manufacturers and farmers are handicapped and overborne. Those must, in sooth, be very long-suffering individuals in a matter where the exercise of such forbearance is quite misplaced, if they do not rise to a right conviction of the gravity of the situation, and think the matter out for themselves. Their sturdy reliance on their own exertions and their refusal to own to any inferiority, enable them to regard with some equanimity our sorely-tried system of free trade; but the unfair competition, however, to which they are subjected, because of our insular views of the sanctity attaching to the golden calf, entails a refinement of gratuitous and self-imposed burdens. . . , Does it not seem right that this canker to our industries should be arrested by means that need not be of any heroic character, provided such means are taken in due time; while the disease, if allowed to continue its headlong course, uncontrolled and unchecked, may before long become the parent of irreparable mischief. And the awaking will be a rude one?"

Men may believe it or not, just as they please, but the fact is, as time will quickly prove, that all civilised nations are now being gradually reduced to the verge of starvation simply because the great artificial wheel of exchange has broken down under the excessive burden now imposed upon gold. It remains to be seen how long it will be before our statesmen rise equal to the simple task of again restoring it to working order. They might just as reasonably tell us that all ordinary machinery must be brought to a standstill until the present iron wheels could be replaced with ones made of gold, as pretend that the great wheel of exchange must necessarily collapse because they cannot obtain a sufficiency of that particular metal to answer the purposes both of a universal standard of value and domestic currency for the whole world.

Industry is manifestly suffering not from over-production but under consumption, the natural result of a contraction of the medium of exchange. This is proved to demonstration by the fact that all countries, except those using silver, are now both importing and exporting less than formerly—an infallible symptom of industrial and commercial decline. The marvels so lately effected by the untiring energy of man when the currency of the world was augmented by the recent gold discoveries have abundantly shown what labour can easily accomplish when supplied with a medium of exchange capable of expanding indefinitely in the same ratio as the legitimate requirements of industry and civilisation.

All lovers of peace and order must surely hope that public men will soon awake from their dangerous lethargy and realise without delay the awful responsibility that now rests upon them, and not cling madly to their golden idol till all existing institutions are overthrown to be succeeded perhaps by a reign of terror and brute force.

The great financial enigma now presented to all Governments which have adopted a gold standard, is like the riddle of the Sphinx—they must either solve it, and solve it speedily, or perish ignominiously. There is no alternative.

Bondholders and other interested parties taking advantage of the ignorance of the masses upon such questions, may contrive by ridicule—the usual cloak of injustice—to throw dust in the eyes of the electors for a limited period, but hunger, which drives the wolf from the forest, will undoubtedly soon effectually arouse them to make a firm, determined, and united stand in self-defence. The apathy and criminal negligence of public men in this momentous crisis, when multitudes of willing, able, and industrious settlers are clamouring in vain for the humble privilege of being allowed to earn bread by the sweat of their brow to keep themselves and their families from starving, call vividly to mind the famous satire passed upon the aristocracy by Napoleon, when he compared the British army to a host of lions led on by a pack of asses.

We can only say, in conclusion, that we sincerely trust that, in spite of crafty, scheming bondholders, and blundering, shortsighted statesmen, the enterprising and indomitable Anglo-Saxon race is now only taking a step backwards to leap boldly forward the better in the immediate future.

We disdain to believe for an instant that when British workmen once fully realise what is now going on through the appreciation of gold they will tamely submit to be drained of their life-blood, and ground systematically down to poverty, degradation, and famine, to pamper and fatten their greedy and grasping rivals—the teeming and semi barbarous hordes of Northern Europe and Asia.

Although by means of an artificially contracted currency, and a viciously unjust standard of value they are now hopelessly handicapped out of the race of life, let their rulers only give them fair play and they can safely defy competition and hold their own fearlessly against every nation upon the face of the earth.

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Otago Education Board.

Report of Committee Appointed to Enquire into, and Report Upon,

The Standards of Education

In the

Public Schools of New Zealand,

With Appendix.

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OAMARU,

18th June, 1886.

SIR,—

I am convener of a Committee of Education Board of Otago "to inquire what is best as to amount of instruction and number of subjects to be prescribed for common education, especially as affecting health, and healthful culture of mind, with a view to preparation for the duties of mature life."

It is feared by some that we are in danger of erring through excess of prescription, either in amount of task-work or in number of subjects, occasioning undue repression of individuality in teachers and pupils, over-cultivating the memory at the cost of the mind, injuring the education as a training for life's career by overstrain upon the vital forces at the outset. And it has been suggested that in framing a scheme of prescribed work, what we ought to aim at is, not to have in it as much work and as many subjects as possible, but to have in it as little and as few things as possible, compatibly with secured provision for due promotion of mental culture by sustained progressive exercise of mind in all its opening powers.

The Committee desire to have the benefit of opinions of men qualified to judge. I, therefore, respectfully request you to take this matter into consideration in connection with our existing syllabus or practice as otherwise known to you, and to favour me at your early convenience with any notes that may occur to you—(1) As to details in relation to syllabus of subjects prescribed. (2) As to the regulative principle or view upon which a syllabus ought to be constructed.

I trust that the importance of the subject will secure your kindly consideration of it.

Your obedient servant

,
James Macgregor.

Appendix to Report on Syllabus.

Schedule of Returns Received.

1st.—EDUCATIONAL AUTHORITIES.

- Sir Robt. Stout, Minister of Education.
- Rev. W. J. Habens, Inspector General of Schools.
- Mr. Hill, Inspector of Schools, Napier.
- Mr. Goyen, Inspector of Schools Otago.
- Mr. Petrie, Inspector of Schools Otago.
- Mr. Hodgson, Inspector of Schools Nelson.
- Mr. Murray, Inspector of Schools Taranaki.

- Dr. Anderson, Inspector of Schools S. Canterbury.
- Educational Institute of Otago.
- Educational Institute of Otago. (Waitaki Branch).
- Education Board of N. Canterbury.

2nd.—INDIVIDUALS WHO WERE ASKED TO REPLY TO CIRCULAR.

- Rev. A. Cameron, Anderson's Bay.
- Mr. M. Cohen, Dunedin.
- Mr. J. L. Gillies, Dunedin.
- Mr. J. B. Park, Dunedin.
- Mr. A. Barrett, Dunedin.
- Mr. R. Rutherford, Dunedin.
- Mr. J. K. Menzies, Tapanui.

3rd.—SCHOOL COMMITTEES.

- Thirty-five returns.

Report of Committee.

Report of Committee appointed to inquire into and report to the Board as to what is best as to the amount of instruction and number of subjects to be prescribed for Common Education, especially as affecting health and healthful culture of mind, with a view to preparation for the duties of mature life.

We have in all 53 returns—viz., 11 from educational authorities in Otago and New Zealand, 7 from individuals who have been requested to answer the circular, and 35 from School Committees in all the regions of Otago as corresponding, for example, to the Branches of the Educational Institute. Returns are still coming in, but those received suffice as a foundation for an interim report.

The returns indicate a widespread interest in the subject and widespread feeling of its importance. They exhibit a very remarkable harmony of thought and feeling in relation to the matter, both as to the principle upon which we ought to proceed in determining the amount of prescribed work, and as to the outcome of the actual syllabus now in use. The principle pervading the returns is that this and all other matters ought to be determined with a controlling reference to the condition and capacity of children at school and their preparation for the life that is before them; and from this point of view the testimonies combine with remarkable fulness in decisive condemnation of the existing syllabus, especially as involving an amount of prescribed task-work, and a quality of prescribed taskwork, that is fitted to repress the individuality of the teacher, and to overstrain the minds of pupils with toil that is fitted rather to retard than to forward the healthful growth of the mind, and that can hardly fail to be detrimental to the vigorous growth of the body. Detailed criticisms of the syllabus are generally in the direction thus suggested. The amount and kind of prescribed knowledge of geography and history are generally given as the sample of misapprehension, practically absurd, of what is reasonably to be desired and expected in a school. The positive suggestions are mainly in the direction of a very simple outline of prescribed work, leaving large room for filling up according to specialties of the teacher and the pupils. The testimony thus coming to us from experience of real educational work in Otago is strikingly corroborated by the volume of Mr. Sonnenschein on Foreign Educational Codes, which is a digest of the syllabuses of Continental European nations. From that work it appears that New Zealand, in so far as it has a larger amount of prescribed work than England, is not in the van but in the rear of civilization. England, with its large amount of prescription of task-work, followed only by Italy, is distinctively among European communities thus far the educational barbarian. The civilized European States in general proceed upon the view, with clear consciousness of proceeding upon the view, that the right thing is to have in the syllabus the smallest amount compatible with keeping the mind of the pupil in exercise according to its capacity, and in the form best fitted to lay hold of the mind and even the affections, and exercise and interest 'them at the stage which they have reached, and unfold them easily from that stage.

There are valuable suggestions as to what should be done toward having the syllabus put on a right footing: for example, that a small number of experienced teachers should be requested to draw up a syllabus that might be fit for use universally in the schools, upon which there might be variations corresponding to the specialties of the various types of common school. But that goes beyond the Committee's instructions, and indeed beyond the power of this Board.

James Macgregor, D.D.
Convener.

Supplementary Note.

At a subsequent meeting of Board, Dr. Macgregor intimated that 15 additional returns had been received and digested, which were of like tenor with the 58 reported on. The Board agree to lay the Report before the Minister for Education, and that Dr. Macgregor should make a selection of statements in the returns, to be printed for use of the Board along with the Report.

The subject has been before the Educational Institute of New Zealand at its recent meeting in Christchurch. It was brought before the Otago Educational Institute in a valuable paper by Mr. Park, of Dunedin, which came to our hand before the report was prepared, and in a paper of like value by Mr. Dunbar, of Waiholo Gorge, which has been published in "The Schoolmaster." Our selections are made only from the returns to our Circular. They are intended to show by sample how the matter is regarded by the real educational mind of the community. The witnesses are therefore taken from all the classes consulted:—

- An Education Board (Chairman and Inspector).
- A School Inspector.
- A Common School Committee.
- A Master of a Secondary School (on his Committee's behalf).
- A Master of a Common School (on his Committee's behalf).
- An Educationist not professional.

The returns contain many suggestions for a working syllabus, which, kept *in retentis* at the office, will no doubt be found valuable if practical action be resolved upon. It is right to state, what is implied in the report, that in the returns the consensus of opinion, though remarkably full, is not absolutely complete: there are some dissentients, though the number of them is remarkably small.

Selections.

1.

In reply to your circular of June 1st, concerning the syllabus, we beg to offer the following remarks. For the great majority of the children attending the public schools of the Colony, it may safely be said that the chief requirements are that they should be able to read and write well, and be fairly expert in arithmetic.

The necessity imposed upon teachers of small schools, where only one teacher is employed, of having their scholars prepared in all the subjects of a somewhat extensive syllabus, must tend to render the teaching of what may be called the indispensable subjects anything but thorough. The time available for reading and writing in schools of this class is quite insufficient. By reading is not meant the merely mechanical art, but the habit of reading carefully and analytically, so that the full meaning of the passage read is conveyed to the mind.

Possibly there is no habit which presents so great a hindrance to mental improvement as that of reading a series of words without a thorough grasp of their meaning, and no habit is more common. The geography and history taught in our schools should not consist so much of an accumulation of facts and dates, for the scholar may safely leave school without the possession of a hoard of particulars, if in the teaching of these subjects the main end and purpose have been to render their study entertaining and interesting. Much more valuable possessions for the young scholar at that stage of his career would be, first, a knowledge of the fact that there is actual enjoyment to be derived from these studies; and secondly, a disposition to continue his researches. This may be to some extent provided for, and the difficulty concerning reading lessened, by the use in our schools of the very attractive Geographical and Historical Readers, as used under the English Code.

With reference to grammar, we are told that the object of teaching it is that boys and girls may learn to speak and write their mother tongue correctly. If a child does learn to speak and write correctly, he does so by example and practice. Plenty of children can be found who have passed through the Sixth Standard, and who could parse and analyse fairly well, and yet would not in everyday intercourse use ten words of the language without speaking ungrammatically. It does not, however, follow from this that the teaching of grammar can be dispensed with. What is really necessary is that the subject be taught as practically as possible. If Abbott is correct in his conclusion that "no child ought to be able to parse a sentence which he does not thoroughly understand," then the practice of giving children a portion of a reading book, out of which to pick certain parts of speech without reference to their function, is strongly to be condemned. For the words in the English

language have no outward shape which shows their classification. Function alone decides that, and therefore grammar can only be taught properly by determining that the use of a word shall be stated before its classification is fixed.

With reading, writing, elementary drawing, and vocal music, arithmetic, and composition, and for girls domestic economy and needlework, as the absolutely essential subjects, and history, geography, and grammar by rule as subsidiary subjects, and treated as such at examination, the schools of the Colony would be doing far more really good work for the bread-winners and housekeepers of the future than is at present being accomplished. It has been proved in England that there was very little reason for the outcry raised some time ago about over-pressure in the primary schools, and that five years after the Education Act came into force the mortality among children between the ages of 5 and 15 had decreased 23 per cent. If overpressure was found to exist at all, it was amongst the poorest and sickliest children, and the Code now permits the withdrawal of such children from examination. It is matter for regret that a regulation which permitted a similar procedure here is cancelled by the new Standard Regulations. The uniformity of treatment required under the Standards, with the endless diversity of temperament, and of physical and mental capacity, existing amongst children, must always be a stumbling-block to the teacher. There is not sufficient evidence of over-pressure as affecting health, in this district, to prove that an alteration of the syllabus is necessary specially on that account. The question of whether the system of education laid down is the best fitted to prepare the children of New Zealand for the after duties of life is quite as deserving of consideration. Still over-pressure under a system such as ours may easily occur, especially if the teacher be not discreet in the matter of home lessons.

Whichever reason may be considered most potent in calling for a modification of the syllabus, there is no doubt that an alteration in the direction of assimilating it to the English Code would be a boon to teachers and scholars alike. It is not easy to find a reason why a Standard under the New Zealand Regulations should be more exacting than a Standard under the Code; and if the educational authorities in England find it desirable to spread the school course over seven standards, the difference in circumstances does not satisfactorily explain why the New Zealand child is to be turned out a finished article in one year less.

Please to accept apologies for the delay in writing to you.

2.

As one who has passed through every phase of the teacher's profession, I must own there is nothing, in my opinion, so distasteful to a teacher of strong individuality as the rule requiring him to teach subjects that he knows full well to be next to useless, and to the neglect of subjects which, were he permitted to teach, might become the forerunner of blessings to most of his pupils in their after lives.

Every scheme of national education which has come under my notice fails, so it appears to me, in this all important principle, viz., that the children and teachers, and even the subjects which have to be taught, are made to bend to departmental plans, rules, and regulations, instead of the department being made to adapt its administrative plans and methods to the special needs and individualities of districts. Were such a course adopted as here pointed out, we should not see, as I venture to say is to be seen daily in this Colony, the instruction and training of children being bent to the whims and wishes of this inspector or of that one, to the neglect of the one prime object of school training: the preparation of children for the due fulfilment of their duties as citizens.

There are in this district, as I suppose in every other in New Zealand, three aspects of social life, represented by town, country, and bush; and the condition and wants of the people differ very greatly in each: the town from the country, the country from the bush; and also the bush aspect of life is farther removed from the town than from the country. As the aspects are different, so are the ways and conceptions of the people. The local surroundings, the wants and the pursuits of bush settlers have little in common with the ways of living and pursuits, of the people in the towns; and is it not natural to suppose that the education of the children, if it is to be something better than a show, should be arranged upon and adapted to these different modes of living? But as it is now there is no difference in the standard requirements for the children throughout the Colony. They must all pass through the same needle's eye. Chinese uniformity is the recognised order of the day, and even inspectors are not allowed to deviate from the lines laid down by the Government, however necessary the inspectors may deem it desirable to do so. The future bushman, ploughman, mechanic, merchant, schoolmaster, and professor are provided in the Government workshops with exactly the same kinds of tools, to perform entirely different functions in life, with the result that we find words are now an equivalent for ideas, memory for mind, and instruction for education.

I might pursue this very interesting and important subject at much greater length, were it needful to do so, to show that education, in my judgment, to be effective and permanent must be of two sorts: *General* and *Special*. After the training of the organs of sensation: sight, feeling, taste, touch, and smell, which, by the way,

ought to be the *main aim* of our infant schools, there are only two school subjects, both of them mechanical, which are common and needful for all. I refer to *Reading* and *Writing*. These are the two modes by which mankind in general communicate their thoughts to one another. They are the pictorial means of conveying thoughts and facts without the use of vocal sounds. As soon as these arts have been well and fully mastered by children, specialisation really begins. It is for this important reason, among others, that I am not in favour of the present standard syllabus of instruction. Whilst we want Government control and Government supervision, we do not want *Government uniformity* in education. We want centralism and localism harmonised, although the problem may seem a difficult one to solve. To me the duty of the Government is clear. It should insist upon all children being prepared for citizenship, but it should throw the onus of preparation upon the counties and boroughs. At once we should have adaptation and differentiation in education. By means of inspectors the Government should know what districts are doing in the way of advancing education, but it should not insist upon this subject or upon that one being taught to the exclusion of everything else. I am opposed to any limit being put upon what children may learn, so long as there is no age clause in operation when each standard must be passed, and no payment by results. I believe that the powers of children in the acquisition of knowledge are very great, if the subjects they are permitted to learn *are adapted* to their mental tastes, which, by-the-way, is simply specialisation. I do think, however, that the present Standard subjects are too numerous to compass thoroughly in the short space of 950 hours, which is the actual school time between one standard examination and another, and that much better work would be done by having a seventh, and even an eighth, standard, and by an examination in *special subjects* one year, and in *general subjects* the next year, and so on, in all standards higher than the Second. Examinations would then become more real on the part of the inspectors, and less harassing and detrimental to the children.

As to details in relation to the syllabus of subjects now prescribed for the standards, I think they are well drawn out, but, as explained above, I object to a stereotyped syllabus for a nation of children whose mental likes and dislikes are as various as their bodily ones, and whose life pursuits will be, of necessity, as diversified as their tastes. Were an extended standard syllabus prepared in Botany, Geology, Natural History, Cookery, Needlework, Drawing, Agriculture, Chemistry, Economy, Physical Geography, Mechanics, &c., just as there is in Arithmetic, History, &c.; and were the choice of subjects other than the general ones left optional to the several districts, we should see the law of adaptation being applied to the promotion and advancement of education, as it is seen throughout the animal and vegetable kingdoms, and the results would be infinitely better than they now are in too many cases, where cramming the memories of children with useless rubbish is made to do duty for the expanding of their minds and the development of their intellects.

What we do want is a meeting of educationists to draw up a feasible scheme, not based upon what England does or upon what Victoria would like to do, but upon what *we ourselves ought to do tunder the varying conditions of life in New Zealand*, so as to produce earnest, intelligent, and industrious citizens, and men who will love and look upon the Colony as their fatherland.

3.

First, as regards present syllabus. That Drawing, Geography, and Grammar be removed from the list of pass subjects and made class subjects.

Second, that the Arithmetic in all standards be considerably lessened, both in extent and in difficulty, so that ability to work purely mechanical sums may be sufficient to secure a pass.

Third, that History be removed entirely from the Third Standard work, and that Science be made an additional subject.

Fourth, that more freedom be allowed to teachers in grouping classes, and that no more than two additional subjects be required (at least, in the case of country schools); and that amongst these additional subjects Mathematics and Latin may be included.

According to these suggestions the Pass Subjects would be four instead of six.

- Heading and Definition.
- Spelling and Dictation.
- Writing (including Composition in four highest standards).
- Arithmetic.

The Class subjects would be:

- Geography (II. to VI. Standards).
- History (IV. to VI. Standards).
- Drawing.
- Grammar (III. to VI. Standards).

Additional subjects (only two to be selected):

- Singing.
 - Science.
- Or other suitable subjects, as Mathematics, Latin, or French.

4.

In constructing a syllabus care should be taken to include those subjects the study of which will afford a training fitted to turn out men and women best able to discharge their duties in life. In this view the acquisition of knowledge is not looked upon as everything, and a child's training is not gauged by the number of subjects it has been set to study. On the contrary, only that knowledge is considered valuable which the pupil has assimilated, and which forms a basis for still further acquirements. A syllabus constructed on this principle will discourage all attempts to cultivate children's minds, regardless of their bodies; "for, after all," as Herbert Spencer says, "success in life is far more a matter of energy than information."

- In a rational syllabus the subjects of each standard ought to be suited to the mental development of children of the age at which the standard is usually passed. Progress, as far as possible, should be from the concrete to the abstract. Those abstract studies which require careful reasoning ought to appear late in the syllabus.
- The subjects should be such as provide each natural power with *suitable* exercise.
- Special attention and prominence ought to be given to such subjects as give a power of acquiring knowledge, to those subjects which, when mastered, become instruments of knowledge. (Heading, for example, may be looked upon as a key fitted to unlock the vast treasures of learning.)

Reading, Writing, Arithmetic, and English Composition will thus form the important subjects in a rational syllabus. The highest importance ought to be attached to intelligent reading, and this might very well be done by lessening the requirements in arithmetic, which appear to be too high in the New Zealand Code. So much stress is laid on the ability to solve problems in arithmetic, that in a number of schools one and a-half hours per day are devoted to this subject, often, doubtless, with the result that the brain is overworked. Ability to work mechanical examples correctly ought to secure a pass, and ability to solve problems to earn special commendation.

Geography ought to be made a class subject, and should not be taught under the Fourth Standard. The requirements in History for the Third Standard are ridiculously extensive.

Formal Grammar ought to be made a class subject, and greater importance ought to be attached to English Composition. Grammar ought to follow Composition, and not to precede it. This is Nature's method, and ought to be followed in practice.

Elementary Science, as at present taught, is perfectly useless. In the most of cases it is taught like a literary subject, and not experimentally, and therefore degenerates into mere cram.

Drawing ought to be made a class subject, and not as at present a pass subject.

5.

I consider that the powers of memory should not be over-taxed by the necessity of keeping up the dates, names, and special facts of "history"; as also minute details of places, relative positions, and other particulars required by a constant repetition of "geography" in order to pass at the examination. I consider this a serious mistake, and from my experience of about thirty years, I venture to say, such crucial taxation of memory is bordering on a system of "torture." In business life no professional man or clerk in an office would be expected to retain in his memory at the end of the year the details of every case and business transaction so as to pass an examination. It is sufficient if the requisite skill is found for dealing with the cases as they arise. To this end I think all training should lead up. The memory is dissipated by the storing up of special details which can be ascertained from books of reference.

"Geography" being taken out of "pass-subjects"; and "history" in the "class-subjects" not so rigidly taught as heretofore, more time would be left for the explanation and practice of "arithmetic,"—a subject which requires considerable time in order to give facility and accuracy in working out the questions. There would be also more time for "reading" with explanation. I am of opinion that more books should be read during the year than the teacher can find time for under the existing syllabus. Lessons on "moral subjects," especially "obedience, truth, and honesty" would be beneficial in breaking down the tendency to educate the "mere intellectual side," which, pure and simple, I agree with a learned Doctor of Divinity, is "the soul of diabolism." The education of the heart would thus be provided for. And if we are to aim at educating the young to become good and useful citizens, the influence of the teacher must supplement that of the parent and pastor by presenting the straight paths of moral rectitude.

A few subjects only as "pass-subjects," and those subjects progressive in view of the principle "festina lente," (for the old proverb is true, "*cito maturum cito putridum*,"—soon ripe, soon rotten) should be the rule on which a syllabus ought to be constructed.

6.

My opinion is that the lines that have been laid down in our educational system in regard to both syllabus and standards have been too much the work of theorists, and that consequently they are tending to make our teachers mere machines and our scholars educated parrots. The system practically says: here are numbers of children, and the teacher's duty is to turn them out according to a prescribed model. Now, children are not like timber or iron or any other inert material, that, given a knowledge of their constituents and the necessary experience and skill, success in reproducing the model can be insured. My study and experience of children has proved to me that there are mental and constitutional differences in them that require to be carefully studied and considered if one desires to see produced in them true educational success. To some the syllabus as prescribed is no overtask; to others quite the contrary. Mental development does not take place in some so early as in others; and in the case of the former to bring them up to the standard, a laborious and at the same time ruinous system of cramming has to be resorted to, the result being more destructive to success in after life than if one-half of the so called education were dispensed with. I could, if necessary, detail cases in point coming within my own knowledge to illustrate this view. Children are in many respects like the lower animals, or like plants in the vegetable kingdom. If you lay down any cast iron rule for their training, in some cases you may succeed, in others, the results will be unsatisfactory. And as with the training of the lower animals or in the growing of plants, the main secret of success lies in the skill and intelligence of the trainer or gardener, so the successful education of children depends mainly I affirm in the skill and intelligence of the teachers. The present system may tend to the development of a phase of skill in cramming that may be destructive to the exercise of that intelligence necessary to be exercised in determining how and in what quantity and form instruction can be best imparted to the young plants, with a view to their success in after life. What I think should be more aimed at than is at present, is to provide our schools with well-trained, intelligent teachers, who are able to discriminate and weigh the capabilities of their scholars, and who should be allowed far more exercise of their own individuality in the management of the schools under their charge, and who, from their daily careful study of the mental and physical constitutions of their scholars, ought to be the best judges of the amount and kind of work most suitable and expedient in each case, and that is likely to prove most successful and useful in after life. This leads me to express my conviction that the system of classification of teachers adopted by the Inspector-General, is not calculated to encourage the production of the best workmen.

decorative feature

J. Wilkie & Co., Printers and Stationers, Princes Street.

Protection and Free Trade.

by William Reeve Haselden,

Barrister-at-Law,

Author of First Prize Essay on "Colonial Industries," New Zealand Exhibition, 1885.

Dedicated by Permission to

The Honorable Sir Robert Stout, K.C.M.G.,

Premier of New Zealand.

Price Sixpence.

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Dedication.

To

THE HON, SIR ROBERT STOUT, K.C. M.G.,
Premier of New Zealand.

Sir

With your permission, I dedicate this little work to you. The kindly and large-hearted sympathy which you ever evince with the people of this Colony, and the courage you have shown in striking out new paths of advancement for the masses, embolden me to hope that the views I have endeavoured to express will meet with a candid consideration from you, and, if approved of, the most powerful and weighty advocacy that can be exerted on their behalf.

With great respect

I subscribe myself

Your most obedient servant

The Author.

Protection and Free Trade.

decorative feature

MY endeavour in these few pages will be to show that Protection to those industries which can be profitably pursued in this Colony, is essential to its progress and existence. Having no political constituency to be afraid of, I am not hampered by the fear of failure to convince a majority of the electors that my views are sound. I do not propose to weary the reader or myself with an endless array of statistics, which can be made to prove anything, but rather to state admitted facts, (or at least what I believe to be admitted facts,) and then to draw such deductions as will, I trust, seem sound to thinking men.

Free Trade in the Old Country has become an idolatry, and it is denounced as reversion, to advocate Protection there; although, even now, statesmen are frankly admitting that Cobden's prophecy of the consequences of England's example in adopting Free Trade has not been fulfilled, and that some results are occurring in countries with a protective tariff, which are at variance with Free Trade theories. The development of American manufactures is rudely displacing the hope that Free Trade would survive and surpass Protection; and the display of colonial manufactures at the recent Indian and Colonial Exhibition, was not altogether so agreeable to British manufacturers, as the praise bestowed would entitle the exhibitors to expect.

England adopted Free Trade because she believed that it was her best interest to do so; and I believe that owing to her peculiar situation it was really a wise policy. Had all other nations followed suit, the advantage to her would have been still greater. Other nations, and notably America, declared for Protection, because they saw the difference between England's position and their own.

New Zealand has only lately had the question brought at all incisively before it, and there are two considerations, both of them grave, which urge her against the policy, although her own interests are calling loudly for it. The first of these considerations is a sentimental one, but none the less weighty on that account. It is felt to be unfriendly and anti-English to thwart the wishes of the Mother Country in this respect. Begirt as she is by foes abroad, and weakened by dissensions within, the majority of colonists are determined to stick closer than ever to the country to which they owe allegiance, and will be slow to offend her in any way. This is a powerful consideration with many, and long may it continue so. Whether there is sufficient in it to refuse to support Protection, remains to be seen. The next consideration is not sentimental, but apprehensive: it is the fear of such large vested interests being created that, when Protection has done its work, by creating an industry that can fairly compete with the whole world, the vested interests will be powerful enough to continue a high tariff, in order to artificially inflate their profits. Troubles will come in various forms upon every people, but I do not fear this one in particular. Popular voting may make great mistakes, but it is more ready to remedy mistakes, than aristocratic legislators have proved themselves to be.

The last objection brings into prominence the fact that, at the present time, the chief opponents of a protective tariff are the importing merchants and squatters, and also that class of persons whose incomes are fixed and certain, such as Government officers, bank managers, and the like. Mr. George Fisher, M.H.R., says

that the newspapers of the Colony oppose a protective tariff, because they are hired to do so by importers. No doubt, if the newspapers generally did advocate Protection, those interested in opposing it would establish a Press to write it down, and it rests with the Protectionists to do likewise; the only difficulty being that the power of wealth is on the side of the importing interest. The very danger that is apprehended from our protected manufacturers is being experienced now from Free Trade importers: they can afford to spend money in defence of their present interests, and are not backward in doing so. But the danger apprehended from protected colonial manufacturers uniting to keep up a high tariff, in order to unduly inflate prices, is wholly imaginary and impossible, and vanishes before the thought that competition amongst themselves, will soon reduce profits to a fair margin above the cost of production. The woollen fabrics, boots and shoes, manufactured within the Colony, are priced according to the lowest cost of production in the most economically worked mill or factory, and competition is already getting keen between them. Protection in these articles would not raise the price at all; it would only increase the local demand, and create more and more factories, employing our surplus labour. No doubt our importers would feel the change a little, but they must be far more stupid persons than their success hitherto in life warrants us in believing them to be, if they are not able to adapt themselves to the change, and find it more profitable than the present system. They are very conservative in their principles, only they call it liberalism: their fathers fought the battle of Free Trade and Protection at Home, and they do not want to argue it all over again here. "Protection is dead," say they, "dead as King Arthur, and as great a fraud." It suits their present interests to say this, but if they would look ahead it would suit them better to recognise at once that we are at the Antipodes, and that in policy as well as geographical position, the opposite is sometimes correct.

The Colony cannot live without manufactures. It cannot maintain an ordinary prosperity by farming; it has practically at present no other resources; it cannot establish manufactures without powerful aid. Bonuses are insufficient to establish manufactures, because they do not provide any inducement to people to buy colonial manufactures in preference to foreign. No bonus can be offered which would enable the colonial manufacturer to undersell the foreign; but a tariff can do this, it can estimate the fair value of an article, and then tax the indifferent purchaser, who insists upon having imported goods. I have just said that beyond farming the Colony has practically at present no resources; and it may well be asked whether this is true, after the display made at the New Zealand Industrial Exhibition of 1885, and the pæan of praise that then was sung. Unfortunately it is only too true: we demonstrated beyond doubt that we had the ability to manufacture almost every requisite of our life, if we had the chance, but we have not the chance, so long as those, whose selfish interests lie in an opposite direction, prevent our industries from competing on equal terms with the low wages of older countries.

We have timber, and gold, and coal; but with the exception of the latter, these will not have a permanent or widespread effect. Our coal will supply our factories, but without factories our coal is of comparatively little worth. Wool and grain are grown in a certain portion of the Colony, and the wool and grain growers are Free Traders, because they want the cheapest labour, clothes, furniture, necessaries, and luxuries that they can obtain in exchange for their wool and grain. These interests are represented by wealth and intelligence, and this it is, which makes the introduction of a protective policy so difficult and slow. Come it must, when the shoe pinches so tightly that it can no longer be worn, and the foot is lamed and crippled. Can it not come now, before the weakening of starvation and dishonest credit, has unnerved the body and brain for healthy work?

Free Trade is an easy doctrine to argue if you will assume the major premiss—if you take for granted, that nations and individuals will act fairly, and that their conditions are similar; in other words, if you treat human affairs as if they were arithmetical factors, and can be proved accordingly. It never has been so from the creation; one touch of nature mars the whole problem, and the *Q.E.D.* falls ignominiously to the ground. According to the unanswerable logic of Bright, Cobden and Villiers, America, Germany, and all other nations must necessarily follow England's example, and espouse Free Trade; compelled to do so by the glory of the success that was to follow its introduction. Had America done so, would she now be England's rival in manufactures? I do not think that it will be seriously contended that she could have survived the early years of competition with her rival.

The more simple the form in which the question is put before the people, the more clearly it will be understood. I place these postulates before my readers:—

- It is to the interest of a few wool and grain growers, and some importers, to have Free Trade.
- These classes are insufficient to maintain the Colony and its burdens, and provide for natural increase in population.
- That without large population the agricultural community must languish and fail.
- That by the establishment of manufactures, a large population can be supported, which will, in turn, support the agriculturist and other classes.
- That the difficulties in the way of establishing manufactures are chiefly the difference in wages here, and in older countries, and the opposition met with from Home manufactures and importers.

- That it is undesirable to reduce the price of labour here to that of England, or other old world countries.
- That the requirements of a country teeming with population, and unable to raise its own food-supply within itself, are different from those of a new country with a sparse population, able not only to produce its own food-supply, but to export to others.
- That the burden of debt which New Zealand has incurred, chiefly in rendering valuable the properties of wool and grain growers, demands an increase in population, and the production of the highest possible equivalent for money in order to pay the interest on such debt.
- That the colonists, and especially colonists of the above classes, are not patriotic enough to buy colonially manufactured goods from a desire to benefit the country, but would probably do so, if they had to pay a tax to the State for importing foreign goods.
- That the success of a protective policy depends upon the wisdom with which it is applied.

The wool and grain growers, the importers, and the recipients of a fixed income, oppose Protection because they believe that the effect of it would be to raise the price of commodities they are compelled to buy, without raising the price of those they sell. The wool and grain growers export their wool and grain, and the cheaper they grow it, the larger their profits. The price they receive is fixed by the market of the world, but the wages they pay is fixed by the rate in the Colony. The lower wages sink, and the easier land is obtained, so much the better for them. It matters not to them if people starve at home, for lack of money to buy bread: they have their railways, their land, and ships, and away goes their wool and corn to supply the world at large. Some of them are honest enough to admit this, but not many; the majority prefer to prate of the final victory of Free Trade over Protection, to invoke the shadows of Bright, Cobden and Villiers, to point to the conversion of Sir Robert Peel, to shrug their shoulders in contempt at those who would re-open the controversy; and all the time employ their power, pecuniary, political, and personal, in defeating Protectionist ideas. Admit here, for the sake of argument, that from their own point of view they are right, and the question at once arises: Are the people going to allow the interests of a privileged class to override all others, and turn this Colony into a sheep run, or machine-tilled corn field? "The earth is the Lord's," say they, "and the fulness thereof;" meaning themselves as the lords. The earth is the People's, say I, and if they do not all eat of the fullness thereof, it is their own folly which prevents them. Theirs is the political power; let them wield it to their own advantage.

But these people are wrong, even from their own point of view. They are not so independent as they seem; they, too, know the iron hand of debt and heavy interest. They will not be able to exist with an impoverished people around them, and a bankrupt Government; they must bear the expense of maintaining those parts of the Colony in which wool and grain cannot be grown; and they will find that a home demand is better in the long run than a foreign one. Will they not see the advantage in being able to sell within the Colony, to a thriving and industrious population, rather than having to wholly depend upon the fluctuations of the world's market; and that even if for a time they have to pay a little more for commodities under a Protective tariff than they would under Free Trade, the seeming loss would be more than recouped to them?

As to the other part of the class we are considering—the importers, and that large army the Civil servants, bank managers, *et hoc genus omne*—is their case different? We will see. The importers would find the change so gradual, and that as imports lessened, if they did lessen—and I doubt if they would—other profits in the shape of brokerage and trade with manufacturers would take their place; capital would flow into the country for machinery and plant; indenting would long continue, and not during the present generation would English trade be less. Instead of manufactured articles, we should long have to import the wherewithal to make those articles; and not till a full century of our existence has passed, shall we be able to supply ourselves with machinery and plant in the endless variety required. Patentees would still be protected, and patented machines would have to be imported as at present. For the salaried portion of the community, to whom Protection is a bugbear worse than a 10 per cent, reduction, I would point out that there is a worse evil than high-priced goods—namely, dismissal, "in consequence of reductions in the service." They cannot be maintained unless the country continues to be prosperous and populous; and as the demand for labour such as their's increases, so will their incomes be commensurate to the cost of living. Be wise in time, I would say to these: you are not called upon to actively advocate one side or the other; consult your true interests, and place no obstacle in the way of the development of this people and Colony, and do not turn away from this counsel, as too presumptuous from an unknown man in politics. I would not trouble to write these pages but for the unfortunate fact that those who govern us, who are looked up to as men of light and leading, cannot too suddenly press a protective policy upon the country; they cannot either frighten or offend a powerful section of the community, but must go cautiously, waiting until the truth is brought home to the people generally, and they are ready to give their verdict. You to whom I now speak have weight and influence among the people, especially in matters of opinion; removed from the daily struggle for existence, accustomed to exercise judgment on doubtful matters, possessing practised pens, and often practised tongues: your influence, quietly exerted, will have a large effect in hastening or delaying the inevitable result.

It surely requires no argument to show that all the classes above referred to are insufficient to maintain the Colony and its burdens, and provide for natural increase in population. Had a different start been made, had no public debt been incurred, had no foundations been already laid, a certain number of these, backed by a comparatively few of the working class, might have continued to so maintain a holding of the Colony that its name would still be in geographies, and included in a list of English possessions. But we have been too enterprising for this: we have discounted the future; and to retire from active business now would mean bankruptcy and disgrace. Those who are living in a fool's paradise, taking for granted that because it is well with them at present it will ever continue so, and not seeking for the causes of their present prosperity, and for the guarantees of a permanence for things as they are, may scout the proposed remedies and laugh at apprehensions for misfortunes; but, be they never so positive in their security, matters will work to their natural consequence. Taking the Civil Service as an example, and admitting that it is neither over-grown or over-paid, what is to become of the children of the present Civil servants? Can they all be received into Government offices, and be servants of the public? They may, if the public is increasing in proportion to their own numbers, but not otherwise. Then are there other openings offering? I think not in due proportion to the increase of candidates. Had we countless acres of pasture, or arable land, no doubt great cities might arise; but we have no such qualification, our Colony cannot be one merely of city and plain. I believe firmly in the wisdom of the policy which has been almost undesignedly shaped, and which has produced the beginning of so many, and so varied industrial arts amongst us. I do not know if this is the critical time at which a right or wrong decision will make or mar us; but, were it not for our genius in extricating ourselves from the consequence of mistaken counsels, I should say it was. In any event, the departure which is now sought to be made must have an immense importance upon our career for many years to come.

A purely agricultural population, without accessible and lively markets, exist in a fashion which hardly any civilised being can desire. The field, garden, and dairy will no longer supply the wants of civilized man. Without cash to purchase clothes, implements, machinery, comforts, and imported necessaries, life on a farm is intolerable. Farming is now no longer the primitive means of living it used to be: it is a business, demanding knowledge and capital; and the farmer, without a market, is as helpless as a merchant in a desert island. The prosperity of our farmers depends upon the goodness of the markets afforded them; and how are we to provide a market here, except by having large numbers of mouths to fill, belonging to people who are producing wealth in other forms? Years ago, I remember a certain goldfields warden who was much chaffed concerning a speech he made. This gentleman said: "The merchant lives upon the storekeeper, the storekeeper lives upon the miner, and the miner wrests the auriferous ore from the bowels of Mother Earth." He said "Muvver Earf," but that does not matter: what he said was perfectly true; and what is the result of such one-sided "reciprocity"? When the miner has exhausted Mother Earth's supply of ore, he and the storekeeper, and the merchant, all depart for fresh woods and pastures new. If we can, in exchange for the farmer's stores, supply him from the hands of those who eat those stores with clothes, implements, and other indispensable requisites, a reciprocity is created which is not "all on one side." But if the farmer has to send his produce away across the sea, turn it into money in a foreign mart, and from thence bring back the things he must buy—friction, loss of power, loss of money, loss to the country is the result. Take an illustration from banking business. How much actual cash does it take to settle the exchanges of all the banks doing business in a city? Hardly hundreds; yet the debit against each bank alone amounts to tens and hundreds of thousands. A clerk goes round, and the cheques drawn on one bank are set against those it holds drawn on other banks. I speak of cities where clearing-houses have not yet been established, but the same thing occurs in both instances. Now, supposing, instead of this easy way of settling differences, each bank had to remit to a distant city, bullion or drafts, representing the value of the cheques drawn upon it, and in the course of time received from the same or another city, bullion or drafts representing the value of the cheques received by it upon other banks—what loss would occur! what increase of capital would be required! how the danger of ruin would be increased by delay in receipt! how difficult it would be for a new institution to commence business! Yet this is very analogous to the system of exporting our farming produce, and importing our farmers' implements, &c. I hope to show, further on, how utterly inapplicable the cogent arguments which forced Free Trade, or rather a free-food supply, upon the English people, are here.

Now, if we can succeed in well-establishing a number of manufactories suitable to the conditions of the Colony and people, there is no class which will more benefit by it than the farming and agricultural population, although the whole Colony will also feel the advantage. The essays which were written for the New Zealand Exhibition, 1885, show clearly enough the different manufactures which can be successfully pursued in the Colony; but they do not, unfortunately, succeed in proving that those manufactures are encouraged to the extent patriotism would desire. Even if farmers had to pay more for their clothes, implements, &c., by purchasing them in the Colony, they would more than recoup themselves by the enhanced price they would obtain for their produce, and by the saving of freight and charges to convey and sell their produce. But they would not have to pay more; competition amongst the manufacturers would bring prices to their proper level, and would speedily

guarantee an equal, if not superior, excellence to the articles. *Protection is not of so much value in raising the prices of colonially manufactured articles, as in inducing people to forego their prejudices in favour of imported wares.* Every one is in favour of our manufacturing our own wares—at least no one openly opposes it, but they oppose the only means by which it can be accomplished. They profess a horror of a corrupt or permanently high tariff, continued for the advantage of one set of interests; yet they themselves set the worst possible example by opposing it from interested motives. They will be overcome by common sense; and should those who are now at present striving to establish industries by means of a protective tariff, hereafter endeavour to unfairly prolong a high tariff, the same common sense will know how to deal with them, in whatever way they may seek their own interests at the expense of the common weal. The welfare of the whole community is now sought, and is opposed by one or two classes whose present interests are adverse to the change.

It is chiefly in the difference of wages, that the difference in price between foreign and colonially made wares is made up. There is also the difference in the value of capital, and the extent of market. Could we have skilled artisans at from 15s. to 30s. a week, or even far less, as in England and some foreign countries, we should soon have manufactures as cheap as there; and the only remaining difficulty would be to convince our people that our goods were as excellent as foreign. Who wants wages reduced to such a price? The richer the man, the more likely he is to desire it: but the more benevolent, the more certainly will he strive to prevent it. Who wants our labour dependent upon the rich man's smile—the labourer and artisan's wife and family thankfully receiving the crust of charity—the workhouse, the natural asylum for the old age of honest, sober toil? High wages do lead to riotous and improvident living in many cases; but the evil thus wrought is nothing compared to the wide-spread misery of having recompense for labour scarce sufficient to keep body and soul together. The drunkard and his family will see poverty and distress, whether wages are high or low; but thousands of happy working men's homes exist in the land of good wages, and they are impossible where wages hardly suffice for food for the family. With Free Trade, we are affected by the fluctuations of the labour market all over the world; our struggling industries can be extinguished by the market being flooded with the bankrupt stock of other countries. We buy cheaper for a few months, and then find that a thousand willing hands, in our own colony, are starving because their employment is taken from them.

Lord Penzance, in an article in "Nineteenth Century," says: "The true mainspring of prosperity and wealth is employment. Wealth is born of exertion and skill, of both of which there is plenty in this country; but, to reap any advantage from them a third thing is needed—a means of bartering or selling their produce—in one word, a market."

In Canada, the protective system has been largely tried of late years, and with great success. Here is the account given of it by Sir John McDonald:—

"I am largely responsible for the national policy of Canada, a policy which has been, and perhaps is now, severely criticised on this side of the sea—a policy of revenue secured by tariff. There is nothing to show that this policy has, in any respect, failed in its intention. The balance of advantage has been largely in its favour; indeed, high as party feeling runs in Canada, even the Opposition have ceased to attack the protective policy, or as both parties have agreed to style it the "national policy" of our Government. Our policy is to protect such staple industries as are capable of a practically unlimited expansion, and to admit raw material free which cannot be produced at Home. When we commenced to tax cotton and woollen goods, we were assured that the consumer would be ruined, and driven out of the country by high prices. What has been the result? Our manufacturers of cotton and cloth are in a position of increasing prosperity, and to-day the consumer is able to buy his goods more cheaply than when Canada was upon a Free-trade basis. Formerly our industries were at the mercy of the manufacturers of the United States, who recognised that our mills, once closed, were never likely to re-open, and it was therefore prudent and profitable to sell goods in Canada for a short time even at a loss, for the sake of controlling Canadian markets later at their own prices. This was actually done! We found that the cotton operators of the United States were sending us goods at less than the cost of production, and were collecting the amount of that loss by levying an assessment on their Manufacturers' Association."

And this is what we shall have to contend against, until we have the means of preventing undue advantage being taken by those who have obtained a start in the race. I do not think that the mass of the people of New Zealand, having the remedy in their own hands, will allow themselves to be frightened into starving themselves by the "shibboleth" used by Home manufacturers, and their colonial agents, in favour of Free Trade. But the people must have the question pressed home to them, and, if necessary, it must be made a leading question at the next elections: they must understand that it is their interests they are fighting for, and not the interests of a few manufacturers; they must understand the question, and be able to comprehend the arguments on both sides, and, as a help in the controversy, and to give it some prominence, these pages are written.

It is undesirable to reduce wages here to the starvation rates of the old world. What advantage is it to a man that bread is cheap, if he has not sufficient to buy it? How do the Free-traders at Home propose to keep their place in the world of commerce and overcome foreign competition? Why, chiefly by "the workpeople

exercising more than they do the virtues of temperance and providence." I do not deny that they should exercise those virtues more than they do, but what an encouragement is held out to them to do so! Train themselves to live on radishes and garlic, like Egyptian slaves! for what purpose? that the labour of their hands may be sold for less and less money. Free Trade means cheapness, and nothing but cheapness; but has cheapness ever made a nation wealthy, or is it capable of doing so? Want of work causes distress in this Colony sometimes, but not dear food or clothing. It makes very little difference in the price charged to the consumer here, whether the article is bought in a cheap or dear market, it is the intermediary profits that make up the price: when drapers are continually selling at "fifty per cent, less than usual price,"—and very generally an enormous reduction is really made—the manufacturers' price has not so much to do with the selling price of a single article as is generally imagined.

But do not let it be for a moment assumed that I would advocate a duty on bread. Not for one moment. In the first place it is not wanted here, because practically we grow our own corn, and export a vast quantity as well. It was the price of bread in England that led to the Corn Law agitation, and the repeal of those laws; and the difference between their state and ours I will now speak of. England cannot grow her own food supply: New Zealand can, and does so, as far as the staples of life are concerned. England's Free Trade policy has only been a success so far as it extended to her food supply; it is becoming a lamentable failure so far as articles which she can produce is concerned. The success of English manufacturers in the years succeeding the repeal of the Corn Laws was due to other causes than the repeal of those laws, although it is generally put down entirely to that repeal. Nemesis is now pursuing the English Free-trader, his markets are being swamped by the wares of Germany and America, both protected countries.

In 1882 there were 110 iron furnaces in Staffordshire, and now there are no more than 41, and as fast as the furnaces are extinguished in England others are lighted abroad to replace them. Free Trade is a beautiful theory for the Millennium, but that time has not come yet, and until it is quite safe to beat our swords into ploughshares, a Free Trade colony means a poor stagnant people, a declining exchequer, and a hopeless future for all but a few. The Public "Works policy, which was vigorously initiated in 1876, gave employment to our people, raised wages, and provided a market for our producers: but what is to take its place, and pay interest on the borrowed money, unless we maintain a large population, and produce wealth by skilled labour? I know of nothing—it is admitted that there is nothing, yet the cry is persisted in, that manufactures will grow gradually of their own accord, without forcing, and be all the healthier in consequence. It cannot be done. The example of what was done in Canada, as quoted by Sir John Macdonald, is sufficient to show what happens. A similar policy is being pursued towards us, and a closed factory here is not easily opened again. Reverse the dogma of Free Trade—namely, "That all imports of articles the like of which we produce at home ought to be free of duty," and say "That the imports of articles the like of which we produce at home must be taxed, and that the imports of articles the like of which we cannot produce at home shall be free,"—and we shall then import sufficient to keep exchanges from losing their balance, and will also be supporting amongst us thousands of people engaged in making here, at good wages, the articles that starving wretches in other countries would otherwise be making. We may be sorry for those whose cheap blood-money-goods we decline to buy, (and were all the world Free-traders we would follow suit,) but sympathy for foreigners will not cause us to vitally injure ourselves; and if we look at figures showing the progress of the commercial world, we find that Free-trade England is under the average in the march of progress, and that she is now seriously examining the question afresh in order to protect her own interests.

Nations and peoples may do generous acts, individuals may be philanthropic and large hearted, expeditions may be furnished to the Soudan, but to expect the British and Continental merchant to calmly acquiesce in New Zealand establishing her own manufactures, and deprive them of a good market, is more than the records of the past would justify us in believing possible. It cannot be done without a make-weight. Unless we are content with mere pastoral and agricultural existence, we must put a penalty on those who have the start; when we catch up in the race, we will trade on equal terms.

The consolidated debt of New Zealand may be reckoned at £37,000,000, but there is a good estate to show for much of this, provided it is worked to the highest profit, but not otherwise. A merchant may have large and costly warehouses, a fleet of ships, and agencies abroad: but if he does not keep pace with the times, if he allows his business to languish and fail for want of enterprise, of what value are his costly premises and varied plants. The profits of his business will not afford him interest on the money sunk in such investments. This is how it is with us: it somehow was always intended that we should be more than a pastoral or agricultural people; our island home has something to do with this, and we have gone on preparing for it; until now the crux comes, in the shape of the question: Can we, or can we not, proceed further, without boldly declaring for Protection as against Free Trade? If we cannot, and will not accept the remedy of Protection, then loss from wasted preparation must be the result, and that loss will be no temporary one from which we can recover, but crushing, disheartening, deadening and permanent. There is not only the consolidated debt, but the many

millions of private obligations due by the people of New Zealand; failure now will be felt further than the shores of the Colony, and the capitalist has an equal interest in the question with the artisan, who now looks at his sons, asking what will they do to make a living.

Theorists would, I think, naturally assume that people would buy of their own producers rather than from foreigners. They would argue this way: "The irresistible tendency of the human race is to seek its own advantage; it must be to a people's advantage to purchase of their neighbours, so long as they have anything to sell to their neighbours, in order that their neighbours may have the means of buying and paying for their goods—*ergo*, people will buy from their neighbours rather than from strangers"—neighbourhood being understood to be limited to a country. That is the way Free-traders argued; but the bottom fell out of the argument, and will always be out when tested. The Colonial military man sends Home for his uniform, because he likes the style and cut of a London tailor; and ladies would, if they could, send to Paris for their bonnets and dresses. These are actuated by a desire to excel their neighbours in fashion. The merchant finds it easier and cheaper at present to send away for his stock; he deals in large parcels, finance is accommodated more smoothly by such dealing, and a gentle screw is required to check the tendency. Now, leaving out of the question those articles which cannot be produced here—and the duty upon which should be only imposed from a revenue point of view—if a sufficing protective duty were imposed on articles which the Colony can produce, one of two things would result: either the goods would be made here, and in making them labourers would be supported, or the wealthy person who persisted in importing, would pay such a tax to the State as his extravagance would indicate he was able to afford. There are people who would import clothes and other things if the duty was a thousand per cent, *ad valorem*, and be rather glad of doing so, and outshining the vulgar herd—for by no means would I have a prohibitive duty; prohibitive it might be to economical persons, but not to those who will have a thing at any price. This tendency in some people would obviate the revenue difficulty, which would arise if Customs receipts materially fell off, although it has been proved in the United States, Canada, and Victoria, that the Customs revenue does not suffer from Protection, but rather profits by it. One of the chief advantages of a Protective tariff would be its guarantee to the Colonial manufacturer against unfair outside competition, and this would be more gain to him than a mere increase in price. It may be possible that the New Zealand manufacturer can profitably produce an article here at an equally low price as the foreign manufacturer can profitably land it on our shores, especially when ordinary Customs duty, freight, and charges are set against increased wages; but then comes in the question of fair and unfair competition. Can our man be guaranteed from attempts to "run him off the road"? His purse is not as long as his foreign competitor's; and once he is shut up, not only is he out of the race, but his failure deters others from entering. It is a charming thing, no doubt, for people here to belong to Co-operative Stores in England, and import everything, without a soul in the Colony getting a crust out of the transaction; but it will not be so charming if the economists find that they have saved money in the Colony so generally and completely, that they are the only people who can pay taxes and their own salaries.

Of course, I shall be told that I have not learned the alphabet of the science of political economy, and that the law of exchanges overrides my objection; and my reply in advance is that, having read a very great deal upon the subject, my own view is—from which, of course, every one is at liberty to differ—that the questions have been so obscured by learning, and overlaid by fine-sounding theories and elaborately-wrought-out calculations, that common sense has been lost sight of, and that the quality of common sense is the safest to be guided by in the argument. Common sense tells me that the man who can get skilled labour in Germany at 2s. a day can land goods here cheaper than I can make them; it tells me, also, that those who have money here will buy those goods in preference to mine, but that those who have not the money to buy mine or his must go without; it tells me that, if we cannot produce something to sell, in order to obtain cash wherewith to purchase goods, it does not matter to us whether goods are dear or cheap; it tells me that in this Colony we cannot produce sufficient quantities of wool and grain to purchase foreign goods for all of us; it tells me that, whether we tax English goods or not, they will not retaliate by taxing our wool and grain, because they cannot produce those commodities themselves, and that they must import the same quantity whether taxed or free; it tells me that we can manufacture our own goods, but that we cannot do so against unfair competition; it tells me that, not being angels, our people will not buy in the Colony for the sake of helping the Colony; it tells me that, as self-interest is inducing certain sections of our people to support Free Trade, so the motive of self-interest must be employed on behalf of the people at large, and that there is no more immorality or unfriendliness in our handicapping foreign produce, than for the foreign producer to land goods at less than cost price in order to close our mills and factories and be able to retain the trade.

Now, as to the application of a Protective policy. I do not think any one would advocate piling up a tariff indiscriminately, for the purpose of promoting exotic industries. Nor do I think any will expect, in a paper such as this, that a perfected scheme should be laid down, showing what is to be protected and what free. Let it be shown to the satisfaction of Parliament that a certain industry can be pursued with success in the Colony,

provided that it be for a time protected against unfair competition; and then let such measure of protection be given it, as—whilst withdrawing it from foreign competition—leaves it exposed to the free and open competition of the home grower and manufacturer. "What we are now contending for is the admission of the principle of protected industries; the matter of allocation of duties, no doubt, will be disputable, but it can be settled if a basis is once agreed upon.

We have been to a certain extent "cutting our own throats," in instituting direct lines of huge steamers, capable of carrying more than all our imports, if fully filled up. We have now to reckon with the lead other countries have obtained, and especially the lead the British manufacturer has—with all his machinery in working order, with vessels awaiting his commands, and with almost unlimited capital wherewith to wage a contest for supremacy—unless he is quietly and firmly told that he will only be allowed to sell to those amongst us who are willing to pay a tax to our revenue for the privilege of withholding from willing labourers within the colony the value of the wares he buys abroad. I shall probably be told that exports and imports must balance somehow; and that unless we buy from England she will not buy from us. Were there only two countries in the world, the argument might apply; but there are many, and it might as well be said that unless one shopkeeper employed the actual physician who dealt with him, their business relations could not continue, because the physician could not pay the storekeeper. The great factor in keeping a reasonable balance between exports and imports in this colony has been gold; but this is a decreasing supply. We have imported stores, and paid for them in gold, but we cannot hope to do so permanently. We must export in some form to pay interest on our debt, and pay for imports; and wool, grain, and meat are the chief articles so far. We shall send coal, not to England, but to other countries, who will pay us, not with goods, but with money derived from the sale of their exports to still other countries, and so the circle will be kept up. Direct interchange of exports and imports to suit the convenience of one party, who has established himself in a particular line of business, is very well for that one party, but not for both. If New Zealand declares for Protection, there will be a howl at Home amongst an interested class, and perhaps ugly words will be used about breaking the silken chain that binds us to the Throne, but that will not matter much. If what Free-traders here assert be true, and we are able to establish industries here, and drive the foreign goods out, the feeling will be just as strong against us, and probably the unfair means I have mentioned will be taken to defeat our endeavours, causing perhaps still bitterer feelings; but the tie will really be as strong, and the loyalty as true, as if we implicitly obeyed the behests of the Cobden Club, and sank ourselves in the effort to keep English trade alive for a while.

I notice by our New Zealand papers that the question is every day coming more and more definitely before the electorates. Before these pages can be in print, probably great strides will be made, and many opinions formed. I hope what I have written will meet with fair and candid criticism. I am well aware how much more remains to be said on both sides, and how the ramifications of the question can be pursued until the inquirer becomes lost in speculative mazes, and having lost sight of the radix, stares in wonderment at the branches and foliage, vainly endeavouring to predict how each twig and leaf will grow.

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The Bitter Bitter Cry of Outcast Inventors.

By Thomas Waghorn.

"The Lord of hosts looked for judgment, but behold oppression; for righteousness, but behold a cry."—Isaiah v. 7.

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The Bitter Bitter Cry of Outcast Inventors.

As the wronged and persecuted inventor of a new process which I believe to be very useful to mankind, I have a right to cry out against the fiendish injustice displayed towards inventors, which is now, and which always has been, a characteristic of human conduct. God punishes mankind for this injustice, with retribution which makes the ears of all who hear to tingle. God has not abdicated the government of this world. He is still, as He has always been, the One who pleads the cause of the oppressed, and who executes vengeance on the unjust. And if what I now write should only lead men to make an effort to be kind to inventors, the Almighty, who is very merciful, and who bestows a liberal reward on even feeble and faulty efforts to do what is right, would almost certainly abate some of the punishments with which those who oppress inventors are at the present time afflicted.

I shall further on describe the invention for which I have been persecuted. But first, as I am only one of a large number of persecuted inventors, I shall dwell briefly on the cruelty of mankind in general to that deserving class of human benefactors.

Poets have dwelt on such a lamentable fact.

*"See nations slowly wise and meanly just,
To buried merit raise the tardy bust."*

Another poet, speaking of the celebrated Butler, says:

*"While Butler, needy wretch, was still alive,
No generous patron would a dinner give;
See him when starv'd to death, and turned to dust,
Presented with a monumental bust.
Th' inventor's fate is here in emblem shown:
He ask'd for bread and he received a stone."*

There is not the shadow of a doubt that God punishes the nation of England with just severity for its heartless and insane cruelty to its inventors. How many of the sources of poverty which now impoverish England would disappear, as if by enchantment, if inventors were only allowed to reap in peace the rewards of their mental industry! The history of the present day teems with facts which ought to make Englishmen blush. The injustice done to Waghorn is so recent that I need not describe it. And similar facts are so numerous that the difficulty of the task before me consists in making a selection which will not render its perusal monotonous.

That exceedingly useful series of books entitled "The Year Book of Facts," by the well known author, John Timbs, F.S.A, contains in the volume for 1864 an obituary notice of two ill-used inventors. "Henry Archer died in 1864 He was the inventor of the machine for perforating postage label stamps; for this invention Mr. Archer is understood to have received from the Government £4,000. The circumstances of the arrangement are detailed in a pamphlet published by Mr. Archer some years since, in which he considered himself an ill-used man."

There is not the slightest doubt that Mr. Archer was perfectly justified in considering himself an ill-used man. For the *smallest* just value of his invention was almost certainly £100,000, and if Government had been generous enough to give him the *largest* just value of his invention, he would have received about £200,000. Instead of giving him that sum the Government gave him only £4,000. If a purchaser were to go into a grocer's shop and to ask for a quantity of sugar, haggling with the grocer, and offering to pay only a fortieth part of the real price for it, he would act exactly in the same way that the Government acted to poor Archer. No wonder that he published a pamphlet declaring that he was an ill-used man. Now God judges for these things. There are ten thousand miseries from which inventors alone seem capable of delivering mankind. And the Almighty is perfectly justified in compelling men to reap what they sow, by permitting them to continue to suffer from the evils, from which inventors would gladly deliver their fellow-creatures, if these fellow-creatures did not torture, torment, and crucify them by cruel and tantalizing patent laws, and many other modes of bad treatment.

In Archer's case, however, the Government gave at least some reward, however inadequate. For giving some reward it deserves some praise. It behaved in so doing a thousand times better than did those cruel and unprincipled men, who are responsible for the miseries inflicted on poor Samuel Baldwyn Rogers, as briefly described in Timbs's splendid "Year Book of Facts" for 1864, page 282:—

"Samuel Baldwyn Rogers, formerly of Nant-y-Glo, died in 1864. His age exceeded ninety years, and although, by an improvement relating to the manufacture of iron, he largely contributed to the wealth of others, *yet he died in the deepest poverty himself*. He expressed an earnest wish that he might not be buried in a pauper's grave, and his brother Freemasons have responded to that wish. He was formerly employed at large iron-works in South Wales, *and committed the indiscretion of publishing 'An Elementary Treatise on Iron Metallurgy.'* He was dismissed from his situation. The improvement which he introduced was that of iron bottoms for puddling furnaces, and it is one of great practical importance. It was never patented, nor did he, I believe, ever receive for it any substantial reward. It is true that iron bottoms for certain furnaces had been previously suggested, but to Rogers is unquestionably due the merit of having first rendered their application practicable for puddling furnaces. When he proposed them he was laughed at by some iron-masters of experience, yet they are now universally adopted. When the distressed condition of the poor old man became known—a condition not resulting from misconduct on his part—several persons connected with the iron trade assisted him with money, but assistance came too late. This sad story—another instance of the unhappy fate of inventors who, in enriching others, have impoverished themselves—appeared in the *Times* a few days after Mr. Rogers's death."

Now it is a very striking fact that since the year of Rogers's death the iron trade of South Wales has been steadily declining. Iron furnaces have been blown out, ironstone pits have ceased to be worked, and terrible depression has settled down on the South Wales iron trade. This may or may not be retribution; God only knows that. But that God shall punish such inhuman cruelty with chastisements which will make the ears of men to tingle is as certain as that the earth revolved round its axis yesterday.

It positively seems as if men were becoming more cruel and heartless in some respects than they used to be. And if this is so, it must be due to the very godless and defective education which is now almost universal,

and which, as the great historian Alison too truly declared, is capable of producing nothing but educated devils.

"We should steadily contemplate man as he is—variously compounded of great and noble, and base and vicious inclinations; the former requiring constant care for their development, the latter springing up unbidden in the human breast. Education, *if unaccompanied with sedulous moral training*, only aggravates the evil; it puts weapons into the hands of the wicked; *it renders men able and accomplished devils* Wise statesmen must acknowledge with humility that it is by the spread of religious instruction and the extension of virtuous habits that the reform of the human heart is to be effected." (Alison's History of Europe, vol. xiv., page 56).

These powerful words of the celebrated historian tally remarkably with a well-known saying of the great Whitfield. "Man," said Whitfield, "is half beast and half devil, only we must beg the beast's pardon, for a beast never becomes half so vile as man does, when left fully to develop his bad propensities."

A terrible denunciation of the sin of withholding the expected hire of the labourer is found in the Epistle of James. The English nation, which is at present the richest nation on earth, and rich Englishmen especially, would do well to ponder the following words: "Go to now, ye rich men, weep and howl for your miseries that shall come upon you. Your riches are corrupted, and your garments are moth-eaten. Your gold and silver is cankered; and the rust of them shall be a witness against you, and shall eat your flesh as it were fire. Ye have heaped treasure together for the last days. Behold, the hire of the labourers who have reaped down your fields, which is of you kept back by fraud, crieth; and the cries of them which have reaped are entered into the ears of the Lord of Sabaoth. Ye have lived in pleasure on the earth, and been wanton; ye have nourished your hearts as in a day of slaughter. Ye have condemned and killed the just; and he doth not resist you. Be patient therefore, brethren, unto the coming of the Lord. Behold, the husbandman waiteth for the precious fruit of the earth, and hath long patience for it, until he receive the early and latter rain. Be ye also patient; stablish your hearts; for the coming of the Lord draweth near." Man's duty is succinctly described in the words, "Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy strength, and with all thy mind, and thou shalt love thy neighbour as thyself." If the cruel men who neglected Samuel Baldwyn Rogers had made the faintest attempt to discharge their duty, the scientific historian would have been spared the humiliation of recording the fact, so disgraceful to England: "Samuel Baldwyn Rogers died at the age of ninety, and although, by an improvement relating to the manufacture of iron, he largely contributed to the wealth of others, yet he died in the deepest poverty himself. He expressed an earnest wish that he might not be buried in a pauper's grave, and his brother Freemasons have responded to that wish." There are thousands of sermons preached in England every week on Christianity, the fundamental doctrine of which is that God felt such compassion towards ruined man that He actually gave up His only Son Jesus Christ to die as an atonement for human guilt; and that He has made the condition of individual salvation so easy that it is instantly secured by the greatest sinner, through means of one single act of faith in the atonement made by Christ on Calvary's cross. But, surely, Christianity cannot have penetrated to South Wales, else Timbs would never have said that "Samuel Baldwyn Rogers was formerly employed at large iron-works in South Wales, and committed the indiscretion of publishing 'An Elementary Treatise on Iron Metallurgy,' for which he was dismissed from his situation."

Depression and failure, failure and depression, are the characteristics of every trade and business in England at present. Agriculture, shipping, Parliamentary business, banking, and trade in general, are as depressed as they can well be. And why is this? It is because the rich oppress the poor. It is because the rich refuse to give enough to the poor. How can there ever be a market for the purchase of iron and other goods, if the number of the poor increases perpetually?

The perfect, and the only remedy for that deluge of poverty, which threatens to drown England, consists in every Englishman giving a portion of his income regularly, systematically, wisely and unostentatiously, to those who are poorer than himself. "*There is that scattereth and yet increaseth, and there is that withholdeth more than is meet, but it tendeth to poverty.*" Giving to the poor tends to enrich, not to impoverish the donor. "Honour the Lord with thy substance, and with the first-fruits of all thine increase, so shall thy barns be filled with plenty, and thy fruit-bins shall be pressed down with a great abundance of ripe grapes." God has so constituted society that the rich must feed the poor, just as the hands must feed the mouth. The hands never refuse to feed the mouth, so the rich ought never to refuse to supply the wants of the poor. The hands never say to the mouth, "We work and toil and slave only to fill you, the mouth, which neither toils nor works. This must cease. We shall henceforth ourselves enjoy the fruits of our own labour." And the rich ought not to entertain such views regarding the poor. But they often do act as insanely as the hands would do if, refusing to feed the lazy mouth, they smeared themselves over with the food they had cooked, resolving selfishly to keep to themselves the fruits of their labour.

If there were any poverty caused to the rich by their gifts to the poor, one should not wonder at the slowness of the rich in giving to the poor, but when the whole of Scripture and the whole of history unite in declaring that giving to the poor enriches the donor, while withholding from the poor impoverishes the withholder, words can hardly be found sufficiently strong to condemn the stinginess of the rich classes among

Europeans towards the poor. The Jews were commanded in the Mosaic law to give three-tenths, or about one-third, of their incomes to the poor and to the Tabernacle service. Christians who have had a far more glorious revelation of God's love might be expected to give more. But how few, how very few, give even a tenth of their incomes to the poor!

"Would'st thou be poor, scatter to the rich, and reap the tares of ingratitude;
Would'st thou be rich, give unto the poor; thou shalt have thine own with usury.
For the secret hand of Providence prospereth the charitable always;
Good luck shall he have in his pursuits, and his heart shall be glad within him.
Yet perchance, he never shall perceive, that even as to earthly gains,
The cause of his weal, as of his woe, hath been small givings to the poor."
The above are the words of a great English poet.

"Give, and it shall be given you; good measure, pressed down, and shaken together, and running over, shall men give into your bosom. For with the same measure that ye mete withal, it shall be measured to you again." "He that giveth to the poor lendeth to the Lord, and what he had given shall be repaid him again." "He that giveth to the rich shall surely come to want; he that giveth to the poor shall not lack. Thou shalt surely give unto the poor, and thine heart shall not be grieved when thou givest unto him: because that for this thing the Lord thy God shall bless thee in all thy works, and in all that thou puttest thine hand unto. For the poor shall never cease out of the land: therefore I command thee, saying, Thou shalt open thine hand wide unto thy brother, to thy poor, and to thy needy in thy land." These are the words of the Almighty. And if men are not blessed in all their works and in all that they put their hands unto, if every branch of their business suffers from depression, we are justified in concluding that it is a punishment for their neglect of the poor. Spurgeon says on this point, "Our God has a method in providence, by which He can succeed our endeavours beyond our expectation, or can defeat our plans to our confusion and dismay; by a turn of His hand He can steer our vessel in a profitable channel, or run it aground in poverty and bankruptcy. It is the teaching of Scripture that the Lord enriches the liberal, and leaves the miserly to find out that withholding tendeth to poverty. In a very wide sphere of observation, I have noticed that the most generous Christians of my acquaintance have been always the most happy, and almost invariably the most prosperous. I have seen the liberal giver rise to wealth of which he never dreamed; and I have as often seen the mean ungenerous churl descend to poverty by the very parsimony by which he thought to rise."

Certainly it is not to be wondered at if such cruelty as that from which poor Samuel Baldwyn Rogers suffered should have caused *ungenerous churls to descend to poverty*.

But it is not only poor inventors of low social rank like Rogers who suffer from the heartlessness of the present cruel age. Men of very high rank are made its victims, as the following quotations from Timbs's valuable "Year Book" will show. "Sir Charles Barry, R. A., the architect of the new Houses of Parliament, died in 1861. His own preferences and tastes would have led him to adopt the Italian style of architecture for the New Palace of Westminster; but as the instructions to the competitors limited the choice of styles to Gothic or Elizabethan, he chose the former as the more suitable for such a building. From the moment he commenced his arduous undertaking until the time of his death, a period extending over more than twenty-four years, this work occupied his thoughts night and day. The manner in which his professional services were requited by 'a Government proverbially indifferent to the claims of art' is a disgrace to the country, which the bare honour of knighthood can ill conceal. We sympathise in reading history with the ill-treatment of Sir Christopher Wren, and the cabal and controversy by which he was assailed; but in the present day we have an equally glaring instance of meanness and injustice to merits of the highest order. Sir Charles Barry was elected a Royal Academician in 1842; he was also a Fellow of the Royal Institute of British Architects, a Fellow of the Royal Society, a Member of the Royal Commission for the Exhibition of 1851, and a member of many foreign academies, including those of Rome, Belgium, Prussia, Russia, Denmark, and Sweden."

"Thomas, Earl of Dundonald, died in 1861. He was 'a renowned sailor, warrior, and an ambitious inventor.' Since his retirement from naval service he had studied the science of naval warfare, and invented new projectiles, and new methods of blowing up ships; and published many valuable hints for the improvement of our steam navy. These will be found developed in the autobiography of the Earl of Dundonald, which he just lived to complete. The fitful fever of his political life, and the coldness with which his bravery was acknowledged by an ungrateful country, or rather persecuting administration, are not our specialities. His merits as a scientific inventor were variously estimated. The editor of the *Mechanics' Magazine*, in announcing his death, remarks: 'Only last week we made mention of him in terms which we do not wish to recall, but with less tenderness than we now feel in thinking of the grand old man who is no more. Thousands of inventors have outshone him; but no braver man or greater sailor ever lived, even in England. As to his bravery and its insufficient rewards, there can be but one opinion. He was honoured with burial in Westminster Abbey; but, to quote a homely proverb, to be treated with respect after death is but a poor recompense for being neglected

while living."

These are only a few illustrations of cruelty to inventors. And all such cases of known cruelty are only a tithe of the unknown cases. In the light of such cruelty, is it to be wondered at that trade is dull? The Almighty hurls a specific woe at those who use their neighbour's service without wages: "Woe unto him that buildeth his house by unrighteousness, and his chambers by wrong; *that useth his neighbour's service without wages, and giveth him not for his work*; that saith, I will build me a wide house and large chambers, and cutteth him out windows; and it is cieled with cedar, and painted with vermilion! Shalt thou reign because thou closest thyself in cedar? *Did not thy father eat and drink, and do judgment and justice, and then it was well with him? He judged the cause of the poor and needy; then it zvas well with him*: was not this to know me? saith the Lord. But thine eyes and thine heart are not but for thy covetousness, and for to shed innocent blood, and for oppression, and for violence, to do it. Therefore thus saith the Lord concerning Jehoiakim, the son of Josiah king of Judah, They shall not lament for him, saying, Ah my brother! or, Ah sister! they shall not lament for him, saying, Ah lord! or, Ah his glory! He shall be buried with the burial of an ass, drawn and cast forth beyond the gates of Jerusalem" (Jeremiah xxii. 13—19).

Now, the chief cruelty perpetrated by society on inventors, consists in using their "*services without wages*." For this reason the predicted woe smites the oppressor. There are at present, on all hands, abundant signs of the presence of that woe. The *Fortnightly Review* for May, 1884, for instance, in noticing the continued depression of trade, says: "It would be stale and monotonous to try to print the despair of stock markets, the gloom of bankers, or the hopelessness of dealers in produce. The one question at present is, When will trade revive? It is a question no one can answer. The horizon is clouded, and it is impossible to say when the clouds will break. India, too, is giving cause for anxiety, but we must leave its financial straits till another opportunity, merely noting that in Bombay and Calcutta the current rate of interest is 11 per cent."

I am not singular in holding that inventors have been shamefully treated. Many others, better qualified than myself to give an opinion on such a subject, have spoken with no uncertain sound of the injustice done in Britain to those who have been the first to bless the country with original and novel ideas. The following quotation from the *Practical Magazine*, headed, "The Growth of some Great Practical Ideas," proves this most conclusively:—"In an interesting appendix to their first annual report, the directors of the Positive Government Security Life Assurance Company have drawn together some memoranda concerning the great improvements of modern times, *particularly as regards the prejudice and opposition which they at first encountered*. Their object in doing so is to encourage the supporters of the Positive in their efforts to popularise the distinctive character of that office. It is not, they assert, an imitative institution, established for the purpose of adding one more life office to those previously existing, but it is, to all intents and purposes, the first of its kind, and gives a new and improved character to practical life assurance and its administration. The greater part of the appendix we [the *Practical Magazine*] transfer to our pages. It bears evidence of careful compilation, and is worth preservation as a curious and suggestive retrospect:—

"We look around us, and, in practical life, as well as scientific annals, perceive that numerous useful objects have been attained, and designs accomplished, which not only the ignorant and prejudiced, but even wise and disinterested persons have pronounced to be either impossible of execution or baneful to the public weal if accomplished.

"Let us glance at a few of these.

"In physiology, how many ages elapsed before the true doctrine of the circulation of the blood was expounded to the world. It was not until the year 1628 that Dr. William Harvey published the account of his immortal discovery. And how was it received by the learned physicians of his time? This greatest and most original discovery in physiology that had ever been made was scouted by them, and its author loaded with calumny and vituperation. He himself foresaw that this would be the case, and in the preface to his memorable work stated that he regarded it as only a necessary consequence of his setting forth a theory so adverse to all preconceived opinions. He feared that it would not only rouse the enmity of his professional brethren, but, through that, make all mankind his foes—so much are people wedded to the traditions of antiquity. There was some exaggeration in this, but in point of fact, his practice fell off considerably immediately after the publication of his treatise. There was not a physician above forty years of age that recognised the truth of his doctrine, and it was bitterly and violently opposed both in writing and speech by the leading physiologists of his time at home and abroad. He had the good fortune, however, to outlive all this, and to see his theory finally accepted by the entire world.

"Similarly, the now famous Dr. Jenner, the discoverer of vaccination as a prophylactic against the small-pox, was only ridiculed and calumniated when he first propounded his theory. He communicated it to Hunter, to Clive, and other well-known heads of the medical faculty, but from none of them did he receive assistance or encouragement. Even upon the publication of his work, in which convincing evidence as to the truth of his theory was set forth, there were those in the profession who gave it their most strenuous opposition.

In about a year afterwards severity of the principal physicians and surgeons in London declared their perfect confidence in the practice recommended. But when at length the benefit of vaccination came to be generally recognised, it was sought to deprive Jenner of the honour rightly due to him, by affirming that he was not the original discoverer.

"It is right and proper, indeed it is an imperative duty upon the medical profession, to hedge in the practice of medicine, and thus guard the public from the nostrums of ignorant quacks; but how many valuable medicines do we now find universally adopted by them, and regularly incorporated in the Pharmacopoeia, against which, when they were originally propounded, the doctors cried out as being only useless and dangerous innovations? To take only one instance, the introduction of Jesuit's bark as a remedy in fevers. When the wonderful properties of this medicine were first made known to the world, it was generally decried by the members of the healing art. 'Thus we learn,' says Dr. Paris, 'that Oliver Cromwell fell a victim to an intermittent fever, because the physicians were too timid to make a trial of the bark.' For this he gives old Dr. Moreton as his authority. Even so late as the end of Charles the Second's reign, Evelyn, who in 1685 saw growing in the gardens at Chelsea 'the tree bearing Jesuit's bark which had done so much wonder in quartan agues,' informs us in his 'Diary,' that the physicians would not give the king *quinquina*, 'out of envy because it had been brought into vogue by Mr. Tudor, an apothecary!' Such examples tend to show that there are occasions when scepticism becomes folly, and prejudice almost a crime."

And then the article, which is a very long one, far too lengthy to quote, though full of the deepest interest, goes on to give a very correct, yet very graphic account of the cruel wrongs done to many great inventors and discoverers. Those who take an interest in this matter would do well to get a copy of the *Practical Magazine* and read the article I am now referring to, for it is fitted abundantly to repay perusal. It commences at page 15 of the *Practical Magazine* for 1873. The following is a list of inventors and discoverers whose wrongs it directs attention to:—

- Dr. William Harvey, who was persecuted for discovering the circulation of the blood.
- Dr. Jenner, who was persecuted for discovering vaccination.
- Mr. Tudor, an apothecary, who was persecuted for exerting himself to get quinine brought to the notice of the medical faculty as a cure for fever.
- Galileo, who was persecuted by the Inquisition for demonstrating the true theory of the solar system.
- The great Newton, who can hardly be said to have been persecuted, but who was not believed in by his countrymen, and who owed his celebrity to his praises being sung by a foreigner—the arch-atheist Voltaire.
- Sir Hugh Myddelton, who was almost beggared for supplying London with pure water.
- Sir Christopher Wren, who was persecuted for trying to make London the pattern city of the world.
- The Duke of Bridgewater, who was persecuted for giving England her inland system of canals, and who was compelled to submit to the very great inconvenience of using only mules upon his canals, because Parliament would not allow him the use of horses and asses, from the extraordinary fear that canals would destroy the necessity for manual labour.
- Brindley, who was persecuted along with the Duke of Bridgewater.
- Arkwright, who was cruelly persecuted, even by his own wife, for founding the cotton manufacture of Great Britain, the staple commodity of our country.
- Hargreaves, who was persecuted for inventing the spinning-jenny.
- Dr. Edmund Cartwright, a clergyman and a man of letters, who was cruelly persecuted for inventing the power-loom weaving machine, and who had his factory with 500 of the new looms wilfully burned down.
- Jacquard, who was cruelly persecuted for his invention of the Jacquard loom, who was imprisoned for inventing the machine-made net, and whose machines, by order of the "Conseil des Prudhommes" of Lyons, were sold for old iron and old wood.
- Telford, the celebrated engineer, who was covered with ridicule for supporting a project for a railroad between London and Woolwich.
- William Murdoch, the celebrated engineer, who was treated with great contempt for occupying himself with planning an engine to run on a tramway.
- Stephenson, the great engineer, who was treated with great contempt for proposing to carry the Liverpool and Manchester Railway across Chat Moss—an eminent engineer telling him that no man in his senses would attempt a railway over Chat Moss. Yet Stephenson completed it for the moderate sum of £28,000.
- William Symington and Lord Dundas, who were ill-treated by the Directors of the Forth and Clyde Canal for having invented a steamboat with paddle-wheels.
- Mr. Dyer, who was cruelly thwarted for having endeavoured to introduce steam navigation on the Thames, even such experienced engineers as Rennie and Ewart opposing him.
- Sir Isambard Brunei, who was violently abused and insulted for having made a voyage from London to

Margate in a steamboat of his own, propelled by a double-acting engine, even the landlord of the hotel at which he put up refusing to accommodate him with a bed.

- Sir Robert Peel, who was loaded with much obloquy for inventing the present system of police, the numerous enemies of which branded it as a scheme for the Ministry to make themselves absolute, and to triumph over our political liberties. To show their spleen they branded policemen as *bobbies* and *peelers*.
- Sir Rowland Hill, who was persecuted for his scheme of reducing inland postage from ninepence to one penny; Lord Lichfield, Postmaster-General, saying of it in the House of Lords, "*Of all the wild and visionary schemes which I have ever heard of, it is the most extravagant.*"
- Mr. Wheatstone, who was covered with obloquy for his proposal to send messages from place to place by means of the electric telegraph. So much was Wheatstone considered a Utopian dreamer, that the following incident occurred when he was before a Committee of the House of Commons. One member asked him the question, "Now really do you think you could send a message from Dover to Calais?" Upon hearing this, another member of the Committee said, "Now don't waste our time in asking such foolish questions."
- Murdoch, who was persecuted for introducing gas. His enemies declared that gas was dirty, had an ill smell, produced headaches, and spoiled both pictures and furniture. "Sir Humphrey Davy, the greatest chemist of his age, denied the possibility of lighting the streets of London safely with coal gas. And in this opinion he was joined by such eminent men as Wollaston, Watt, and Lord Brougham."

Now these twenty-three cases are only a few of well-known historical cases, and for every one recorded in history there are at least a hundred unrecorded. What, then, ought to be done by Englishmen in view of all this injustice to inventors? The first thing is for the English nation to repent of its cruelty, as the Ninevites did in ancient times at the preaching of Jonah. The next thing is for the English nation *to acquire habits of justice and generosity to the poor in general and to inventors in particular*. The English nation must learn to give. It knows at present to talk about giving, but it knows how actually to give to the poor only imperfectly. This may be considered an interested assertion on my part. But better authorities say so more emphatically than I do. Let me quote one. The *Nonconformist and Independent* is the organ of the Nonconformists of England—that body to which Hume and Macaulay assign the sole honour of having preserved the liberties of England during the last three centuries. In the issue of the *Nonconformist and Independent* for May 16th, 1884, will be found an account of the annual meeting of the Congregational Church Aid and Home Missionary Society. At that meeting the Rev. W. E. Hurdall (Bow) said that the fact was growing upon him from day to day that what was really wanted in these urgent times was *larger giving*. Religious effort (and it is a religious duty to be just to inventors, let alone being generous to them) in this country was not receiving a fair share of the money which was spent by professedly Christian people. The income of this society was only as much as one London omnibus company received in penny and in twopenny fares in the course of three weeks. Turn for a moment from this society to a larger one—the great London Missionary Society. That received as much as the one omnibus company received in ten weeks; or as much as is spent in three days in the United Kingdom in the consumption of that excellent product of nature, improved upon by man—namely, tobacco; or, still further, as much as had been drunk away in intoxicants during the duration of this meeting. Some time ago there was published a chart of what was spent in a year in the United Kingdom on intoxicating drinks and the amount spent on Christian missions. The one was one hundred and thirty-six millions of pounds sterling (£136,000,000), the other one million and fifty thousand pounds (£1,050,000). If this society had £100,000 a year, surely it would not be a penny too much. He did not think that their section of the Christian community would have done its part until the income of the London Missionary Society reached £100,000. The report referred to work amongst that section of the population which was somewhat injuriously called outcasts. A great deal was being heard (though not a bit too much) about the "Bitter Cry of Outcast London." He would, in passing, call attention to the bitter response to that cry. The financial issue of that otherwise marvellously successful appeal amounted to little more than a bitter sarcasm. They heard the other day that through the issue of this pamphlet the London City Mission had received £10,000. While he was sitting, lamenting over the smallness of the amount, he came across a letter from one of the secretaries in the *Nonconformist and Independent*, in which it was stated that the real sum received through this channel was not ten thousand pounds, but only one hundred pounds, and that although this excellent institution (upon which the London Congregational Union had playfully stolen something of a march) proceeded to issue other bitter cries, the result only amounted to some five hundred pounds. The London Congregational Union, until it published its accounts, was somewhat secret, and not very easy of approach, but it announced that it had received already the munificent sum of £ 1,600. The real condition of Christian work in our cities was, he did not hesitate to say, one of starvation. Many of the people in the poorer districts were starving, and it seemed fitting that the religious agencies brought to bear upon them should be starving also. While thankful for the little that had been done, they cried most eagerly and earnestly for a great deal more to be done in their cities and in their villages. He

had heard of a gentleman who dined at a continental hotel, and called a waiter to him, and said, "Waiter, I very much approve of the samples you have brought to me; please let me see the bulk." (Laughter.) They approved very much of the samples they had seen, but they also could not do without the bulk. In their aggressive work they were most frequently obliged to adopt an economy which was perfectly suicidal. The buildings which they had to use were for the most part grim and ugly, often bare walls. The furniture was frequently the poorest of the poor, and eminently suggestive of the Union. The lights were turned down economically, so that the gas bill at the end of the quarter should not be excessive. Books were handed round to those who were induced to come within the magic circle of the mission—books whose gaping backs uttered most bitter cries for the bookbinder (which, like some other bitter cries, were largely unheeded). In order to introduce an element of cheerfulness into the gathering, there was a performance upon a wheezy harmonium, rather less musical, and a good deal more out of tune, than the average barrel-organ. For the purpose of refreshing the inner man, there was served a decoction of tea and other leaves, which, unfortunately, had already paid one visit to the pot, and were scarcely improved by their second pilgrimage. (Laughter.) Tracts were sent from house to house clad in covers which seemed purposely designed to reduce the recipients to the very depths of despair. The whole thing was mean, poor, and shabby. The music-hall, the concert-room, and the theatre were not after this order, and he, for one, did not wonder that the poorer classes could be induced, only with the greatest difficulty, and in very small numbers indeed, to come within the sound of the voices of the ministry, and within reach of their work and their mission efforts. (Applause.) Aggressive work was to a large extent being played with rather than being done. Those engaged in the work appeared to be afraid lest they should be financially ruined by the process; they cut down here, and they cut down there, until at last the thing was cut down and perished. The Salvation Army had been able to go ahead with large strides, because it had been financially favoured. (Hear, hear.) It was very seldom he hurled any hard words at that movement. He thought it wiser and better to reserve the hard words for Congregationalists, and Baptists, and Wesleyans, and members of the Church of England, who, by failing to support more decent and proper movements, had placed a decided premium on religious eccentricity. To-day a man was tempted to play the fool in order that he might secure the help which was refused to others. (Applause.) It would have been impossible for the Salvation Army to do what it had done if it had not adopted eccentric means of arresting public attention. Had it been more sober, more refined, more Scriptural, it would have been allowed to die a natural death. They were told that what the churches wanted was the outpouring of the Divine Spirit. That he believed most thoroughly, but it had many a day been on his mind that while they were praying and longing for a Divine Spirit they were hindering the work of that Divine Spirit. The first thing to be done was to loosen the purse-strings of a Christian community. When the Divine Spirit fell of old upon the people they gave—not one-tenth of their income—many of them gave all that they possessed in order that the world might be converted. To-day there might be found men who, if, like Barnabas, they possessed land, would readily sell it (for land to-day was not a good investment in the country, and, if Mr. George had his way, it would not be a very good one in the towns). If a new Acts of the Apostles were written, it would be said of these men that they, having lands, sold them, and, after having selected out a few threepenny-pieces for collections and other benevolent objects, brought the price of the thing which was sold, and laid it out in some promising investment likely to pay from 10 per cent, to 15 per cent. He was willing to acknowledge that there were noble individual exceptions, and noble church exceptions; but in the matter of giving to the Church of Christ, the church was only in its infancy. They talked very much of their church and of their giving, but when it came to the real matter of what they were doing they fell grievously short. Men did not want more money in their pockets, but more grace in their hearts. There were two occasions upon which a man's income tended to fall very low indeed. One was when he was making up his income-tax return, and the other when he was asked for a subscription. (Laughter.) Those who did not keep a strict record of what they gave, firmly and conscientiously believed that they gave three times as much as they did. A man took his wife and family to the seaside, and thought not so much of the expense of doing that as of the hundred half-crowns which he dropped into the collection plate. Voluntary offerings were very often anything but voluntary, and there were places where it was necessary to have the collection in the middle of the service in order to avoid a stampede at the close. (Laughter.) The world was within their reach if only they had the means to do the work. If they had the means, the Gospel might be efficiently carried to the five millions of London within twelve months. The whole world might be reached in ten years, if only the funds were forthcoming. They had the men; they had the women; they had the message; they had the Saviour; they had the Divine Spirit and the great God. *What was needed was the means.* This was a matter which should be urged upon the churches everywhere. People were being taught of all things to get; *they must be taught also to give.* Everybody was trying to be a little higher in the social scale. Would to God that there might be inaugurated a great giving crusade—a crusade so much nobler than the crusade of ancient times." (Applause.)

The same paper says that forty-one families of every hundred families in Glasgow live in a single room. In the same paper there is a very fine passage in the speech of the Rev. G. S. Reaney, which is as

follows:—"When I know of those who are working for a penny an hour, who are making a shirt for three farthings, and when I know that there are huge fortunes made in this way, when I see the luxury of this modern Rome, I am not out of my place when I say to you, 'Think about it, pray about it;' and it may be there will come a statesman amongst our free churches in England who shall be able first to suggest the solution of this problem (as the solution of the question of free trade was suggested chiefly amongst the free churches in England). There will come a time of afterthought and of prayer, when it shall be impossible that there shall be amongst the people this unpaid toil, and this unearned increment of the capitalist. I hope, Dr. Parker, that you will rewrite that sentence of yours, and utter a curse not only upon the publican, *but upon the man who robs the poor and grows rottenly rich*" (Loud applause.)

What all philanthropists ought now to do is this: they ought to stir up all classes to give to those who are poorer than themselves. And they ought with still greater energy to teach that poverty is the punishment inflicted by the Omnipotent himself on those who do not give to the poor, while abundance is the reward bestowed on those who do give to the poor. "There is that scattereth and yet increaseth; there is that withholdeth more than is meet, but it tendeth to poverty." "Honour the Lord with thy substance, and with the first-fruits of all thine increase, so shall thy barns be filled with plenty, and thy fruitbins shall be pressed down with a great abundance of ripe grapes." Now all these, and many other verses which might be quoted, teach that men are to learn to give from the hope of a certain reward—viz., abundance; and to avoid stinginess from the fear of a certain punishment—viz., poverty. But the common mode of teaching liberality by Christian teachers is to persuade men to give to the poor from very lofty motives—such as the duty of loving one's neighbour, the excellence of generosity, &c. I do not find the duty of giving to the poor so taught *in general* in the Bible. There the wisdom of giving is enforced by the hope of a reward and the fear of a punishment. But many teachers of this duty seem dissatisfied with the Biblical way of teaching it. They appear almost to verge upon the blasphemous opinion that God made a slight mistake in enforcing the duty of giving, by such lowly motives as the hope of abundance, and the fear of poverty. Such a procedure is being holier than God. It is probably owing largely to this erroneous mode of teaching the duty of giving that so few have learned to give regularly, systematically, and liberally. Even Jesus Christ, who was God incarnate, when teaching His hearers to give, made use of the following language: "*Give, and it shall be given you, good measure, pressed down, and shaken together and running over shall men give unto your bosom.* For with the same measure that ye mete withal, it shall be measured to you again." Now these words teach that giving is to be performed from the hope of receiving abundance from God, and that stinginess is to be avoided from the fear of receiving poverty from God. Again, those who teach the duty of giving say too little about the proportion of income to be given. Many erroneously consider that the Old Testament commanded the Jews to give a tenth of their income to the poor. This is a serious error, for the tithe or tenth was only one of many expenses that a Jew had to incur for the poor, and the purposes of his religion. Hebrew scholars who have studied the matter carefully, declare that the amount which the Almighty, through the mouth of Moses, commanded the Jews to give to the poor, and for the purposes of their religion, was three-tenths, or one-third of their incomes. Christians, who have had a higher revelation of God's love than the Jews ever had, might be expected to give more. But the more that is given to the poor, the greater is the prosperity which God in His providence in general sends. Samuel Budgett, the successful merchant of Bristol, rose from being a poor shop-boy, on four shillings a week, to an income of twelve thousand pounds a year. But the secret of his success was his habit of giving *a sixth of his income*, quietly, regularly, and unostentatiously to the poor. Wilberforce had an income of fifteen thousand pounds a year. But the secret of his prosperity was his giving a fourth or a fifth of it to the poor. George Moore, with the same income, followed the same plan.

If a regular system of giving were followed by the English, poverty would disappear as if by enchantment, and neither inventors nor any other ill-used class would require to hurl denunciations against society, which, if it persists in disregarding the cries of the oppressed classes, will as certainly be destroyed as France was by its terrible revolution a century ago.

The only nation on earth that treats inventors well is America. This cannot be disputed, and therefore it does not require to be proved by regular arguments. One of the most recent, and also most graphic illustrations of this is found in the following statement:—

"On the 11th of April, 1884, the Legislature of the State of New York passed the following resolution: '*Whereas the incentives and rewards given to inventors by the Constitution of the United States and the laws of Congress passed thereunder, have done more, perhaps, than any one cause to advance our whole country to the front rank in wealth, resources, and industries among all nations in the world,*' &c." And then follow the resolutions for the benefit of inventors. (*Scientific American*, April 26th, 1884.)

It is not only the good Patent Law of America which benefits inventors. Everything else seems to conspire to the same end. Inventors are universally held in great honour in America, while in England they are despised and shunned as charlatans, until very successful. Banks also in America lend money readily to enable patents to

be worked. No bank in England ever lends money on the security of patents. As soon as an American obtains a patent, he can, in most cases, sell it with great ease. In England few, or no men can sell patents, until they first find capital for their working. In America a poor man can make money by a patent. In England none but the rich have anything but a romantic hope of ever making money by patents. Contrast with the liberality breathed in the resolution of the New York Legislature already quoted the stupidity, bigotry, and prejudice displayed by Baron Alderson in connection with railways. "In March, 1825, the bill for the Manchester and Liverpool Railway was referred to a Select Committee of the House of Commons, when George Stephenson was under cross-examination for three entire days. Mr. Alderson, afterwards Baron Aiderson, the principal counsel against the bill, spoke for three whole days, against it. At the conclusion of his speech he summed up by pronouncing Mr. Stephenson's plan to be "*the most absurd scheme that ever entered into the head of man to conceive*" "My learned friends," said he, "almost endeavoured to stop my examination. They wished me to put in the plan, but I had rather have the exhibition of Mr. Stephenson in that box. I say he never had a plan; I believe he never had one—I do not believe he is capable of making one. His is a mind perpetually fluctuating between opposite difficulties. He neither knows whether he is to make bridges over roads or rivers of one size or another, or to make embankments or cuttings, or inclined planes, or in what way the thing is to be carried into effect. Whenever a difficulty is pressed, as in the case of a tunnel, he gets out of it at one end, and when you try to catch him at that, he gets out at the other." (*Practical Magazine* for 1873, page 18.)

The above quotation almost proves that one of the surest signs of a proposed invention in England being a good one is its being condemned in the strongest language, by the very persons who ought to welcome and foster it—by, in fact, the stupid class saying to the inventor, "*Thou art mad.*"

But some will say that it is very unfair to condemn the present generation as exceedingly unkind to inventors, by quoting against them facts which occurred as far back as 1825. Very well then, what have such apologists to say about the treatment that Waghorn and his sisters received? The conduct of Britain to Waghorn is unspeakably disgraceful. Well may every patriotic Englishman blush when he reads of the cruelty of Britain in the case of Waghorn and his sisters? While Lesseps was ennobled by France, Waghorn died in poverty, and his sister died in a workhouse.

The Suez Canal has brought especial benefits to two countries—England and India. And the following is an extract from one of the leading Indian papers:—

"The Lord Mayor (Mr. Alderman Fowler, M.P.) presided over a meeting held on the 3rd March, 1884, to raise a memorial to Lieutenant Waghorn, R.N. Sir W. Andrew gave some interesting particulars of the difficulties with which Waghorn had to contend. He was thought to be crazed on the subject by the public, and his projects were pooh-poohed by the Government."

There are few greater sins that a nation can commit than that of treating such men as Waghorn in the way in which he was treated. The nation thinks lightly of them, but God punishes them with marked severity. Columbus was cruelly treated by Spain, though he added half a hemisphere to her colonial possessions; and God punished that cruelty by making the half hemisphere so added a curse and not a blessing. There is a remarkable passage in Malachi ii. 2 which runs thus: "*I will curse your blessings.*" God has a variety of ways in which He executes vengeance for the oppressed, and one of them is that of cursing an individual's or a nation's blessings. Spain is a notable illustration of this; and no more Columbuses have been vouchsafed to Spain, which has fallen from the loftiest place among the "nations to the very lowest place. "*They that have not, from them shall be taken even that which they seem to have*"

That we have not by any means improved in our treatment of great inventors in the present day, as compared with the treatment accorded to them by our fathers, is only too sadly evident from the following quotation from the *Englishman*, one of the leading English papers in Hindostan. It bears the date of June 20th, 1883, and runs as follows:—"Mr. Richard Pratt, of Rochester, and Captain A. P. Wall, of 16, Glengall Terrace, Old Kent Road, S.E. London, will gladly receive subscriptions for the relatives of Waghorn. The sister of the almost-forgotten pioneer of the overland route, Lieutenant Thomas Waghorn, the indomitable man who brought India so near to us, died last week in Rochester Workhouse, almost in poverty and destitution. A grateful Government and country had awarded her and two old sisters (now in Melbourne), the munificent sum of £25 per annum, to sustain life and the reputation of her brother upon! But for the kindly brothers Foord, of Rochester, and the excellent vicar of Snodland, where Thomas Waghorn was buried, a pauper's funeral would probably have been her lot. The *Daily Telegraph* and other papers, when the fact was conveyed to them, called attention to the poor woman's dying in the workhouse, and at once subscriptions were forthcoming, though the gentlemen mentioned before had already done all that was needful. What a pity that attention could not have been called to the case years ago, and the poor old lady—she was nearly eighty years of age—better provided for. One journal says, 'Had Lieutenant Waghorn slaughtered a handful of niggers, or smashed the windows of a town from an ironclad, his sister would have had something very different from ten shillings and a workhouse shroud.'"

Shame! shame! shame! on Englishmen—especially on rich Englishmen—that their niggardliness and injustice—that their repeated and almost unpardonable cruelty to inventors and men of genius, have rendered it possible for newspapers to chronicle such national disgrace! These words, however, are written, not to drive the English nation to despair, and not, certainly, for the purpose of inflicting pain, but with a view to lead England to repentance. "Rebuke a wise man, and he will love thee. Rebuke a fool, and he will hate thee." If England were an utterly foolish nation, this pamphlet had never been written; for it is great folly to cast pearls before swine, and to give that which is holy to dogs. It is because the author of this pamphlet believes England to be the wisest nation on earth, and because he desires to secure her love and affection, that he thus deals in rebuke.

These acts of cruelty towards inventors are also, it must be confessed, due rather to want of thought than to want of heart. Englishmen are too busy to be just to inventors; but they are not too busy to suffer God's wrath for their neglect of inventors. As the English nation metes out sorrow to inventors, so the Almighty writes *depression, depression, depression* on British trade, British manufactures, British Parliamentary business, British shipping, British agriculture, British foreign policy, and British everything.

Let the English nation, then, begin to take thought for inventors. Let them devise wise measures, by which injustice to inventors may cease, and the Almighty will gladly remove those chastisements which, there is not much doubt, He has been sending the nation for this among other national crimes.

The whole history of the Suez Canal reflects the greatest discredit upon England, as the following extract will show:—"Some of the greatest schemes for the benefit of mankind have been opposed on political grounds; as, for instance, that of the famous ship-canal through the isthmus of Suez. This project, when first propounded by M. de Lesseps, was bitterly opposed by no less a statesman than Lord Palmerston, who, to the end of his life, contended against it. Engineers of the highest eminence also pronounced against it. They represented that the levels of the Mediterranean and Red Seas were so different, that it would be impossible to prevent an impetuous current flowing through the canal; likewise that the shifting sands along its sides would overwhelm the work, and that the silt on the northern shore would choke up the mouth at Port Said. Even Robert Stephenson, who was sent over expressly by Lord Palmerston to report on the scheme, denounced it as one that was *utterly impracticable*. In spite of such formidable opposition, however, M. de Lesseps continued his operations, and, with the warm support of the Empress Eugenie, these were at length brought to a successful issue.

"When the result came to be foreseen as morally certain, Lord Palmerston declared in the House of Commons that the opening of the Suez Canal must give a vast advantage to France as compared with this country, by enabling her fleets to pass through it from Toulon into the Indian seas long before ours could find their way there.

"We now smile at the apprehensions of the aged Minister—apprehensions that were shared by numerous persons in this country—but we should recollect that when Lord Palmerston gave utterance to them, Napoleon III. was in the plenitude of his power, long before the disasters and humiliation which France had to sustain through her war with Germany.

"This gigantic undertaking, first conceived in 1854, the works being commenced in 1859, was finished in December, 1869, when the Suez Canal was thrown open to the commerce of the world." (*Practical Magazine* for 1873, p. 18.)

It will be apparent to the meanest intellect that such frequent, such repeated, and such powerful persecution of inventors as the facts already mentioned reveal, must have the most pernicious effect on the minds of thousands possessed of great inventive genius. Such men and such women will reason thus:—"I see from the lives of inventors that cruel persecution has almost invariably been their lot. Those inventors who have outlived their persecutions have been men of very strong and determined wills. I know that I have most valuable inventive talent. But I also know that I have not such a strong mind and such a resolute will as successful inventors seem to have had, and therefore I shall let inventions alone." Can any one blame an inventor or an inventress under such circumstances if he or she refuses to benefit the world by his or her inventive skill? Had inventors been sufficiently encouraged, there is not the slightest doubt that two tremendous evils from which England now suffers in a very acute form, a form so acute that it may yet precipitate a revolution, would have disappeared like mist before the wind. These are the underpaying of overworked individuals, such as needlewomen, who get three-farthings for making a shirt, and matchbox makers, who get an equally unfairly low remuneration; and the overcrowding of big cities like London, until nearly one-half of all the families it contains dwell in only one room.

There are many ways in which the crying sin of the present day might be successfully repressed—the sin, namely, of giving utterly insufficient pay for useful work.

The following is one way of checkmating it.

There are many thousands of just people in England, who burn with indignation at the thought of poor needlewomen being worked to death at shirt-making for wages which are so insufficient that they can hardly keep body and soul together. Shirts they must wear. And as they can get them in no other way than through the

white slave-drivers, they are compelled to purchase from them, and so to become partakers in the sin and in the punishment of these English oppressors.

But let a factory be established by philanthropists for the making of shirts, in which each needlewoman shall receive amply sufficient pay, shall be worked only eight hours a day, shall be nursed when sick, and pensioned when superannuated, and there are hundreds of thousands of people in England who are so thoroughly convinced of the miseries which they are compelled to suffer by being participators in the sin of oppression, that though they had to pay twice the skinflint price for a shirt, they would gladly and gratefully do so.

There are millions in England who will always buy the cheapest article, however stained with blood it may be. But there are hundreds of thousands who would be overjoyed to find a means of escape from such wickedness.

But if any inventor were so imprudent as to propose such a scheme, a host of opponents would denounce it with the very same words with which Baron Alderson opposed the first railway, and would solemnly declare "*that it was the most absurd scheme that ever entered into the head of man to conceive.*"

Similar things might be written about the overcrowding of London and other large cities. It might be shown that ancient cities—notably the ancient nations inhabiting Greece and Italy—made colonisation one of the chief duties of the government. The Sabines in Italy, for instance, had a law which set apart all the children, and all the cattle, born every twentieth year, as sacred to colonisation. When they reached a suitable age they were sent to found a new colony, with an abundant supply of every requisite for complete and permanent success. It might also be shown that if Christians paid sufficient attention to the religion they profess to follow, they would recollect that God has commanded men *to replenish the earth* (Gen. i. 28, and ix. 1). Now the earth cannot be replenished unless it is first colonised. If governments attended to their duty in anything like a proper manner, they would have a regular organisation for carrying out a thorough system of colonisation. But if any one were to be so foolish as to propose any such scheme as this, he would be told in pretty plain language by all his critics, that (as Baron Alderson said to Stephenson about his proposed railway) "*it is the most absurd scheme that ever entered into the head of man to conceive.*"

It seems almost hopeless to get the English nation to honour inventors, for there is not the slightest doubt that the universal custom in England is to consider an inventor as nothing better than a crack-brained fool. If an inventor in England makes money by his inventions, he is honoured very much; but it is because he is rich, not because he is an inventor. If he had made his money by gambling speculations in railway shares he would be more highly honoured than for having made it through an invention.

Yet this insane tendency must be combated by sensible Englishmen, if they do not wish to see their country outstripped by America. Now, the English nation does pay some attention to the Bible, and the Bible commends inventors and inventions. Therefore let Christian England cease her cruel treatment of inventors. The words of Scripture are, "*I Wisdom dwell with Prudence, and find out knowledge of witty inventions*" (Prov. viii. 12). The Bible also says, "*Subdue the earth, and have dominion over it*" (Gen. i. 28). Now, inventions are the best means that history gives us any record of, for enabling man to subdue the earth, and to gain dominion over it.

Again, the English nation pays great attention to the writings of Lord Bacon. Therefore let its people ponder the following words of Bacon: "The introduction of great inventions appears to hold by far the first place among human actions, and it was considered so in former ages; for to the authors of inventions they awarded divine honours, but only heroic honours to those who did good service to the State (such as the founders of cities and empires, legislators, deliverers of their country from long-endured misfortunes, quellers of tyrannies, and the like). And certainly if any rightly compare the two, he will find that this judgment of antiquity was just, for the benefit of inventions may extend to the whole race of man, but civil benefits only to particular places; the latter, moreover, last not beyond a few ages, the former for ever. The reformation of the State in civil matters is seldom brought about without violence and confusion, while inventions carry blessings with them, and confer benefits without causing harm or sorrow to any." (*Scientific American*, March 15th, 1884).

Inventors do not want the divine honours which Lord Bacon tells us were paid to their class by the nations of antiquity. To accept divine honours would be to commit idolatry. But inventors do most earnestly desire, and have a right to expect, that those who profit by their inventions should remember the words of the God they profess to worship—"The labourer is worthy of his hire." And yet, though inventors do not want the divine honours referred to by Bacon, it is well that attention should be directed to the fact that there is something divine about invention. The fundamental doctrine of the Christian religion is that God sent His only begotten Son Jesus Christ to die in man's room and stead, in order that men, believing in this atonement, might be free from the punishment and the power of sin. Now this act on the part of the Omnipotent is frequently spoken of as a plan. Holy Writ informs us that God devised a plan for man's redemption; that is to say, God invented a

method of saving the human race. The actions of inventors, then, though not divine in the sense referred to by Lord Bacon, are yet similar in their nature and essence to the divinest of all acts.

Bacon tells us of the extraordinary and even interperately great honour which the ancients used to bestow on inventors, but in these modern days we have improved upon all that. Nowadays we starve, torture, torment, and crucify an inventor while he lives, and when he is dead we raise no end of statues to his memory. It is just such inhuman conduct as this which stirs up good men like General Gordon to write the scathing things they do of existing society. Can any one deny that there is perfect truth in the following saying of Gordon's? "There would be no one so unwelcome to come and reside in this world as our Saviour, while the world is in the state it now is. He would be dead against nearly all our pursuits, and be altogether *outré*." Now, the cruelty perpetrated on Christ is exactly and identically the cruelty perpetrated on inventors. When the Jews refused to believe in Christ, then it was that they began to crucify Him. And inventors are treated in much the same way. They are not believed. Innumerable facts might be quoted in proof of this. Let me adduce one or two: "In 1825 Mr. Nicholas Wood, in his work on railways, calculated the utmost speed of a railway train at *six miles an hour* drawing forty tons on level ground. Nothing," he says, "could do more harm towards the adoption of railways than the promulgation of such nonsense as that we shall see locomotive engines travelling at the rate of twelve, sixteen, eighteen, and twenty miles an hour." Now, here was Mr. Wood, who had talent enough to write a book on railways, yet such a very cruel unbeliever in the prophecies of Stephenson regarding railways, that he declared that no greater speed could be attained upon them than six miles an hour.

Facts have proved that Stephenson's modest prophecies were rather under than over the truth. Forty miles an hour is an exceedingly common speed on railways in the present day. Many trains go fifty miles an hour. A smaller number go sixty miles an hour; and seventy-five miles an hour has been reached on one or two occasions on the Great Western. Incredible though this speed may appear, it has been much surpassed by the ice-yachts on American rivers. In the winter time in America, when the lakes and rivers are frozen over, the rich launch their ice-yachts, which are combinations of wood, capable of moving over the ice by means of sails in much the same way that a skater moves. These boats are from ten to fifty feet in length, and carry two or three people. With a good spanking breeze they easily go over the ice at the rate of one hundred miles an hour; and with a wind strong enough to be safe, and yet almost a gale, they have frequently moved at the rate of two miles a minute, or one hundred and twenty miles an hour. These facts can all be verified by referring to the early numbers of the *Scientific American* for 1884. Yet in the face of all these facts, which might, without much difficulty, have been predicted by scientific men, Mr. Nicholas Wood, in 1825, laughed poor Stephenson to scorn, and declared that "*nothing could do more harm towards the adoption of railways than the promulgation of such nonsense as that we shall see locomotive engines travelling at the rate of twelve, sixteen, eighteen, and twenty miles an hour.*" When shall people believe that truth is stranger than fiction!

Not only did individual engineers denounce what they were pleased to consider the folly of those who declared that a speed of twenty or thirty miles an hour might be attained on railways, but the most sagacious organs of public opinion were guilty of the same folly, which in this case was cruelty as well as folly. The following, for instance, is an extract from the *Quarterly Review* for March, 1825:—"As to those persons who speculate on making railways general throughout the kingdom, and superseding all the canals, all the waggons, mail and stage coaches, postchaises, and, in short, every other mode of conveyance by land and by water, we deem them and their visionary schemes unworthy of notice. Every particular project must stand or fall by its own merits; and we are greatly mistaken if many of those which are already announced will not, when weighed, be found wanting. The gross exaggerations of the powers of the locomotive steam engine, or, to speak in plain English, the steam-carriage, may elude for a time, but must end in the mortification of those concerned." It then goes on to ridicule a project for a railroad between London and Woolwich, which had received the support of so eminent an engineer as Telford, and continues: "In a similar strain we find a countryman of Mr. Telford writing thus: 'We shall be carried at the rate of four hundred miles a day with all the ease we now enjoy in a steamboat, but without the annoyance of sea-sickness, or the danger of being burned or drowned.'" The *Quarterly Review* comments on this sentence in the following way:—"It is certainly some consolation to those who are to be whirled at the rate of eighteen or twenty miles an hour by means of a high-pressure engine, to be told that they are in no danger of being sea-sick while on shore; that they are not to be scalded to death nor drowned by the bursting of the boiler; and that they need not mind being shot by the scattered fragments, or dashed in pieces by the flying off or the breaking of a wheel. But with all these assurances, we should as soon expect the people of Woolwich to suffer themselves to be fired off upon one of Congreve's ricochet rockets as trust themselves to the mercy of such a machine going at such a rate. Their property, perhaps, they may trust; but while one of the finest navigable rivers in the world runs parallel to the proposed railroad, we consider the other 20 per cent, which the subscribers are to receive for the conveyance of heavy goods almost as problematical as that to be derived from the passengers. We will back Old Father Thames against the Woolwich Railway for any sum."

Even Watt himself originally planned his locomotives merely for use on country roads with ordinary speed;

and when his assistant, William Murdoch, was occupying himself with planning an engine to run on a tramway, he thought it a waste of time, and requested his partner Boulton to tell Murdoch that this was his opinion.

When it became known that the bill for the Liverpool and Manchester Railway would be proceeded with in 1825, a strong opposition was immediately organised against it. Mr. Smiles informs us that "the canal companies prepared to resist the measure tooth and nail." "The public were appealed to on the subject; pamphlets were written, and newspapers were hired to revile the railway. It was declared that its formation would prevent cows grazing and hens laying. The poisoned air from the locomotives would kill birds as they flew over them, and render the preservation of pheasants and foxes no longer possible. Householders adjoining the line were told that their houses would be burnt up by the fire thrown from the engine-chimneys, while the air around would be polluted by clouds of smoke. There would no longer be any use for horses; and if railways extended, the species would become extinguished, and oats and hay be rendered unsaleable commodities. Travelling by rail would be highly dangerous, and country inns would be ruined, boilers would burst and blow passengers to atoms. But there was always this consolation to wind up with—that the weight of the locomotive would completely prevent its moving, and that railways, even if made, could *never* be worked by steam-power. Nevertheless, the canal companies of Leeds, Liverpool, and Birmingham called upon every navigation company in the kingdom to oppose railways wherever they were projected, but more especially the Liverpool and Manchester scheme, the battle with which they evidently regarded as their Armageddon. A Birmingham journal invited a combined opposition to the measure, and a public subscription was entered into for the purpose of making it effective. The newspapers generally spoke of the project as a mere speculation; some wishing it success, although greatly doubting; others ridiculing it as a delusion." (*Practical Magazine* for 1873, page 17.)

The *Engineer* has the following extract from a standard work on chemistry that was very popular about seventy-five years ago:—

"Does it then appear probable that this mode of illumination by coal-gas will ever be brought into general use?" Such is a question in the book, to which the following answer is given:—"By no means; it may answer very well in particular instances, as in large manufactories, &c., but so many and so great are the objections to its general use, and so great the mischiefs that would follow *even an attempt of that nature*, that no disinterested person who has considered the subject, and whose experiments have qualified him to judge of it, can admit even the possibility of success in any attempt to bring it into general use; the countenance that has been given to proposals of this nature only serves to show *how easily we Englishmen are imposed on*, and how perfectly aware of this circumstance are foreigners in general."

Few things show so well the pernicious nature of unbelief regarding inventions as the history of the Post-office. Many will probably hardly credit the following, yet they are facts without any exaggeration. Sir Rowland Hill's scheme for a uniform and low rate of postage was first laid before the public in the year 1837 in a pamphlet entitled, "Post-office Reform: its Importance and Practicability." The principle of uniformity and cheapness, which was clearly laid down in this publication, immediately attracted general notice. From calculations which he had made of the number of letters passing between London and Edinburgh, as well as other places, the author showed that the principle of uniformity and cheapness might be safely relied on, and that although the revenue might suffer at first from the reduction of the average inland postage of nine-pence to a penny, still that eventually the exchequer would be more than reimbursed from the vast amount of extra correspondence which would be carried on throughout the three kingdoms.

Although favourably received by the merchants and bankers, the Post-office authorities immediately derided the new scheme when it was laid before them. Lord Lichfield, then Postmaster-General, said of it in the House of Lords:—"Of all the wild and visionary schemes which I have ever heard of, it is the most *extravagant*." On another occasion, speaking of the increased number of letters, he said, "The mails will have to carry twelve times as much in weight, and therefore the charge for transmission, instead of £100,000 as now, must be twelve times that amount. *The walls of the Post-office would burst*; the whole area in which the building stands would not be large enough to receive the clerks and letters." Notwithstanding this opposition, however, when brought before Parliament, and referred to a Select Committee of the House of Commons in 1838, the report was decidedly in favour of the scheme, the Committee declaring "that the principle of a low uniform rate is just in itself; and when combined with prepayment and collection by means of a stamp, would be exceedingly convenient and highly satisfactory to the public." Eventually the proposal was embodied in a bill brought in by the Chancellor of the Exchequer himself, which passed the House of Commons by a majority of 100, and became law on the 17th of August, 1839.

When the measure was under discussion in the House of Commons, even Sir Robert Peel, although he did not absolutely oppose it, spoke of it in disparaging terms, quoting the opinions of Lord Lichfield, before mentioned, and of Colonel Maberly, Secretary to the Post-office, against it. That of Colonel Maberly was to the following effect. "He considered the whole scheme of Mr. Hill as *utterly fallacious*; he thought so from the first

moment he read the pamphlet of Mr. Hill; and his opinion of the plan was formed long before the evidence was given before the Committee. The plan appeared to him *a most preposterous one, utterly unsupported by facts, and resting entirely on assumption*. Every experiment in the way of reduction which had been made by the Post-office had shown its fallacy; for every reduction whatever led to a loss of revenue in the first instance. If the reduction be small the revenue recovers itself; but if the rates are to be reduced to one penny, the revenue would not recover itself, for forty or fifty years!"

With such an official at the head of the Post-office, it was only natural that the new measure should receive considerable discouragement when first brought into practical operation. Indeed, this continued to be the case for some years. The officials who had to work it proved to be, as Mr. Baring expressed it, "unwilling horses." Colonel Maberly himself virtually acknowledged this. "My constant language," he says, "to the heads of the departments was, '*This plan we know will fail*. It is your duty to take care that no obstruction is placed in the way of it by the heads of the department and by the Post-office. The allegation, I have not the least doubt, will be made at a subsequent period, that this plan has failed in consequence of the unwillingness of the Government to carry it into proper effect.'" Such was indeed their duty, but they notably failed to discharge it, and Mr. (afterwards Sir Rowland) Hill had a very up-hill battle to fight in endeavouring to secure the ultimate success of his measure. That success, however, came in due time. Moreover, it came in the lifetime of its author, and it has been, not only successful, but splendid. Every civilised country has adopted the principles and method of postage laid down by Sir Rowland Hill, and wherever adopted, these have proved eminently successful. In our own country, according to the latest return, the estimated revenue from the Post-office for the year 1872-73 amounted to as much as £4,770,000; and in 1871 the number of letters delivered throughout the United Kingdom reached the enormous amount of 917,191,000!" (*Practical Magazine*, p. 20.)

The misery inflicted on the poor by dear postage on letters, as well as the temptation placed in their way of dishonesty, is vividly shown from an episode in the life of Coleridge. That poet, happening to be at an inn when the postman came to give a letter to the barmaid, felt his compassion excited on seeing the barmaid return the letter to the postman with a sigh, saying that she was too poor to pay a shilling for its postage. Coleridge at once put his hand into his pocket, took out a shilling, gave it to the postman, and carried the letter in triumph to the barmaid. What was his astonishment to find that she received it with coldness bordering on aversion. On his asking her for an explanation of her conduct, she said to him, in a low voice, and looking round to see that there were no eavesdroppers, "Can you keep a secret?" "Yes," replied Coleridge. "Then," said the barmaid, "you have, with the best intentions, thrown your shilling away. But I thank you all the same, for your action was kindly meant." "What do you mean?" said Coleridge, "you speak in riddles. Is not that your own letter which you hold in your hand? And can you not open and read it if you like?" "Yes, I can," said the barmaid, "but there is nothing in it." And suiting the action to the word, she broke the seal, opened the letter, and showed Coleridge that there was nothing but blank paper inside. She said the letter was from her lover, to whom she was engaged. And as both he and she were too poor to pay for postage, they had agreed to send, once a fortnight, a letter to each other with only a blank sheet of paper inside. At the right side of the seal there was to be a very small cross, if the sender was well; if ill, a very small circle at the left side. The receiver then got the letter from the postman, looked for the cross or the circle, and then returned it with a sigh, stating that he (or she) was too poor to pay the postage.

The barmaid in the above episode told Coleridge that he had thrown a shilling away; but this was incorrect. He had made the Government the present of a shilling. The time may come when subjects will pay at least a portion of taxation voluntarily, just as missionary societies are supported by nothing but voluntary subscriptions. When taxation is paid voluntarily, the easiest way of doing so will be to tear up a guinea's worth or two guineas' worth of stamps. Every stamp destroyed without being used in postage is a gift to the Government, given secretly, unostentatiously, and without any blowing of trumpets.

It is right to denounce the present Excise laws, for they encourage drunkenness. Few men have ever uttered more important truths in a more telling manner than the late lamented Duke of Albany did, when he said, "I think if we can train the children early to see the difference between what dirt, and waste, and selfishness make of a poor man's dinner, and what thrift, and care, and cleanliness can make of it at the same cost, we shall be civilising them almost more directly than by our sums or our grammar, and shall be taking in flank *our great enemy, drink—drink, the only terrible enemy whom England has to fear.*"

It is the work of a true patriot to denounce drink as the great enemy of Britain. In doing this, however, we reflect most terribly on the excise laws of England. Now there is no doubt of this, that one great reason why the Governments of Europe are driven to the cruel and nationally destructive step of deriving a revenue from the vice and misery of their subjects is the great aversion of the virtuous classes to allow the articles they use to be taxed. As the virtuous therefore refuse to pay taxes, the Government is almost compelled to get them paid by the vicious classes. And vice is thereby encouraged. For it is a law to which no exception has yet been found, that in a free State, the classes which pay the greatest amount of taxes acquire the greatest amount of political

power, and consequently of wealth—*e.g.*, soap-boilers, publicans, opium merchants. We see this in England, where crimes arising from drink are treated with as much lenity and consideration as are the crimes committed by the aristocracy. The Government is compelled to be wonderfully kind to drunkards, because they are the best patriots, inasmuch as they pay such a large part of the taxation. But if the virtuous classes ever wish to see the iniquitous excise laws abolished, they must be prepared to allow Government to tax milk, lemonade, soda-water, ginger-beer, tea, coffee, sugar, and coal. It would certainly be wise also to aid Government by voluntary contributions, as missionary societies are aided. Such contributions would be like the cream of milk—immensely superior in value to, though immensely less in quantity than, the milk. And the best, easiest, and most unostentatious way of giving voluntary subscriptions to Government would be by the destruction of postage stamps. For every stamp destroyed before it is used is a present to Government. Any man in England can easily pay Government an income tax of five per cent, of his income, without letting the Government know, by merely destroying postage stamps to that amount. Such a suggestion will of course meet with the same hostile reception from the virtuous opponents of the iniquitous excise laws of England that Stephenson's proposed railway received from Baron Alderson, when he said, "*It is the most absurd scheme that ever entered into the head of man to conceive.*"

There is no doubt that poor inventors have been greater sufferers from England's cruelty towards their class than rich inventors have been. And yet not a few memorable and appalling illustrations of national cruelty and national stupidity in persecuting aristocratic English inventors are recorded on the page of history. The following are samples.

Perhaps one of the very greatest inventions of modern times has been the celebrated "Sinking Fund" of the great Pitt. "The public attention at this period had been strongly directed to the prodigious powers of accumulation of money at compound interest; and Dr. Price had demonstrated with mathematical certainty, that any sum, however small, increasing at that rate, would in a given time extinguish any debt, however great. *A penny laid out at compound interest at the birth of our Saviour would, in the year 1775, have amounted to a solid mass of gold eighteen hundred times the whole weight of the globe.* Mr. Pitt, with the instinctive sagacity of genius, laid hold of this simple law, to establish a machine by which the vast debt of England might, without difficulty, be discharged. All former sinking funds had failed in producing great effects, because they were directed to the *annual* discharge of a certain portion of debt; not the formation by compound interest of a fund destined to its future and progressive liquidation; they advanced, therefore, by addition, not multiplication—in an arithmetical, not a geometrical, ratio. Mr. Pitt saw the evil, and not merely applied a remedy, but more than a remedy; he not only seized the battery, but turned it against the enemy. The wonderful powers of compound interest, the vast lever of geometrical progression, so long and sorely felt by debtors, were now to be applied to creditors; and inverting the process hitherto experienced among mankind, the swift growth of the gangrene was to be turned from the corruption of the sound to the eradication of the diseased part of the system. Another addition, like the discovery of gravitation, the press, and the steam-engine, to the many illustrations which history affords of the lasting truth, that the greatest changes both in the social and material world are governed by the same laws as the smallest; *and that it is by the felicitous application of familiar principles to new and important objects, that the greatest and most salutary discoveries in human affairs are effected.*

"Mr. Pitt's mind was strongly impressed with the incalculable importance of this subject, one before which all wars or subjects of present interest, excepting only the preservation of the constitution, sank into significance. From the time of his accession to office in 1784, his attention had been constantly riveted upon it, and he repeatedly expressed, in the most energetic language, his sense of its overwhelming magnitude. 'Upon the deliberation of this day,' said he, in bringing forward his resolutions on the subject on 29th March, 1786, 'the people of England place all their hopes of a full return of prosperity, and a revival of that public security which will give vigour and confidence to those commercial exertions upon which the flourishing state of the country depends. Yet not only the public and this House, but other nations are intent upon it; for upon its deliberations, by the success or failure of what is now proposed, our rank will be decided among the Powers of Europe. To behold this country, when just emerging from a most unfortunate war, which had added such an accumulation to sums before immense, that it was the belief of surrounding nations, and of many among ourselves, that we must sink under it—to behold this nation, instead of despairing at its alarming condition, looking boldly its situation in the face, and establishing upon a spirited and permanent plan the means of relieving itself from all its encumbrances, must give such an idea of our resources as will astonish the nations around us and enable us to regain that pre-eminence to which, on many accounts, we are so justly entitled.' . . . The bill to form a sinking fund passed both Houses without a dissentient voice; and on the 26th May, 1786, the King gave it the royal assent in person, to mark his strong sense of the public importance of the measure.

"The sinking fund thus provided was amply sufficient to have discharged all the existing debt of Great Britain within a moderate time The sinking fund continued to be administered with exemplary fidelity, not only during Mr. Pitt's life, but after his death, till 1813, when a total change in the system took place, which

eventually led to its ruin, and has, to all appearance, rendered the financial state of the country almost desperate. To obtain a clear view of the practical effects of Mr. Pitt's system, it is necessary to anticipate somewhat the march of events and give a summary of the operation of the sinking fund which he established down to the period when it was abandoned by his more embarrassed and less provident successors.

"From the accounts laid before Parliament, it appears that the sinking fund of a million, which Mr. Pitt established in 1786, had increased by accumulation at compound interest, and the great additions drawn from the one per cent, on the vast loans from 1792 to 1812, to the enormous sum of fifteen millions and a half yearly in 1813, while the debts which it had discharged during that period amounted to no less than £238,231,000 sterling. This great increase had taken place in twenty-seven years; whereas Mr. Pitt had calculated correctly that his original million would be only four millions in twenty-eight years, the well-known period of the quadruplication of the sum at compound interest at five per cent. The subsequent £200,000 a year granted, undoubtedly accelerated in a certain degree the rate of its advance; but the true cause of the extraordinary and unexpected rapidity of its increase is to be found in the prodigious accumulation which the one per cent, on subsequent loans produced.

"While the nation in general were entirely satisfied with Mr. Pitt's financial statements, and, delighted with the rapid growth of the sinking fund, never examined whether the funds for its prodigious extension were provided by the fictitious supply of loans, or the solid growth of the revenue above the expenditure, a few more sagacious observers began to inquire into the solidity of the whole system, and, mistaking its past operation, which had been almost entirely *during war*, for its *permanent* character, which was to appear chiefly on the return of peace, loudly proclaimed that the whole was founded *on an entire delusion*; that a great portion of the sums which it paid off had been raised by loans; that at all events, a much larger sum than the amount of the debt annually redeemed had been actually borrowed since the commencement of the war; that it was impossible that a nation, any more than an individual, could discharge its debts by mere financial operations, and that the only way of really getting quit of encumbrances was by bringing the expenditure permanently under the income.

"These doctrines soon spread among a considerable part of the thinking portion of the nation; but they made little general impression till the return of peace had diverted into other channels the attention of the people, formerly concentrated on the career of Napoleon; and democratic ambition, taking advantage of national distress, had begun to denounce all that had formerly been done by the patriots who had triumphed over its principles. Then they speedily became universal. Attacks on the sinking fund were eagerly diffused and generally credited; the delusion of Mr. Pitt's system, the juggle so long practised on the nation, were in every mouth; the meanest political quacks, the most despicable popular demagogues, ventured to discharge their javelins at the giants of former days; and a system on which the greatest and best of men in the last age had been united, in commendation of which Fox had vied with Pitt, and Sheridan with Burke, was universally denounced as the *most complete and ruinous deception that ever had been palmed off by official fraud on the credulity of mankind*.

"Had these doctrines been confined to the declamation of the hustings, or the abuse of newspapers, they would have furnished the subject only of curious speculation on the way in which principles, just to a certain extent, and truths, undeniable as they were originally stated, became perverted when they were employed beyond what their authors intended, as an engine for the purposes of faction or ambition. But unhappily the evil soon assumed a much more serious complexion. The prevailing ideas spread to the Legislature, and the statesmen who succeeded to the government, imbued partly with the declamation of the period, influenced partly by the desire of gaining a temporary popularity by the reduction of the public burdens without any regard to the interests of future times, went on borrowing or abstracting from the sinking fund till it was totally extinguished.

"It is only by attending to the abandonment of Mr. Pitt's system, and the effects by which that change has been, and must be attended, that the incalculable importance of his financial measures can be appreciated, or the wisdom discerned which, so far as human wisdom could, had guarded against the evils *which must, to all appearances, in their ultimate consequences, dissolve the British empire*.

"It is perfectly true, as Mr. Hamilton and the opponents of the sinking fund have argued, that neither national nor individual fortunes can be mended by mere financial operations—by borrowing with one hand while you pay off with another; and unquestionably Mr. Pitt never imagined that if the nation was paying off ten millions a year, and borrowing twenty, it was making any progress in the discharge of its debt. In this view, it is of no moment to inquire what proportion of the debt annually contracted was applied to the sinking fund; because, as long as larger sums than that fund was able to discharge were yearly borrowed by the nation, it is evident that the operation of the system was attended with no *present* benefit to the State; nay, that the cost of its machinery was, for the time at least, an addition to its burdens. But, all that notwithstanding, Mr. Pitt's plan for the redemption of the debt was founded *not only on consummate wisdom, but on a thorough knowledge of*

human nature. He never looked to the sinking fund as the means of paying off the debt while loans to a larger amount than it redeemed were contracted every year; he regarded it as a fund which would speedily and certainly effect the reduction of the debt *in time of peace*.

"It was then that its real effect was to be seen; it was then that the debt contracted during war was to be really discharged. *And the admirable nature of the institution consisted in this, that it provided a system, with all the machinery requisite for its complete and effective operation, which, although overshadowed and subdued by the vast contraction of debt during war, came instantly into operation the moment its expenditure was terminated.* This was a point of vital importance; indeed, without it, as experience has since proved, all attempts to reduce the debt would have proved utterly nugatory. Mr. Pitt was perfectly aware of the natural impatience of taxation felt by mankind in general, and the special desire always experienced, when the excitement of war ceases, that its expenditure should draw to a termination. He foresaw, therefore, that it would be impossible to get the proper representatives at the conclusion of a war to lay on new taxes and provide for a sinking fund to pay off the debt which had been contracted during its continuance. *The only way, therefore, to secure that inestimable object, was to have the whole machinery constructed and in full activity during war, so that it might at once be brought forward in full and efficient operation upon the conclusion of hostilities, without any legislative act or fresh imposition whatever, by the mere termination of the contraction of loans.*

"From what has now been stated it will readily be discerned in what the grand merit of Mr. Pitt's system consisted. It was the imposition by law of sufficient indirect taxes to meet not only the interest of every new loan, but a hundredth part more to provide a sinking fund for the extinction of its capital, which was its grand distinction. It brought the nation successfully through the crisis of the war, and would have proved the ultimate salvation of the empire if it had been adhered to with the steadiness which he so earnestly impressed upon the nation, and if no subsequent monetary change had rendered impossible the continuance of the indirect taxes necessary to uphold the system. There was neither juggle nor deception in this. It was a very plain and practical operation—viz., *the providing a surplus of taxation to eat in at compound interest on the capital of the debt.* The principle of providing such a surplus is the well-known and indispensable preliminary to every system for the reduction of burdens, whether in public or private. It was in the building upon that foundation the superstructure of a regular, invariable system, and bestowing on it the wonderful powers of compound interest, that Mr. Pitt's great merit consisted. It was the subsequent repeal of the indirect taxes laid on to provide this surplus fund during peace, when there was no necessity whatever for such a measure, and no motive for it but the thirst for temporary applause in successive administrations, which was the real evil which ruined this noble fabric, and has rendered the debt a hopeless burden on the nation. And if any doubt could exist on this subject, it would be removed by recollecting the example of France prior to the Revolution, when the system went on for half a century before that crisis, of borrowing large sums annually and making no provision whatever for payment even of their annual interest, in consequence of which the finances got involved in such a state of hopeless embarrassment as, by rendering the convocation of the States-General unavoidable in a moment of extraordinary excitement, overturned the monarchy.

"The result has completely proved the wisdom of these views. Crippled and mangled as the sinking fund has been by the enormous encroachments made upon it by the administration of later times, it has yet done much during the peace to pay off the debt—amply sufficient to demonstrate the solidity of the principles on which it was founded. In sixteen years which elapsed from 1816 to 1832, even after these copious reductions, it has discharged more than eighty-two millions of the debt, besides the addition of seven millions made by the bonus of five per cent, granted to the holders of the five per cents., who were reduced to four; that is, it has paid off in that time nearly ninety millions. It is not a juggle which (in a time so short in the lifetime of a nation, and during the greater part of which Great Britain was labouring under severe distress in almost all the branches of its industry) was able, even on a reduced scale, to effect a reduction so considerable.

"Not a shadow of doubt can now remain that Mr. Pitt's and Mr. Addington's anticipations were well founded, and that if their system had been adhered to since the peace, the whole national debt would have been discharged by the year 1845.

"Everything, therefore, conspires to demonstrate that Mr. Pitt's system for the reduction of the national debt was not only founded on just principles and profound foresight, but on an accurate knowledge of human nature, a correct appreciation of the principles by which such a salutary scheme was likely to be defeated, and the means by which alone its permanent efficiency could be secured. And no doubt can now remain in any impartial mind, that if that system had been resolutely adhered to, the whole debt contracted during the wars of the French Revolution might have been discharged in little more than the time which was occupied in its contraction.

"When a Greek orator was applauded by the multitude for his speech, the philosopher chid him; 'for,' said he, 'if you had spoken wisely these men would have given no signs of approbation.' The observation is not founded on any peculiar fickleness or levity in the Athenian people, but on the permanent principles of human

nature, and that general prevalence of the desire for temporary ease over considerations of permanent advantage, which it is the great object of the moralist to combat, and to the influence of which the greatest disasters of private life are owing. And, without relieving subsequent statesmen of their full share of responsibility for *an evil which will now in the end probably consign the British empire to destruction*, it may safely be affirmed that the British people, and every individual amongst them, must bear their full share of the burden. A general delusion seized the public mind. The populace loudly clamoured for a reduction of taxation, without any regard to the consequences, not merely on future times, but their own present advantage. The learned fiercely assailed the sinking fund, and with hardly a single exception, branded the work of Pitt and Fox *as a vile imposture, incapable of standing the examination of reason or experience*. The Opposition vehemently demanded the remission of taxes; the Government weakly granted the request. Year after year passed away under this miserable delusion; tax after tax was repealed amidst the applause of the whole nation; the general concurrence in the work of destruction for a time almost obliterated the deep lines of party distinction, and, amidst mutual compliments from the Opposition to the Ministerial benches, the broad foundations of British greatness were loosened; the provident system of former years was abandoned; revenue to the amount of forty millions a year surrendered without any equivalent; and the nation, when it awakened from its trance, found itself saddled for ever with eight-and-twenty millions as the interest of debt, without any means of redemption, and a democratic constitution which rendered the construction of any such in time to come utterly hopeless." (Alison's History of Europe, vol. ix., p. 278.)

Now, the above quotation reveals how cruelly and how foolishly the English nation has treated inventive genius, even when it has been adorned by that which, in the eyes of an Englishman, is positively charming and enchanting—viz., aristocratic rank dedicated to the service of England in the duties of a statesman. From this we may conclude how prone the English nation is to neglect and to persecute inventive genius. It is well known that France and America have given much more money and honour to men of talent and to inventors, than England has done (the condition of their wealth and circumstances being carefully considered). But is not this a disgrace to England? Most certainly it is. And it is the duty of those who do not wish to see England distanced by France and America in the race for what is valuable in the eyes of nations, to shame Englishmen into greater consideration for inventors.

Let us see what England's prejudice against Pitt's sinking fund has cost the nation.

From 1833 to 1882, the cost of Civil Government was £712,986,835; of Army and Navy was £1,135,654,246; of National Debt was £1,412,312,726. Pitt's sinking fund would have completely and perfectly paid off the National Debt by 1845. So that the nation has lost, by not following Pitt's plan, about (£1,100,000,000) eleven hundred millions of pounds sterling. In fact, it is a good deal more than this if the thing be intricately examined. Let the amount of annual interest for National Debt be accepted as 28,000,000 a year. Then take 1845 from 1882, and 37 remain; multiply this by 28,000,000, and the result is 1,036,000,000. To this add the amount of the National Debt in 1845, viz., 766,000,000, and we obtain the enormous number of £ 1,802,000,000, or eighteen hundred and two millions of pounds sterling, as the sum which the British nation has been fined for treating Pitt's sinking fund machinery with scorn and derision. And the nation has most certainly lost several sums as large as this for treating other inventors with scorn and derision. Truly the words of Holy Writ may be applied to England—"Your sins have withholden good things from you."

The spirit which has animated Englishmen in their treatment of inventors is pretty vividly set forth in the following celebrated letter of the great lexicographer Dr. Johnson, in which the rich and courtly Lord Chesterfield is justly scourged for his cruel neglect of a man of inventive literary genius, whom it was certainly his duty to assist:—

"February 7th, 1755.

"
MY LORD,—

I have been lately informed by the proprietor of the 'World' that two papers, in which my 'Dictionary' is recommended to the public, were written by your lordship. To be so distinguished is an honour, which, being very little accustomed to favours from the great, I know not well how to receive, or in what terms to acknowledge.

"When, upon some slight encouragement, I first visited your lordship, I was overpowered, like the rest of mankind, by the enchantment of your address, and could not forbear to wish that I might boast myself le vainqueur du vainqueur de la terre;—that I might obtain that regard for which I saw the world contending; but I found my attendance so little encouraged, that neither pride nor modesty would suffer me to continue it. When I had once addressed your lordship in public, I had exhausted all the art of pleasing which a retired and

uncourtly scholar can possess. I had done all that I could; and no man is well pleased to have his all neglected, be it ever so little.

"Seven years, my lord, have now passed since I waited in your outward rooms, or was repulsed from your door; during which time I have been pushing on my work through difficulties, of which it is useless to complain, and have brought it at last to the verge of publication, without one act of assistance, one word of encouragement, or one smile of favour. Such treatment I did not expect, for I never had a patron before.

"The shepherd in Virgil grew at last acquainted with love, and found him a native of the rocks.

"Is not a patron, my lord, one who looks with unconcern on a man struggling for life in the water, and, when he has reached ground, encumbers him with help? The notice which you have been pleased to take of my labours, had it been early, had been kind; but it has been delayed till I am indifferent, and cannot enjoy it; till I am solitary, and cannot impart it; till I am known, and do not want it. I hope it is no very cynical asperity not to confess obligations where no benefit has been received, or to be unwilling that the public should consider me as owing that to a patron which Providence has enabled me to do for myself.

"Having carried on my work thus far with so little obligation to any favourer of learning, I shall not be disappointed though I should conclude it, if less be possible, with less; for I have been long wakened from that dream of hope, in which I once boasted myself with so much exultation, my lord—your lordship's most humble, most obedient servant—SAM JOHNSON."

The domain of literature presents many illustrations of the cruelty and crass stupidity of which inventors have been the victims. The "Song of the Shirt" by the celebrated Hood is an invention of a high order. But how was its inventor treated? Thomas Hood wrote the "Song of the Shirt" some time in 1831 or 1832. He read it over to his wife, who praised it very highly, declaring that it was the best thing he ever wrote. Overjoyed at receiving such an opinion from one of the very best of critics, he sent it, the very next day, to the editor of a leading newspaper. It was rejected as utterly and completely unsuitable. Rather crestfallen, he sent it to a second editor, who declared it would be quite improper for him to insert such a production in his paper. Almost hopeless, he sent it to a third, who emphatically rejected it. Utterly disgusted, he locked it up, hating the very thought of it. About twelve years after, when the manuscript was old and yellow, Mark Lemon, the editor of *Punch*, asked Hood if he could not give him a contribution. Hood said he was sorry that he had nothing but an old wretched poem entitled the "Song of the Shirt," the manuscript of which was probably now old and yellow. He also said that it had been rejected by so many editors, that he was sick of the very thought of it. Mark Lemon asked to see it. He read it, and approved of it. He took it away, resolving to insert it in *Punch*. But he had first to consult his colleagues. These sages all opposed its insertion in the columns of *Punch*. The matter was warmly debated, and Lemon had to fight a great battle in argument. But, by dint of unconquerable perseverance, his colleagues were compelled to give in. The "Song of the Shirt" was inserted in *Punch* on the 16th of December, 1843, and it immediately trebled the circulation of the paper. It drew tears from the eyes of princes. Some years afterwards, when Tom Hood was dead, the nation erected a monument over his grave. On the tombstone are the words—"He sang the Song of the Shirt."

Now, the above true fact shows very plainly the kind of treatment which inventive genius of the highest order receives from well-meaning but unwise publishers. Be it observed that when Tom Hood first offered his "Song of the Shirt" to editors, he was by no means unknown to fame. He was in fact near the very zenith of his fame, being known as one of the most brilliant writers of the day. If an established author had his best and most original production condemned by the best publishers, we may readily conjecture that the number of less well-known authors who have been as badly treated may probably be legion. How many valuable productions of the pen, capable of benefiting mankind in an incalculable degree, have been thus murdered, the Almighty alone knows! The "Song of the Shirt" was first offered to editors in 1831 or 1832, but it was not published till 1843, so that it was neglected for ten or eleven years. Few original compositions can outlive such cruelty.

The whole of this pamphlet is written with a view to show the folly and the madness of every act of cruelty done to inventive genius, in order that Britain may, even at the eleventh hour, repent of such cruelty, and begin now to treat inventors with unusual kindness, according to the law—"She to whom much is forgiven, the same will love much."

Cruelty of any kind recoils sooner or later upon its perpetrator. This is as true of nations as it is of individuals. And history abounds with striking illustrations. For instance, the ancient emperors of Peru were rulers noted for sagacity and selfishness. They knew how to do a 'cute and clever thing or two. Their land abounded in gold. And they were passionately fond of gold. They therefore made a law that every one of their subjects who could find any gold in his fields or hills or rivers, was to make it over to the emperor, on pain of death. The Government of Peru was absolutely despotic, the emperor having the power of life and death over all his subjects.

This law about gold was therefore very carefully followed, though with many a pang. The consequence was that boundless wealth was poured into the coffers of the emperors. These ancient Yankees were 'cute fellows.

They knew a thing or two. 'Cuteness is not an invention of the modern American. It existed in ancient times in the Western Hemisphere. Great is the power of the modern American to become a millionaire, but greater was the power of the ancient American. Now, there is nothing wrong in becoming a millionaire, provided only the money accumulated be honestly and justly come by. But were the Incas just in their method of amassing gold? Will their method of amassing gold stand the test of the golden rule? If the whole of history be ransacked, a parallel to the coolness of such fiendish selfishness and rapacity cannot be found. Was there then no punishment for such iniquity? There was. And if the coolness of such selfishness almost staggers us and takes our breath away, the extraordinary character of the punishment does the same. It is a true law which declares that we can never learn how to be kind to ourselves, unless we first learn how to be kind to others. The mode of our treatment of others will, by an everlasting law, become sooner or later the mode of our treatment of ourselves. Men try very hard to put the cart before the horse in religion, politics, and morals. But they never succeed. The Incas tried it, but failed miserably. Having "*framed iniquity by a law,*" for the purpose of unjustly robbing their subjects of gold, they could not stop until they had "*framed iniquity by a similar law,*" for the purpose of unjustly robbing themselves of gold. And the law which they made for the latter purpose was this. They enacted that when an Inca or Emperor died, all his palaces, except one, with all their gold and silver ornaments, were to be closed and walled up for ever. No gold and silver in a palace at the time of death was to be abstracted after the death of the emperor. His successor had thus to begin the world without deriving the slightest advantage from the accumulated wealth of his ancestors. This illustrates the law that we can never really learn how to be kind to ourselves, until we first learn how to be kind to others. The cruelty of the Incas recoiled upon their own heads. And the cruelty of Great Britain to her inventors, with equal certainty, recoils upon her.

This cruelty of the Incas to their subjects furnished an excellent method of collecting gold for the Spaniards. For that latter gold-loving nation had only to open the walled-up palaces of the Incas to find as much gold as they wanted.

The Spaniards, however, became in their turn a beacon to warn nations of the inevitable character of retribution. They afterwards almost annihilated the native races, by working them to death in the gold mines. But this bloodstained gold had no blessing in it. It was put on board ships. But a large portion of it never reached Spain. Storms and English ships sent much of it to the bottom of the sea, where it lies stored up for the use of some race more merciful and more just than the Spaniards.

But not only has the Almighty made a law by which nations and individuals are compelled to reap the fruits of the seed which they sow, but He also, by His providence, intensifies, reduplicates, and hastens the operation of that law, in a way which makes the ears of all who hear to tingle.

Columbus, as is well known, had a dreadful amount of cruelty and neglect to endure before he obtained funds to enable him to discover America. This cruelty reflects the very greatest discredit on the countries which inflicted it, and every one of them has, since his time, sunk into well-merited poverty, shame, and degradation—a warning to those nations which are at the present time great, lest they also, by similar cruelty, fall into similar degradation. As Washington Irving, in his magnificent "Life of Columbus," truly says: "Like many other great projectors, while engaged upon schemes of vast benefit to mankind, he had suffered his own affairs to go to ruin, and was reduced to struggle hard with poverty; nor is it one of the least interesting circumstances in his eventful life, that he had, in a manner, *to beg his way from court to court, to offer to princes the discovery of a world*"

King John, ardently devoted to maritime discovery, was the monarch who reigned in Portugal in the days of Columbus. To his court Columbus came, begging for a fleet to enable him to make his grand discovery. The charts, diagrams, and plans were all laid before the king, who was exceedingly inclined to approve of them as correct. But, to make assurance doubly sure, the king laid them before his council. Diego Ortiz de Casadilla, bishop of Ceuta, a man greatly reputed for his learning, advised the king secretly to hand over Columbus's charts and plans to one of the most sagacious Portuguese captains, to supply that captain with a large ship and a good crew, and to order him to sail to the west, following Columbus's plans carefully. Should India be discovered, the king could claim the glory and the country. Should nothing be discovered, the king would then decline to help Columbus.

All this diabolical injustice was perpetrated upon the great Columbus by the king, acting upon the advice of a respected bishop! One of the best of Portugal's captains was, with great cunning and secrecy, dispatched in one of the best of Portugal's ships, and he was provided with copies of all Columbus's plans and charts. But God cursed the expedition, and covered its perpetrators with everlasting shame and disgrace. Though the captain had full copies of every one of Columbus's diagrams, there was one thing which the king had rather foolishly forgotten to give him, and that was Columbus's spirit. A lion animated with the spirit of an ass is rather a sorry sight. When the captain had sailed about two thousand miles to the west, he found nothing but a wild immeasurable waste of tumbling waters before him. Then the want of Columbus's hopeful spirit became

apparent. Inventors, projectors, and all that ilk, are frequently taxed with the want of hard, sound, solid, common sense, and with a tendency to indulge in fanciful, chimerical, and fallacious hopes and expectations. Good, hard, common sense doubtless has its province, and is useful in certain circumstances, but not in all. A vivid imagination, and a strong fervour of hope, have often done more good to mankind than what is frequently so highly praised as sound common sense. And the Portuguese captain was now to prove the truth of this. For having none of Columbus's hope to buoy up his spirit, he became frightened, returned to Spain, and ridiculed the project of Columbus as extravagant and irrational. But this awful act of cruelty could not be concealed. Columbus heard of it. Everybody heard of it. And Columbus, filled with unspeakable indignation, shook off the dust of his feet against Portugal. A greater than Columbus had watched the expedition, and had resolved to inflict on its guilty projectors a weight of punishment a thousand times more terrible than the denunciations of Columbus could do. That poor despised adventurer in due time got ships from Spain, sailed west, made his great discovery, and mark what followed. A storm arose as he was nearing Spain, which drove his ship, much against his will, up the Tagus, not far from the place where the court then was. So that the first monarch who heard that Columbus had discovered a new world with boundless wealth, which, in the excited state of men's minds, was multiplied a million times above its actual value, was the King of Portugal. All this wealth, and all this glory, were being laid at the feet of the King of Spain, who was the most hated of Portugal's enemies.

"When the tidings reached Lisbon of Columbus's bark, anchored in the Tagus, freighted with the people and productions of a newly-discovered world, the effect may be more easily conceived than described. Lisbon, for nearly a century, had derived its chief glory from its maritime discoveries; but here was an achievement that eclipsed them all. Curiosity could scarcely have been more excited had the vessel come freighted with the wonders of another planet. For several days the Tagus presented a gay and moving picture, covered with boats and barges of every kind, swarming round the caravel. From morning till night the vessel was thronged with visitors, among whom were cavaliers of high distinction, and various officers of the crown. All hung with rapt attention upon the accounts given by Columbus and his crew of the events of their voyage, and of the new world they had discovered, and gazed with insatiable curiosity upon the specimens of unknown plants and animals; but, above all, upon the Indians, so different from any race of men hitherto known. Some were filled with generous enthusiasm at the idea of a discovery so sublime and so beneficial to mankind; the avarice of others was inflamed by the description of wild, unappropriated regions, teeming with gold, with pearls and spices; *while others repined at the incredulity of the king and his councillors, by which so immense an acquisition had been for ever lost to Portugal.*

"On the 8th of March a cavalier, called Don Martin de Norona, came with a letter from King John congratulating Columbus on his arrival and inviting him to the court, which was then at Valparaiso, about nine leagues from Lisbon. The king, with his usual magnificence, issued orders at the same time that everything which the admiral required for himself, his crew, or his vessel, should be furnished promptly and abundantly without cost.

"Columbus would gladly have declined the royal invitation, feeling distrust of the good faith of the king, but tempestuous weather had placed him in his power, and he thought it prudent to avoid all appearance of suspicion. He set forth, therefore, that very evening for Valparaiso, accompanied by his pilot. The first night he slept at Sacamben, where preparations had been made for his honourable entertainment. The weather being rainy, he did not reach Valparaiso until the following night. On approaching the royal residence, the principal cavaliers of the king's household came forth to meet him, and attended him with great ceremony to the palace. His reception by the monarch was worthy of an enlightened prince. He ordered him to seat himself in his presence, an honour only granted to persons of royal dignity, and after many congratulations on the result of his enterprise, assured him that everything in his kingdom that could be of service to his sovereign or himself was at his command.

"A long conversation ensued, in which Columbus gave an account of his voyage, and of the countries he had discovered. *The king listened with much seeming pleasure, but with secret grief and mortification, reflecting that this splendid enterprise had once been offered to himself, and had been rejected.* A casual observation showed what was passing in his thoughts Some of the councillors round King John, who were now compelled by irresistible evidence to admit the discovery made by Columbus, were the very persons who had once derided the enterprise and scoffed at him as a dreamer. *To them, its success was a source of confusion; and the return of Columbus, covered with glory, a deep humiliation.*" ("Life of Columbus," by Washington Irving, pages 34 and 158.)

The above facts, clothed in the glowing words of Washington Irving, show the kind of punishment which is often inflicted on those who deride new ideas as idle fancies, and their promulgators as idle dreamers. They also reveal the still more severe punishments which often overwhelm those who dare to persecute the men who originate theories and projects of a novel character, merely because they are poor.

Connected with Columbus's return to Spain there is, however, a still more terrible case on record of the

folly and madness of attempting to rob the successful asserter of a new method, a new invention, or a new discovery, of his glory. I refer to the case of Martin Alonzo Pinzon.

"The triumphant return of Columbus was a prodigious event in the history of the little port of Palos, where everybody was more or less interested in the fate of his expedition. The most important and wealthy sea captains of the place had engaged in it, and scarcely a family but had some relative or friend among the navigators. The departure of the ships, upon what appeared a chimerical and desperate cruise, had spread gloom and dismay over the place, and the storms which had raged throughout the winter had heightened the public despondency. Many lamented their friends as lost, while imagination lent mysterious horrors to their fate, picturing them as driven about over wild and desert wastes of water without a shore, or as perishing amidst rocks, and quicksands, and whirlpools, or a prey to those monsters of the deep with which credulity peopled every distant and unfrequented sea. There was something more awful in such a mysterious fate than in death itself, under any defined and ordinary form.

"Great was the agitation of the inhabitants, therefore, when they beheld one of the ships standing up the river, but when they learnt that she returned in triumph from the discovery of a world, the whole community broke forth into transports of joy. The bells were rung, the shops shut, all business was suspended; for a time there was nothing but hurry and tumult. Some were anxious to know the fate of a relative, others of a friend, and all to learn the particulars of so wonderful a voyage. When Columbus landed, the multitude thronged to see and welcome him, and a grand procession was formed to the principal church to return thanks to God for so signal a discovery made by the people of that place—forgetting, in their exultation, the thousand difficulties they had thrown in the way of the enterprise. Wherever Columbus passed he was hailed with shouts and acclamations. What a contrast to his departure a few months before, followed by murmurs and execrations; or rather, what a contrast to his first arrival at Palos, a poor pedestrian, craving bread and water for his child at the gate of a convent.

"It is a singular coincidence, which appears to be well authenticated, that on the very evening of the arrival of Columbus at Palos, and while the peals of triumph were still ringing from its towers, the Pinta, commanded by Martin Alonzo Pinzon, likewise entered the river. After her separation from the admiral in the storm she had been driven before the gale into the Bay of Biscay and had made the port of Bayonne. Doubting whether Columbus had survived the tempest, Pinzon had immediately written to the sovereigns, giving information of the discovery he had made, and had requested permission to come to court and communicate the particulars in person. As soon as the weather permitted he had again set sail, anticipating a triumphant reception in his native port of Palos. When, on entering the harbour, he beheld the vessel of the admiral riding at anchor, and learnt the enthusiasm with which he had been received, the heart of Pinzon died within him. It is said that he feared to meet Columbus in this hour of his triumph, lest he should put him under arrest for his desertion on the coast of Cuba; but he was a man of too much resolution to indulge in such a fear. It is more probable that a consciousness of his misconduct made him unwilling to appear before the public in the midst of their enthusiasm for Columbus, and perhaps he sickened at the honours heaped upon a man whose superiority he had been so unwilling to acknowledge. Getting into his boat, therefore, he landed privately, and kept out of sight until he heard of the admiral's departure. He then returned to his home, broken in health and deeply dejected, considering all the honours and eulogiums heaped upon Columbus as so many reproaches on himself. The reply of the sovereigns to his letter at length arrived. It was of a reproachful tenor, and forbade his appearance at court. This letter completed his humiliation; the anguish of his feelings gave virulence to his bodily malady, and in a few days he died, a victim to deep chagrin.

"Let no one indulge in harsh censures over the grave of Pinzon! His merits and services are entitled to the highest praise; his errors should be regarded with indulgence. He was one of the foremost in Spain to appreciate the project of Columbus, animating him by his concurrence, and aiding him with his purse, when poor and unknown at Palos. He afterwards enabled him to procure and fit out ships when even the mandates of the sovereigns were ineffectual and finally embarked in the expedition with his brothers and his friends, staking life, property, everything upon the event.

"He thus entitled himself to participate largely in the glory of this immortal enterprise; but unfortunately, forgetting, for a moment, the grandeur of the cause, and the implicit obedience due to his commander, he yielded to the incitements of self-interest, and committed that act of insubordination which has cast a shade upon his name. In extenuation of his fault, however, may be alleged his habits of command, which rendered him impatient of control, his consciousness of having rendered great services to the expedition, and of possessing property in the ships. That he was a man of great professional merit is admitted by all his contemporaries; that he naturally possessed generous sentiments and an honourable ambition is evident from the poignancy with which he felt the disgrace drawn on him by his misconduct. A mean man would not have fallen a victim to self-upbraiding for having been convicted of a mean action. His story shows how one lapse from duty may counterbalance the merits of a thousand services; how one moment of weakness may mar the

beauty of a whole life of virtue; and how important it is for a man, under all circumstances, to be true, not merely to others, but to himself." (Washington Irving's "Life of Columbus," page 164.)

Now, I fear that the verdict passed upon Pinzon is that which must be passed upon Britain, viewed as an encourager of inventors. Britain has done much for invention. Were not the steam-engine, the railway, the steamboat, and the telegraph all British inventions? Of course they were. Britain has done much for inventors. But she has not done enough. To be almost saved is to be completely lost. Has not England done much by her philanthropic efforts to bless and benefit the poor? Most certainly she has. But she has not done enough. Had she done enough, it would not have been possible for "The Bitter Cry of Outcast London" to be written. Had she done enough, it would not have been possible for the harrowing and heartrending facts therein stated to be proved, not only true, but under the truth. "Not every one that saith unto me, Lord, Lord, shall enter into the kingdom of heaven; but he that doeth the will of my Father which is in heaven. Many will say to me in that day, Lord, Lord, have we not prophesied in thy name? and in thy name have cast out devils? and in thy name done many wonderful works? And then will I profess unto them, I never knew you; depart from me, ye that work iniquity" (Matthew vii. 21). Now this passage, though intended chiefly to reveal the awful consequence arising from insufficient effort regarding the salvation of the soul, yet furnishes a splendid illustration of the bitter nature of the evil I am now denouncing. These unhappy souls, who were excluded from the joys of heaven, had done a good many religious acts. They had even cast out devils in Christ's name. But because they had not done the one thing needful—because they had not believed in Christ, they were ruined eternally. Similarly, England does much to foster invention. She does some very wonderful things. But there is a one thing needful which she seems determined not to do. And therefore the inventive skill of Britain seems in danger of total ruin. Within a very few years, if Britain does not amend her ways, the rise of a really useful inventor among her sons will become as impossible as the rise of a Columbus is now in the despicable and degraded political cesspools of Spain and Portugal. "Therefore whosoever heareth these sayings of mine, and doeth them, I will liken him unto a wise man which built his house upon a rock: And the rain descended, and the floods came, and the winds blew, and beat upon that house; and it fell not; for it was founded upon a rock. And every one that heareth these sayings of mine, and doeth them not, shall be likened unto a foolish man, which built his house upon the sand: And the rain descended, and the floods came, and the winds blew, and beat upon that house; and it fell: and great was the fall of it."

The above passage, though primarily intended to describe the folly of those who build their hopes of salvation on any other foundation but the rock Christ, is also at the same time the best that could be thought of to set forth the folly of England's conduct relating to invention. England has a fine patent law. And she makes a fine thing out of patent fees. And if an inventor occasionally succeeds in making a very large sum by his patent, England loads him with honour. Her house has a fine appearance doubtless. But notwithstanding its fine appearance, it is built on sand, not on rock. The extremely wicked can do as much for their victims as Britain does for her inventors. The harlot for instance pays great attention to the rich. But the mark of destruction is upon her, because she never succours the perishing orphan. So, unless England will assist inventors when they are poor and struggling, the load of her favours bestowed on a few of the successful inventors will continue to be little better than mockery.

The way in which judgment will probably overtake the country will be this—the *apparent* excellence of inventive talent in the country will increase both in quality and quantity, while the *really* excellent inventive talent in the country will diminish both in quality and quantity until it leaves the shores of Britain altogether; after which the advent of Macaulay's New Zealander to the ruins of London Bridge will not be long delayed. It is astonishing how often this sort of punishment overtakes a nation. For instance, if a stranger had visited England thirty years ago, he would have declared that England was, above all things, a religious nation. But what was the quality of that religion? Let one single fact explain. About thirty or thirty-five years ago the great Spurgeon was in deep religious distress. He was visiting church after church in the hope of hearing a sermon which could show him what he required to do to be saved. And he did *not* hear such a sermon. The thing is almost incredible; but he tells us so himself. Week after week, and month after month, he visited church after church in the hope of finding the road to heaven. And he failed, because none of the preachers that he listened to preached a sermon which gave him the necessary instruction. At last, when hope was almost failing, he met with an accident. A terrific snowstorm prevented him from going to hear the celebrated minister he had resolved to listen to, and drove him instead, into an out-of-the-way, paltry little Methodist chapel, where he heard a sermon which informed him that all he required to do in order to obtain the salvation of his soul was simply to look to Christ by faith, as the Jews looked by faith to the brazen serpent. This at once brought light and peace to his mind. His search was ended; but after how long and how wearisome a seeking! This shows that while there may be in a country the most extraordinary superabundance of the appearance of religion, there may, at the very same time, be an incredibly small amount of the power and comfort which nothing but true religion can bring. Similarly, there is, at the present time, an enormous amount of the appearance of inventive

skill in England, with an astounding absence of its reality.

England is steeped to the lips in misery because inventions are not made which ought to be made, and which would be made, if only inventors got the encouragement which they have a right to expect. And if the present neglect of inventors goes on, it will soon be as impossible for a great inventor to arise in England as it is for a genius like Columbus to arise in Spain and Portugal.

Everything which leads to this deplorable result should be carefully removed. I have already indicated national stinginess as one great cause. But there is another very nearly as powerful, but by no means so apparent. That other cause is *envy*. Envy sold Joseph into Egypt as a dreamer. And the people who sold him were his own brothers. Envy is the rottenness of the bones. Envy corrodes the bones of Englishmen. English inventors are sold as dreamers into misery by their own countrymen. If they are not allowed to realise their dreams their countrymen starve. If they do realise their dreams, their countrymen are, like the opponents of Columbus, covered with shame and confusion. All this misery and disgrace might be avoided by their countrymen ceasing to envy them, and beginning to love and assist them. Englishmen do not know how prone their nation is to envy. But historians do not fail to detect the national vice. Alison, for instance, says, "Persecution of its most illustrious citizens, of the greatest benefactors of their country, has ever been the disgrace of free States. The sacrifice of Sir Robert Calder, who saved England from Napoleon's invasion; of Lord Melville, who prepared for it the triumph of Trafalgar; of the Duke of York, who laid the foundation of Wellington's victories; the impeachment of Clive, who founded, by heroic deeds, the British empire in the East; of Warren Hastings, who preserved it by moral determination, prove that the people of this country are sometimes governed by the same principles which caused Miltiades to die in the prison of the country he had saved, consigned Themistocles to Asiatic exile, banished Aristides because it was tiresome to hear him called the Just, and doomed Scipio Africanus, the conqueror of Carthage, to an unhonoured sepulchre in a foreign land. *Envy is the real cause of all these hideous acts of national injustice; people would rather persecute the innocent than bear their greatness.*" (Alison's History of Europe, vol. ix., P. 32.)

And the same talented historian condemns, in equally strong language, the foolish and unwise injustice of England to her greatest men. "The life of Wellington presents a memorable example of the well-known truth, that real greatness in public life has rarely been attained save by those who, at one period, have resolutely acted in opposition to the opinions and clamours of the great body of the people; and that not unfrequently the deeds of their life which have given them the most durable reputation with posterity, *are those which have occasioned the most violent outcry and obloquy at the moment*" (Alison, vol. xiii., page 295.)

Holy Writ declares that the patriarchs, moved with envy, sold Joseph into Egypt, and that this loathsome vice did not spare even incarnate Deity. "*For Pilate knew that the chief priests had delivered Christ to him for envy.*" "He perceived that they had delivered him because he had got such a reputation among the people as eclipsed theirs. It was easy to see that it was not his guilt, but his goodness, not anything mischievous or scandalous, but something meritorious and glorious that they were provoked at. And therefore, hearing how much he was the Darling of the crowd, Pilate thought that he might with safety appeal from the priests to the people, and that they would be proud of rescuing him out of the priests' hands; and he proposed an expedient for their doing it without danger of an uproar; let them demand him to be released, and Pilate will readily do it and stop the mouths of the priests with it—that the people insisted upon his release. There was, indeed, another prisoner, one Barabbas, that had an interest, and would have some votes; but Pilate questioned not but Jesus would out-poll him.

"It was a great surprise to Pilate when he found the people so much under the influence of the priests, that they all agreed to desire that Barabbas might be released. Pilate opposed it with all his might. What will ye that I shall do to him whom ye call the King of the Jews? Would not ye then have him released too? No, say they, crucify him. The priests having put that in their mouths, they insist upon it; when Pilate objected, *Why, what evil has he done?* (a very material question in such a case) they do not pretend to answer it, but cried out the more exceedingly, as they were more and more instigated and irritated by the priests, *Crucify him, crucify him.* Now the priests, who were very busy dispersing themselves and their creatures among the mob, to keep up the cry, promised themselves that it would influence Pilate in two ways to condemn him. 1. It might incline him to believe Christ guilty, when there was so general an outcry against him. 'Surely,' might Pilate think, 'he must needs be a bad man, whom all the world is weary of.' He would now conclude that he had been misinformed about Christ having an interest in the people. 2. It might induce him to condemn Christ to please the people, and indeed for fear of displeasing them. Though he was not so weak as to be governed by their opinion, to believe him guilty, yet he was so wicked as to be swayed by their outrage, to condemn him though he believed him innocent; induced thereto by reasons of state and the wisdom of this world." (Scott and Henry's Commentary.)

Now, inasmuch as envy sold Joseph into Egypt, and crucified Christ, we may affirm that no vice has done so much injury to the world's benefactors as envy. It is envy which has kept many an inventor from being a blessing to others and to himself. In nothing are our present systems of education so senselessly, so shamefully,

so flagrantly defective as in this—that they do absolutely nothing to eradicate the seeds of envy from the minds of the young. On the contrary, they do much to cause them to germinate and thereby to breed untold national sorrow and untold national calamity.

There is a strong but fiendish tendency both in wicked nations and in wicked individuals, to think that after they have got from those by whose labours they have been benefited all that they can get, they may with impunity abandon such helpers. After an inventor, for instance, has been tempted to make his invention public by buying a patent, the nation apparently seems to think that it is not beneficial to the State that he should receive any aid to enable him to surmount the colossal obstacles placed in the way of his deriving any pecuniary advantage from his invention.

All history shows that such conduct is as suicidal as it is unjust. An avenging Providence is very careful to take note of such acts, and punish them with startling severity. The following episode in the Life of Napoleon powerfully illustrates this:—"There were in 1810 not less than fifty thousand French prisoners in Great Britain; and after erecting, at an enormous expense, several vast structures for their habitation, particularly one at Dartmoor in the south of England, and two in Scotland, the latter each capable of containing six or seven thousand men, the Government were under the necessity of confining great numbers in the hulks and guard-ships. The detention of soldiers in such a situation was made the subject of loud and frequent complaint by the French Emperor, who said in the *Moniteur* 'that by a refinement of cruelty, the English Government sent the French soldiers on board the hulks, and the sailors into prisons in the interior of Scotland.' With his usual unfeeling disposition, however, *to those whose services could no longer be made available*, he not only resisted every proposal for an exchange of prisoners on anything approaching to reasonable principles, *but never remitted one farthing for their maintenance*. He thus left the whole helpless multitude to starve, or be a burden on the British Government, which, on the contrary, regularly remitted the whole cost of the support of the English captives in France to the Imperial authorities. Notwithstanding Napoleon's cruel neglect, however, the prisoners were surprisingly healthy, there being only 321 in hospital out of 45,939 in confinement, while out of 2,710 who enjoyed their liberty on parole, no less than 165 were on the sick list. The great depot of French prisoners in Scotland, which Napoleon held out as so deplorable a place of detention, was a noble edifice, erected at a cost of nearly £100,000 in a beautiful and salubrious situation near Perth, on the Tay, which, after being for twenty-five years unoccupied, was in 1839 converted by the Government, on account of its numerous advantages, into a great central jail for criminals. It contained 7,000 prisoners; and so healthy was the situation, and substantial was the fare and lodging they had received, that of this great number only from five to six died annually; a smaller mortality than that among any equal body of men in any rank in Europe going about their usual avocations. That in England was equally healthy. At Dartmoor depot in 1812, out of 20,000 prisoners there were only 300 sick, or 1 in 66; a proportion much above the average health of persons at large." (Alison, xiv. 104.)

Many act as if Napoleon's cruel policy in the above case were wiser than Britain's juster and more humane policy. But the event proved that Napoleon was completely in the wrong, and Britain completely in the right. So Britain's present cruel policy towards inventors may seem to some wise. But solitary confinement on Helena's rock is a fit emblem of what the fruit of that policy is likely to be.

We denounce the cruelties of war, and justly so. But the cruelties perpetrated on inventors in England are more painful than the cruelties of war. An inventor's heart broken by the cruelty to which that wretched class are subject in England is harder to bear and harder to heal than a soldier's arm broken in war. Moreover the wrongs perpetrated on inventors are more criminal than the wrongs perpetrated by war, because it is much easier to avert and avoid the former than the latter. All Englishmen howl with indignation when they read such descriptions of the cruel fruits of warlike ambition as the following passage from a great historian:—

"The agitation in the beginning of January, 1813, in Berlin daily became more violent. Every successive arrival from the French army brought fresh accounts of the accumulated disasters it had undergone in the awful Russian campaign of the previous year; and at length the appearance of the woe-stricken fugitives who entered, the precursors of the corpse-like mutilated bands who followed, left no doubt that an unheard-of catastrophe had occurred. Forster writing to Korner says—'On Sunday forenoon last I went to one of the gates, and found a crowd collected round a car, in which some wounded French soldiers had just returned from Russia. No grenade or grape could have so disfigured them as I beheld them, the victims of the cold. One of them had lost the upper joints of all his ten fingers, and he showed us the stumps; another looked as if he had been in the hands of the Turks—he wanted both ears and nose. More horrible was the look of a third whose eyes had been frozen; the eyelids hung down rotting, the globes of the eyes were burst, and protruding from their sockets. It was awfully hideous; but a spectacle more horrible still was to present itself. Out of the straw, in the bottom, I now beheld a figure creep painfully, which one could scarcely believe to be a human being, so wild and distorted were the features; the lips were rotted away, the teeth stood exposed. He pulled the cloth from before his mouth, and grinned on us like a death's head: then he burst out into a wild laughter, gave the

word of command in broken French, with a voice more like the bark of a dog than anything human, and we saw that the poor wretch was mad—mad from a frozen brain! Suddenly a cry was heard, "Henry! my Henry!" and a young girl rushed up to the car. The poor lunatic rubbed his brow at the voice, as if trying to recollect where he was; then he stretched out his arms towards the distracted girl, and lifted himself up with his whole strength. But it was too much for his exhausted frame; a shuddering fever fit came over him, and he sank lifeless on the straw.' Such are the dragon teeth of woe which the Corsican Cadmus has sown." (*Alison's History of Europe*, vol. xvi., page 103.)

Terrible is the indignation which such facts awaken in the breast of every feeling man. Not unjustly do the following lines condemn such abominations:—

*"Opprobrious war, abominable shame!
Devis'd by demons in their lust for fame!
Sure, th' Almighty carnage ne'er designed!
Sure, God in war delight can never find!
The burning homes, the blood-stained trampled ground
The torture and the pain, the cruel wound!
The widow's tears, the orphan's bitter wail!
THE LOVER'S VOW WHICH THOU DOST MAKE TO FAIL!
The sad demoralising slavery!
With as corrupting brutal tyranny!
These are thy virtues, bloody, fiendish war!
That land and sea with gore and death dost mar!
Not in the pomp and tramp of armies large,
Not in ambition's martial, gory charge,
Is valour true and lasting to be found;
'Tis born of things that humbler scenes surround.
He who courageous is to search for truth
In spite of violence or treach'rous ruth,
Or hostile power, or dogmatism's pride;
Who helps the just, though poor and feeble side,
In teeth of persecution's scorn and wrath,
And all the dreadful rack or dungeon hath;—
In brief, who boldly does whate'er is right,
In spite of consequences dark as night,
Possesses intrepidity most bright,
Possesses valour in Jehovah's sight."*

Terrible, however, as are the wrongs which war inflicts on humanity, the wrongs inflicted on mankind by nations neglecting and persecuting inventors are greater still. There is no better way of developing the resources of a country than by encouraging inventors. Every legitimate means of increasing wealth counteracts the attraction of illegitimate means. If kings could only see the extraordinary wealth which the encouragement of inventors pours into their kingdoms, they would loathe the bloodstained and most uncertain wealth which war brings them. When a man is well fed he loathes carrion; but starve him, and he will devour even carrion greedily. So, show kings not only the wealth, but the glory which the encouragement of inventors confers on their country, and they will loathe the carrion wealth, and the carrion glory which war confers. The sin of crucifying inventors consists chiefly in this,—that kings are thereby prevented from believing that there is any way of acquiring national glory and national wealth but by war. It is the old story of Satan striving by every means in his power to render legitimate marriage difficult, painful, miserable, unhappy and forbidding, in order that the charms and snares of the filthy harlot may be made to assume a bright, attractive, and enchanting appearance, so that a large number of souls may be slain in the shambles of hell.

Inventors are now treated worse than they were in ancient times. The treatment accorded to them in ancient times was barbarous cruelty: the treatment accorded to them now is refined cruelty. Beckwith, in his magnificent work entitled "The History of Inventions," tells us that a Roman invented a method of rendering glass elastic. Overjoyed, he went to the Emperor Tiberius to reveal his secret and obtain a reward. That cruel monster, who disgraced the Roman throne, immediately beheaded him, lest his invention should injure the trade of the glass-blowers of Rome. To this day no one has since invented a method of rendering glass elastic. It would almost seem as if God determined thereby to punish the cruelty of man by never a second time allowing an invention to be reinvented, if the individual who first invented it had been cruelly treated. Now, the devilish cruelty of Tiberius may justly be stigmatised as *barbarous* cruelty. But the cruelty of the present day towards inventors, in England at least, may be stigmatised as *refined* cruelty. Was it not *refined* cruelty which so

persecuted and neglected Waghorn that his sister recently died in a workhouse? Was it not *refined* cruelty which so robbed Samuel Baldwyn Rogers of his just reward that, being reduced to abject poverty, when death approached he begged and prayed his brother masons to subscribe for his funeral, in order that he might be saved the disgrace of being laid in a pauper's grave?

It would be better to shoot or to behead a man right off than to allow him to die a lingering and painful death by poverty and starvation.

The cruelty of modern generations to men possessing original genius could hardly be better condemned than through the medium of the polished words of Washington Irving:—

"Thus honoured by the sovereigns, courted by the great, idolised by the people, Columbus for a time drank the honeyed draught of popularity, before enmity and detraction had time to drug it with bitterness. His discovery burst with such sudden splendour upon the world, as to dazzle envy itself, and to call forth the general acclamations of mankind. Well would it be for the honour of human nature could history, like romance, close with the consummation of the hero's wishes; we should then leave Columbus in the full fruition of great and well-merited prosperity. But his history is destined to furnish another proof, if proof be wanting, of the inconstancy of public favour, even when won by distinguished services. No greatness was ever acquired by more incontestable, unalloyed, and exalted benefits rendered to mankind, yet none ever drew on its possessor more unremitting jealousy and defamation, or involved him in more unmerited distress and difficulty.

"Thus it is with illustrious merit; its very effulgence draws forth the rancorous passions of low and grovelling minds, which too often have a temporary influence in obscuring it to the world; as the sun, emerging with full splendour into the heavens, calls up, by the very fervour of its rays, the rank and noxious vapours which, for a time, becloud its glory." (Washington Irving's *Life of Columbus*, p. 174.)

All nations are more or less cruel to inventors. But the cruelty of the English nation is more reprehensible than that of other nations. Because no nation has derived so many advantages from the labours of inventors as the English nation. No nation has been placed in a more favourable position for estimating the value of the labours of inventors. And no nation could so easily do justice to inventors as the English nation. Would it not be better for capitalists to lend money to inventors than to lose a hundred and fifty millions of it in loans to dishonest South American republics? "The feverish excitement of 1823 and 1824, originating in a great measure in the unbounded expectations of commercial prosperity which were generally entertained in this country from the final establishment of South American independence, only augmented the general distress, from the frightful catastrophe in which it terminated. All attempts to work the mines by British capital have failed, in consequence of the turbulence and insecurity of the country; and above a hundred and fifty millions of British money have been lost in those disastrous mining speculations, or in loans to the faithless insolvent republics of the New World. The amount lost by Britain in loans to North and South America and the revolutionary government of Spain, was stated by Lord Palmerston at this enormous amount in Parliament on the 17th July, 1847." (Alison's *History of Europe*, vol. xiv., page 361.)

Now would it not have been a hundred and fifty million times better for English capitalists to have lent their money to English inventors than to dishonest South American republics?

However apathetic the nation may be in its treatment of inventors, there is not the slightest doubt that the Almighty is, by His providence, swift to avenge their wrongs.

There are innumerable evils from which the British nation suffers which inventors could easily remove. But who is going to be such a fool as to take trouble which is to be repaid only by persecution?

The nation suffers from agricultural depression. Inventors could show how that is to be removed. The nation suffers from parents not knowing, what to do with their children. Inventors could show how that evil is to be remedied. The nation suffers from terrible depression in the shipping trade. Inventors could show how that difficulty is to be escaped. The nation suffers from the clogged and impeded condition of the legislative machinery. Inventors could show how that is to be put right. The nation suffers from the condition of litigation, which on account of its slowness, its awful costliness, and its occasional injustice, has become a positive curse to the country. Inventors could show how this is to be rectified without diminishing the fees of lawyers. The nation suffers much from the want of many suitable mechanical and chemical processes. Inventors could reveal these. But they will not, until they have a sufficient inducement to do so.

The obstacles in the way of inventors in England could hardly be better shown than by quoting the Second Schedule in Mr. Chamberlain's new Patent Law. Mr. Chamberlain deserves the thanks and the gratitude of every one interested in patents throughout the British Empire for his wise and successful Patent Law. Though very far from being what an English Patent Law ought to be, it is yet a very great number of steps forward, compared with the most atrocious state of Patent Law before Mr. Chamberlain took its reform in hand.

The extraordinary and Herculean opposition made to reform in our laws is seen from the successful opposition made to Mr. Chamberlain's excessively modest demand for the prevention of murder by overloading. Every one possessing even a battered and injured conscience thought that Mr. Chamberlain's bill

to prevent murder by overloading was one of the mildest remedies that could have been thought of. Most condemned it as a great deal too mild, holding that it should have had a little of the drastic in its composition. Mild though it was, however, it excited the rage of mercantile murderers. It was therefore thrown overboard. Its fate ought to make inventors all the more grateful for Mr. Chamberlain's Patent Law. The fees for obtaining a patent are as follows.—

"Fees on instruments for obtaining patents.

(a) Up to sealing. On application for provisional protection £ s. d. 1 0 0 On filing complete specification 3 0 0 4 0 0 Or £ s. d. On filing complete specification with first application 4 0 0 (b) Further before end of four years from date of patents. On certificate of renewal 50 0 0 (c) further before end of seven years, or in the case of patents granted after the commencement of this Act, before the end of eight years from date of patent. On certificate of renewal 100 0 0

Or in lieu of the fees of £50 and £100 the following annual fees:—

So that a patent in England costs £154. And if an agent is employed, the agent's expenses are extra. And if drawings are necessary, the cost of drawings is extra. £154, though moderate compared with the old extortionate fees, places patents quite beyond the reach of the working man. In America a patent costs only £8, in India only £ 10, in Belgium only £8 or £9. Therefore, though very much has been gained by Chamberlain's wise Patent Law, yet it indicates a spirit of cruelty towards inventors which is very deplorable. While an American can secure a full patent for eight pounds sterling, an Englishman requires to pay one hundred and fifty-four. Yet England is a poorer country than America. Some nations treat their cattle more kindly than the English nation treats its inventors. The Arabs, for instance, treat their horses much kinder than the English do their inventors.

"The Asiatic lives with his horse; his children play with it from their mutual infancy; the attachment on both sides grows with their growth, and strengthens with their strength; and when he has arrived at the full maturity of his powers, the noble Arab steed, endued almost with human sagacity, and fraught with more than human devotion, will die in the strenuous effort to save the playfellow of his infancy from captivity or death. A most moving incident, illustrative of the extraordinary strength as well as attachment of the Arab horses, is given by Lamartine in his 'Travels in the East.' 'An Arab chief, with his tribe, had attacked in the night a caravan of Dumas', and plundered it; when loaded with their spoil, however, the robbers were overtaken on their return by some horsemen of the Pasha of Acre, who killed several, and bound the remainder with cords. In this state of bondage they brought one of the prisoners, named Abou el Marck, to Acre, and laid him, bound hand and foot, and wounded as he was, at the entrance to their tent, as they slept during the night. Kept awake by the pain of his wounds, the Arab heard his horse's neigh at a little distance, and being desirous to stroke, for the last time, the companion of his life, he dragged himself, bound as he was, to his horse, which was picketed at a little distance. "Poor friend," said he, "what will you do among the Turks? You will be shut up under the roof of a khan, with the horses of a pasha or an aga; no longer will the women and children of the tent bring you barley, camel's milk, or dourra in the hollow of their hand; no longer will you gallop free as the wind of Egypt in the desert; no longer will you cleave with your bosom the waters of the Jordan, which cool your sides as pure as the foam of your lips. If I am to be a slave, at least may you go free. Go: return to our tent, which you know so well; tell my wife that Abou el Marck will return no more; but put your head still into the folds of the tent, and lick the hands of my beloved children." With these words, as his hands were tied, he undid with his teeth the fetters which held the courser bound, and set him at liberty; but the noble animal, on recovering its freedom, instead of bounding away to the desert, bent its head over its master, and seeing him in fetters and on the ground, took his clothes gently in his teeth, lifted him up, and set off at full speed towards home. Without ever resting, he made straight for the distant but well-known tent in the mountains of Arabia. He arrived there in safety, and laid his master safe down at the feet of his wife and children, and immediately dropped down dead with fatigue. The whole tribe mourned him; the poets celebrated his fidelity; and his name is still constantly in the mouths of the Arabs of Jericho.' (Lamartine, 'Voyage dans l'Orient,' vi., 236.) This beautiful anecdote paints the manners and the horses of Arabia better than a thousand volumes. It is unnecessary to say, after it, that the Arabs are, and ever will be, the first horsemen, and have the finest race of horses in the world." (Alison's History of Europe, vol. xv., page 128.)

Now, English inventors would be satisfied if the nation would treat them with half the kindness with which the Arabs treat their horses.

What then is to be done? The first thing to be done is—the nation must make an effort to get out of the niggardly ditch into which it has fallen. All classes of the poor and helpless in England are crying, because they are so shamefully neglected by the rich. The whole nation must make an effort to learn that befriending the poor enriches the nation, and that neglecting the poor impoverishes the nation. "There is that scattereth, and yet increaseth; and there is that withholdeth more than is meet, but it tendeth to poverty." "Give and it shall be given you, good measure, pressed down, and shaken together, and running over shall men give unto your

bosom. For with the same measure that ye mete withal, it shall be measured to you again." "Honour the Lord with thy substance, and with the first-fruits of all thine increase, so shall thy barns be filled with plenty, and thy fruit-bins shall be pressed down with a great abundance of ripe grapes."

The next thing is—the Patent Law must be changed. A patent ought to cost only one shilling, and the Government ought to receive one-third of the net profits of successful inventions. A large revenue would thus arise to Government, which would thereby, be powerfully induced to encourage inventors in every possible way. The laws relating to the possession and sale of patents ought to be similar to those relating to the possession and sale of land. That is to say, patents ought to be held not for the beggarly space of fourteen or fifteen years, but for ever, just as land can be held. A department ought to be established, having sole power to grant patents, and to settle, without litigation, all disputes regarding patents. For patent litigation is a potent cause of ruin to inventors.

I now come to describe a specific act of injustice done to myself as an inventor. It is a very mild act of injustice. I have endured immensely greater acts of injustice from being an inventor. But the account of them would rouse such a storm as might be dangerous. Therefore the following very mild act of injustice, of which I have been the victim, is pitched upon for description. It is at least safe, and not likely to provoke rage. When arctic explorers get any member of their body benumbed by the cold, to prevent it from being frost-bitten they plunge it into cold, not into hot water, as inexperienced people would do. So I do not choose a hot, burning case of wrong, but a small and feeble one.

About a year ago I invented what I considered a good system of Short-hand. I sent it to a publisher with money to cover the expense of printing and publishing it. He returned me the following letter:—

"
MY DEAR SIR,—

As I never care to put my imprint as publisher on anything that I cannot at least to a certain extent endorse, as my custom is I have read your manuscript entitled 'A Perfect System of Short-hand,' and am reluctantly obliged to tell you that I cannot possibly publish it, and do not even feel that I should be doing right to print it, as it stands. I consider your scheme as utterly impracticable, and I believe you would see it to be so if you were not suffering from mental overstrain caused by incessant work. I consider that its publication would be likely to injure you with persons in authority. I strongly advise you not to publish it. You will perceive that this advice is perfectly disinterested on my part, as of course I should make a profit by it were I to print it. If you insist on having it printed in England I can hand the money and manuscript over to any one you choose, or return it to you.

"
Believe me, yours very sincerely

,
"X. Y. Z."

Now the publisher in question is one of the noblest philanthropists in England, and a first-rate man of business to boot. And it is curious to observe how people manage, with the best intentions, to misunderstand each other. I sent my system of Short-hand to the publisher in question because I wished to encourage such a noble philanthropist and such a good publisher as I considered him to be. I thought my invention would confer some obloquy, but much greater honour, on him as a publisher, and therefore I sent it, with my own name, undisguised by a *nom de plume*. The publisher, however, thought me a fool for my pains.

From inquiries which I have undertaken, and from facts which I have collected, I find that it is by no means uncommon for an author to send his manuscript to a publisher along with money to pay for all the printing and publishing charges, and to receive such a letter as I received. The liberty of printing, of which Milton wrote, is consequently, so far as England is concerned, a myth, pure and simple. The more original any production is, the more likely it is to be consigned to the grave of oblivion, as Hebrew sons were to the Nile. A doctor, when called to attend a case of mortal sickness, may decline, if no fee is offered along with the call. But if a full and ample fee is offered, he could be prosecuted for refusing to attend. Publishers, however, have more liberty. Perhaps it is right they should have all the liberty they now possess. If I were a publisher myself, I should probably demand such liberty. But if so, it is high time that something were done to defend authors from the cruelty which such liberty inflicts on them. There surely ought to be, in every capital city, at least one publishing firm placed under compulsion by law to publish every original work, when its author is prepared to pay the cost of printing and publishing, provided it contains nothing obscene, disloyal, or dangerous to the State. It is highly probable that many productions as good as the "Song of the Shirt" have never seen the light

from this single cause.

No class of men has yet arisen in England who are capable of loving originality at first sight. Even the best of men generally hate it at first, or at least see no beauty in it. Innumerable proofs of this might be adduced. But I shall quote only two. The celebrated Spurgeon has recently been holding his jubilee with honours which are almost national. Yet this great man was, on his first appearance in public, condemned in the most unmeasured terms by those who ought to have been the best judges of his excellence. At the jubilee demonstration recently held, several important speeches were made. And the following is an account of one of the speeches as contained in the *Nonconformist and Independent* of the 26th June, 1884:—"When the Rev. W. Williams, of Upton Chapel, had spoken of Mr. Spurgeon's sympathy with others, and the readiness to render help to his brethren in the neighbourhood, the Rev. Dr. Parker, who was received with great applause, told how, many years ago, he was coming out of a chapel in Sheffield in which Mr. Spurgeon had been preaching, and some one said to him, 'I hope you don't consider this young man a fair specimen of our Baptist ministry. I should be ashamed of our ministry if he represented them.' He (Dr. Parker) noticed that a change had taken place somewhere, but it must have been on the other side, for Mr. Spurgeon had not changed. What a wonderful change! said he. There was sown a man who was worthy only of contempt, and, behold, he had awaked in the glories of a newspaper article! There was yet hope for the very worst of them, for what knew they but that some poor dying pulpit thief might awake in the paradise of a newspaper eulogium?"

There is not the slightest doubt that many a man as great in the author's line as Spurgeon is in the preacher's, has had his genius snuffed out and his talents rendered perfectly useless for his day and generation, owing to the erroneous judgment passed upon him by a publisher. And if this is true of great men, it is still more true of common men, who are yet possessed of very useful talents. Now, such a state of things constitutes a piece of injustice of the most iniquitous kind. And it is well that those who are thus crucified should make their bitter cry heard, if by any means Englishmen may be turned from the practice of this diabolical injustice, which unfailingly draws the vengeance of Heaven on the nation which perpetrates it.

A volume might be filled with instances of the crass and almost incredible stupidity of publishers, literary critics, *et hoc genus omne*, in condemning works of the most attractive originality, on grounds so utterly frivolous and unreasonable as to make subsequent generations ask whether the said critics were sane or insane. Space forbids the multiplication of such instances, but I cannot refrain from adducing the case of Bruce, the celebrated African traveller. Lest I should appear to exaggerate, I shall quote verbatim the words of "Maunder's Treasury of Biography":—

"James Bruce, one of the most celebrated of modern travellers.—For a short time he held the post of British consul at Algiers, but resigned it in order to gratify his passion for travelling. After traversing the greater portion of Asia Minor, he set out on a journey to ascertain the source of the Nile. An account of this journey he subsequently published; and some of his statements, particularly those which referred to the manners and customs of Abyssinia, were received with mingled incredulity and ridicule. Though greatly annoyed by the disgraceful illiberality with which he had been treated, he bore the taunts and sneers of his shallow critics with a taciturn pride, not deigning to satisfy disbelief, or to disarm ridicule, but trusting the day would ere long arrive when the truth of what he had written would be confirmed by others; and it is now clearly proved, from the statements of many subsequent travellers, that he was every way undeserving of the censure bestowed on him."

The public, or at least the custodians to whom the public deliver the power of pronouncing judgment on intellectual merit, have so very frequently and so very egregiously erred, in very important cases, that it is nothing but the height of cruelty to refuse to authors the help necessary to throw off such intolerable tyranny. How egregiously, for instance, critics were at fault in judging of the intellectual calibre of Louis Napoleon Buonaparte before he became Emperor of France. Kinglake, in his "Invasion of the Crimea," says: "Both in France and in England, at that time, men in general imagined Louis Napoleon to be dull. When he talked, the flow of his ideas was sluggish; his features were opaque; and after years of dreary studies, the writings evolved by his thoughtful, long-pondering mind had not shed much light on the world. The opinion which men had formed of his ability in the period of exile was not much altered by his return to France: for in the Assembly his apparent want of mental power caused the world to regard him as harmless, and in the chair of the President he commonly seemed to be torpid." The fact is—deserving, or at least great men, have been so often misjudged, that it may now be taken as a correct opinion, that a tolerably sure sign that a man is either deserving or talented, is his being condemned in the most unsparing manner by somebody who is thought to be a good critic.

In view of these things it seems high time that authors should possess the power to get their works published, on paying for their publication, without the necessity of their being first submitted to a censor in the person of a publisher. The State, or private persons, ought to establish a firm which, by law, should be bound to publish every work for the publication of which an author is willing to pay, provided it contains nothing immoral, obscene, blasphemous, or treasonable. For want of such a publishing firm there are doubtless many

first-class works of the highest originality consigned every year to oblivion—works, the publication of which would do immense good to the civilised world, pecuniarily, politically, and morally. A few of them, like the "Song of the Shirt," may be rescued from oblivion twelve or thirteen years after they were first offered to publishers; but as there are few rescuers like Mark Lemon, the vast majority must perish.

Now for my rejected Short-hand system.

There is at present no good system of short-hand in existence. This may seem a startling fact, but it is a true one. A magnificent History of Short-hand was published in 1882 by Mr. Thomas Anderson. That history seems, by a very long way, to be the most perfect which has yet appeared. It deserves, and is almost certain to receive, very high praise. Well, the following quotations from such a high authority prove most conclusively that in 1882 there was no good system of short-hand in existence, though some three thousand volumes of short-hand have been published in Europe during the past three centuries. Anderson says: "At the present stage of our inquiries, it might seem unwarrantable to do more than hint that short-hand is as yet a science to construct, to resuscitate, or to reconstruct. There are, indeed, one or two systems of relatively conspicuous merit in vogue throughout the world to-day; but they, too, it would seem, are liable to objections sufficiently serious to disqualify them from being considered exceptions to the remark made in the second paragraph of the last chapter. Indeed it is often said, with much apparent truth, that it is owing to the obstacles thus presented that short-hand has not hitherto attained an adequate measure of acceptance by the general community in this country. Whether that be really so or not, the practice of the art is at any rate confined to a comparatively small number of our fellow-subjects, which ought not to be the case, if we only consider its inherent utility, and the many benefits attendant on the proper cultivation of it."

Of course it may be alleged that it is to the want of application in the learner that such regrettable results are due, but that allegation receives an answer only too convincing when it is shown that young men who have surmounted some of the most difficult elements of a liberal schooling have failed in this—singularly failed—or, at least, have not derived any compensating advantage for the time and labour expended on this particular study. Why? Surely it will not be affirmed that to acquire, not expertness as a professional short-hand writer, but enough dexterity for everyday purposes, ought to be a more arduous task than is that of mastering Mathematics, Latin or Greek, French or German. As the case stands, however, it seems beyond dispute that, for a thousand pupils who set about learning one or other of the ordinary methods of short-writing, there are not, perhaps, four or five who arrive at anything like real proficiency. "A legible short-hand," says an observant journalist, "*is the want of the age.*" (*Church Review*, May, 1881.)

This seems a startling assertion, but it is true, and the wonder is increased when we learn that the number of works on short-hand published, previous to June 23rd, 1883, was 3,422, 923 of which are in the English language. (See *American Bureau of Education, Circular No. 2 of 1884.*) Just think of that! Three thousand four hundred and twenty-two works on short-hand, and not one of them satisfactory!

Says Professor Everett, of Queen's College, Belfast (*Short-hand for General Use*, 1877): "Persons able to write short-hand form an extremely small portion of the community. This fact is surely an indication that existing systems have been found wanting in some of the qualities essential for general use."

It is only a few years since these words were written, but many other authorities, both before and since, of undoubted respectability, have expressed themselves to the same effect: as for example—

Mr. W. Mattiew Williams, F.C.S., author of "Through Norway with a Knapsack," &c., says; "Few active-minded men have not at one time or another commenced learning-short-hand. Yet how small a proportion of the beginners have done any more than make such a commencement."

Mr. Williams afterwards informs us how he came to construct his own system, entitled "Short-hand for Everybody" (1867). He says: "The system here expounded is devised specially to overcome the usual difficulty of reading shorthand arising from the complication and extreme contractions absolutely necessary for verbatim reporting, which are here unattempted. It was in 1841," he continues, "that I first took lessons in Harding's—a modification of Taylor's system; then a few years afterwards studied Pitman's beautiful and elaborate, but very complex, system of phonography; afterwards, I tried to amalgamate them, then started a system designed to supersede both—a system purely phonetic, with every sound represented, and all the vowels joined. With great reluctance, I threw this up on account of its complexity, and returned to a further modification of Harding's and Gurney's; then carefully studied all the systems that have been published, and picked out hints from each to supplement my own ideas, turning over and over my own and others' experience, and finally settled down upon the very simple system here expounded." "Notwithstanding," says Mr. John Thomson, P.H., President of the Scottish Phonographic Association; Teacher of Oriental Languages, Royal High School; and Lecturer on Phonography, School of Arts, Edinburgh; an advocate of Mr. Pitman's system of writing, "the extreme simplicity and beauty of this most useful art, a false and futile system of teaching it, which has everywhere obtained, has led tens of thousands after long and painful plodding in the dark, to lay it aside at last as a hopeless and useless phantom. It would scarcely," he says, "be fair to charge the great father of phonography

directly as the author of the stupid method of teaching it, which has been so uniformly followed both in the Old and in the New World; and yet it may be said that the author of phonography has been the indirect cause of preventing his world enlightening discovery from becoming a popular study in his own country up to the present time. But a strong remedy in the teaching of short-hand has at length been loudly called for."

Again, Mr. J. B. Dimpleby, a practical man, author of a Short-hand Dictionary (Groombridge and Sons), says: "My answer to the question, Which is the best system? is always, *That which is most easy to acquire*. Proficiency does not depend so much on the system used as on the ability for using it. Odell's or Taylor's improved, which are substantially the same, are, I believe, the most used by newspaper reporters. This is, I believe, owing to their being so easy to write and so ready to acquire. Great efforts have recently been made to bring Mr. Pitman's system of phonography into more general use, and when acquired it is probably an excellent system. Care should be taken that in aiming at making a system short it is not made long. I confess that some of the improved phonetics have a very wriggled appearance, and the multitude of details with which they are burdened must greatly militate against their general adoption for public use." (Anderson, page 93.) Again the same author says: "Scott de Martinville, whose work is perhaps the most interesting and worthy contribution to the history of stenography that has ever appeared, and in which an alphabet is given of the Tyronian method of short-hand, and reviews of some forty French systems—in fact, all that had appeared in that country from the year 1654 till the date of his writing, says:—'*I am not able to deny the existence of stenographers, but I deny the existence of stenography*. I say there has not yet been presented to the public a method resting on fixed and rational principles sufficient to constitute the art in such a manner as to fulfil its special, its unique destination, *that of following exactly the word, and to be at the same time accessible to persons of average capacity*.' He goes on to say that all the professional short-hand writers whom he knew were men of very great intelligence, of quick apprehension, of retentive memories, and especially gifted with much dexterity and agility of hand; but, he adds, 'exceptional organisation can never be alleged as proofs for establishing an argument—that, namely, in favour of short-hand as it is.' And to illustrate this proposition, he adds, 'If Paganini, for example, may execute a concert on the chanterelle of a violin, does it follow that this *tour de force* is an accident of the instrument?' "

Adolphe Pelletier says:—" These different systems (and Pitman's and Taylor's are well enough known to Frenchmen), *in spite of the emendations they have undergone, are still burdened with pitiable drawbacks*. In some, the signs, when united for the purpose of forming words, have only the value of one or two letters, not more; in others it has been found practicable, indeed, to invest the signs with a larger alphabetical value, but that only by subjecting them to an infinitude of changes of direction, nay, even of outline—a something which renders the study extremely irksome, independently of the chances of errors which attend this multiplicity of changes." (Anderson, 104.)

"In spite of all that has yet been done in their behalf, the demerits of the current systems of short-hand afford a theme of general and repeated comment in the French press. In January, 1877, a paragraph went the rounds of the Paris newspapers, calling particular attention to this inconvenience, animadverting on the comparative prominence given to short-hand in Germany, and setting forth the great desirability of founding in France some system superior to existing French ones." (Anderson, 141.)

These quotations prove, I think, most conclusively, that every existing system of short-hand is extremely defective, and that every person connected with literature ought to do his best to introduce a more perfect system. The worth-lessness of existing systems could not have been satisfactorily proved by the affirmation of one proposing a new system. Therefore these lengthy quotations have been adduced from no less an authority than Anderson, who has up to date apparently written by a very long way the best history of short-hand.

PITMAN'S SYSTEM UTTERLY CONDEMNED BY THE BEST AUTHORITIES.

I come now to a consideration of Pitman's system. People will be astonished to hear that Pitman's system is utterly condemned by the best authorities. Their condemnation is, beyond a doubt, perfectly just. Mr. Matthias Levy, one of the most competent authorities, says:—"We now come to one of the most remarkable inventions of the present century—the Phonography of Mr. Isaac Pitman. To begin at the beginning, it is necessary to state that the fundamental principle of Phonography is that of sound." He then quotes Mr. Pitman's dictum to the effect that "the organs of speech being the same all the world over, if he were able to represent the one hundred sounds emitted by a human being, he would have discovered the basis of that great desideratum, a universal language." Mr. Levy then proceeds:—"Now this subject has been in men's mouths since 1540. To assimilate the sounds of speech, which are the same all over the world, has been the object and ambition of hundreds. But we are afraid that a universal language, and perpetual motion and the philosopher's stone, must go together.

"Mr. Pitman objects to the Roman alphabet. He says further that all short-hand systems are defective, because they are based upon the Romanic alphabet. On examination, however, Pitman's alphabet proves to be

the English alphabet transposed. *A more confused method could not well be desired. It is full of difficulty, and must entail considerable trouble when it comes to be read. Compare it with the systems of Taylor, Mavor, or Byrom.* Compare their rules with those of Pitman, in which he explains how to write the Scotch guttural, the Welsh LL, the nominal consonant, and the syllabic diphthong. The confusion, the multiplicity of characters, the variety of sounds, all lead to one conclusion, *that this is one of the most ill-constructed and deficient systems ever invented.* The author may well ask why Parliamentary reporters do not use it. Notwithstanding its defects, thousands, we are told, have learned it. But we cannot alter our opinion, and phrenography, we think, with its ambitious object, is a failure.

"We wish to speak with every respect of this system—it is used at the present day, and that is the utmost that can possibly be said in its favour; but we contend that popularity is no test of merit. Jim Crow was popular, but few will venture to say it had any merit."

It may, perhaps, appear superfluous to quote Mr. Levy's opinions concerning Taylor's system, since that is the one which he uses with some trifling exceptions. Still, a sentence may be given from his observations upon the system.

He says:—"The alphabet of Taylor is undoubtedly the best. We believe we are correct in saying that Taylor's system is more extensively used at the present day than any other. Although nearly a century has elapsed since its invention, it has never been surpassed for simplicity and utility."

Professor Henri Krieg says that he has acquired the settled conviction that the invention of the Bavarian genius F. X. Gabelsberger is the only system of short-hand which is adequate to the requirements of those who are much engaged in writing. (Anderson, 99.)

Anderson further says:—"The repetition of an evil even remotely similar to Pitman's system of short-hand would be quite too much in the history of our planet." (Page 137.)

These are strong words, but I can see no reason for affirming that they are not thoroughly justifiable. Anderson further gives a series of startling and positively appalling illustrations of the dangerous mistakes which Pitman's system gives rise to. This is an evil found more or less in every existing system of short-hand, especially of Phonography. The words of Mr. Thomas Allen Reed, the *pontifex maximus* of phonography, are well worthy of consideration in reference to this point. They will be found on page 131 of Anderson's History.

Anderson further says:—"Many years ago I persuaded a brother reporter, then a proficient in Pitman's system, to abandon it for Taylor's, and, as I anticipated, he afterwards expressed the greatest satisfaction at the change. This gentleman now holds a high position in our profession" (page 272). Anderson says of Pitman's system, "It is a great obstacle to our educational progress. It occupies the place of better systems, and should be dismissed." He also declares that "*the formation of a really good system of short-hand has yet to be shown to the world*" (page 138).

While Pitman's system of short-hand is to be condemned, his system of spelling English words is worthy of the highest praise and encouragement. By proposing and introducing that system Pitman has shown that he possesses genius of a high order. No less a sage than the great Max Müller has written one of his very best essays with unusual skill, for the sole purpose of recommending Pitman's system of spelling. It is strange indeed that the English public should have adopted Pitman's exceedingly erroneous and retrograde system of short-hand, and should have despised and neglected his celebrated and truly excellent system of spelling reform—and that, after it had been recommended by such a very high authority as Max Müller. It is a mournful illustration of the fact that men in general have a strong tendency to do those things they ought not to do, and to leave undone those things they ought to have done. England ought to have encouraged Waghorn, but instead of that he was neglected, and metaphorically crucified. And his sister recently died in a workhouse. Lord Palmerston ought to have encouraged the Suez Canal. But instead of that he opposed it, with all the resources of Britain to aid him. And as the spirit which crucified Waghorn is still rampant, all who have the honour of their country at heart ought to resist it with all their might. Pitman's system of spelling-reform ought at once to be universally adopted.

Pitman seems to believe in the possibility of a universal language being yet spoken by man. This will certainly occur, because it is predicted in the Bible. And while heaven and earth are destined to pass away, not one iota of Holy Writ shall fail to be accomplished, notwithstanding all that sceptics and agnostics allege to the contrary. In Zephaniah iii. 8 we find the following words—"Therefore wait ye upon me, saith the Lord, until the day that I rise up to the prey: for my determination is to gather the nations, that I may assemble the kingdoms, to pour upon them mine indignation, even all my fierce anger, for all the earth shall be devoured with the fire of my jealousy. For then will I turn to the people *a pure language*, that they may all call upon the name of the Lord, to serve him with one consent." As the universal language was, early in history, broken into fragments at the building of Babel, by a miracle, so, by the same means, will it, near the end of time, be reunited into one again. It must be confessed, however, that nothing short of a miracle is ever likely to bring about this wished-for consummation. Consequently those who spend or rather waste their time in the effort to

invent a universal language are as likely to succeed as are those who try to raise the dead.

The dead shall yet rise from their graves. A few of the dead have been raised in the past. But it always has been, and it always shall be, by a miracle. Notwithstanding this, there are probably not a few scholars, who, in the privacy of their quiet studies, spend their time, like Leibnitz, in the futile effort to invent a universal language.

GOVERNMENT HELP REQUIRED TO ENCOURAGE SHORT-HAND.

Mr. Anderson deplures, in very strong terms, the fact that the British Government does not, like the German Government, encourage short-hand by liberal endowments. "Short-hand has no small claim to State support. We deplore the fact that in our country short-hand is not sanctioned and supported by that influence and aid which it receives abroad. We deplore that it is left entirely to the option of pupils whether they shall learn short-hand, and that they are without any guide except the active puffers of their own particular, plans as to what system they ought to learn. There ought to be, in this country, no less than in Germany, a competent staff of men paid by the State to look after the interests of an art of so great importance and possibilities. These remarks apply to America, and to our own country, and to both probably in an equal degree. Why should Germany spend thousands yearly in the protection and fostering of this art, and why should England and America spend nothing? Why, further, should German State funds be devoted, apparently with no niggard hand, to propagating their Gabelsberger system in foreign countries, and why should England and America be so careless of the interests of short-hand even at home. These questions, we venture to hope, will receive the attention they deserve in the right quarters. Our immediate province, however, is to point out in what direction the advancement of the art, both with ourselves and with our American cousins, really tends. Well now, without insisting at further length on the points already referred to in the chapter on the essentials of superiority in short-hand systems, we again revert to that principle first started, but neglected in England, commended in France, but adopted in Germany, and by the exertions of German scholars and professors fast spreading throughout all European nations. That principle is—having your short-hand alphabet, as is the case with ordinary writing, *composed of characters all on one slope*" (Anderson, page 225.)

From the statements of Anderson, and of many other writers on short-hand, the following facts may be accepted as completely proved:—

- That England is worthy of very severe censure for not giving as liberal State aid to short-hand as Germany does.
- That Gabelsberger's German system is equal, and probably even superior, to Taylor's system, its superiority consisting in its alphabet being of the same slope as longhand writing.
- That in Germany there are many hundreds of professors of short-hand, and many thousands of students.
- That on the continent of Europe a very great deal more attention is given to the study of short-hand than is the case in England.
- That all existing systems of short-hand are wonderfully defective.
- That existing systems are utterly and even ludicrously incapable of enabling a short-hand writer really to write as fast as a rapid speaker speaks.
- That the aim of short-hand inventors ought to be the shortening the time required to write long-hand, until it becomes short-hand, which may be capable of being used as the only medium of human penmanship.
- Another point which ought not to be overlooked is the fact that short-hand writers have extraordinary difficulty in reading what they have written. Not only is it quite impossible for the expertest short-hand writer to keep pace with a rapid speaker, but it is often exceedingly difficult for him to read his own notes. Mr. J. B. Dimbleby has recently published a Dictionary of Short-hand. The following is an extract from its preface, which speaks for itself. "The design of this book is to assist inexperienced writers to read what they have written, and to make the introduction of vowels less necessary by proficient reporters. To every one, however, who writes short-hand—no matter what system—it will be found useful. In plain words, it is a Dictionary; and as its compilation has taken more than six years of close application, and the writer throughout has had a great desire to make it complete, and worthy of universal approval, he feels sure that, no matter how thoroughly practical and experienced a writer may be, it will not be undeserving of a place on his desk.

"I well remember my own troubles when I began to report for the press, and many weary hours of the night I have spent in transcribing notes for the want of a book like this, which to me would have been worth its weight of gold. *In fact it requires time and practice to familiarise the mind with words divested of such important sounding letters as vowels*; for instance, I well remember the anxiety of mind I experienced because I could not make out what word an eminent M.P. had used in an after-dinner speech, which in my note-book was represented by the short-hand letters for pigs. I had to leave it to a later contemporary to inform the honourable

member's constituents that he did not think it necessary to *apologise* in reference to a certain vote in the House. I did not lose my situation, but I dare not say what the consequence was. How many tales of this kind can an elderly member of the 'Fourth Estate' recall!"

Now the above quotation shows how urgent is the necessity for improvement in short-hand.

MY SYSTEM OF SHORT-HAND DESCRIBED.

The problem connected with short-hand is simply this—a method is wanted by which a speech can be taken down *as rapidly and as exactly as it is spoken*. No system of short-hand at present used is able to do anything like this. As Anderson shows, verbatim reports of speeches are now very rare. The sense of speeches is given pretty correctly, but not the exact words of the speaker. My plan for taking down, with great ease, the exact words of the speaker is as follows:—

Let fifteen persons sit in a row, with writing materials before them. Behind them, let another row of fifteen persons sit, with no writing materials before them. Let the first man of the *second* row touch the first man of the *first* row on the left shoulder, as soon as the speaker whose speech is to be taken down speaks the first word. Let the second person in the second row touch the second man of the first row on the left shoulder as soon as the second word of the speech is spoken. Let the third person in the second row touch the third man in the first row on the left shoulder as soon as the third word is spoken, and so on until the fifteenth person of the second row has touched the fifteenth person of the first row, when the first man will begin again. Let each man in the first row write down *the word that was being uttered when he was touched*, and let him afterwards write down also the word before and after it, underlining the word that was being uttered when he was being touched. When the speech is finished, let the second row come and sit in front of the first row, facing the first row, and let them write down in order the words which have been taken down by the first row. The first man of the second row can write a page. Then the second man of the second row can write the second page, and so on. This will give the others a rest. The pages being put together will constitute the speech.

Few speakers have had so many of their words taken down by short-hand writers as Spurgeon. Therefore I shall select from his works the following passage to illustrate my system. It has a double advantage, because it contains that piece of wisdom, which, if put in practice by mankind, would, more than any other means, render it quite unnecessary for inventors, and other classes of the poor and helpless, to cry out of their wrongs.

"Ye looked for much, and lo, it came to little; and when ye brought it home, I did blow upon it. Why? saith the Lord of hosts. Because of mine house that is waste, and ye run every man unto his own house" (Haggai i. 9.)

"Churlish souls stint their contributions to the ministry and missionary operations, and call such saving good economy; little do they dream that they are thus impoverishing themselves. Their excuse is that they *must* care for their own families, and they forget that to neglect the house of God is the sure way to bring ruin upon their own houses. Our God has a method in Providence, by which He can succeed our endeavours beyond our expectation, or can defeat our plans to our confusion and dismay; by a turn of His hand He can steer our vessel in a profitable channel, or run it aground in poverty and bankruptcy. It is the teaching of Scripture that the Lord enriches the liberal, and leaves the miserly to find out that withholding tendeth to poverty. In a very wide sphere of observation, I have noticed that the most generous Christians of my acquaintance have been always the most happy, and almost invariably the most prosperous. I have seen the liberal giver rise to wealth of which he never dreamed; and I have as often seen the mean, ungenerous churl descend to poverty by the very parsimony by which he thought to rise. Men trust good stewards with larger and larger sums, and so it frequently is with the Lord; He gives by cartloads to those who give by bushels. Where wealth is not bestowed, the Lord makes the little much, by the contentment which the sanctified heart feels in a portion of which the tithe has been dedicated to the Lord. Selfishness looks first at home, but godliness seeks first the kingdom of God and His righteousness; yet in the long run, selfishness is loss, and godliness is great gain. It needs faith to act towards our God with an open hand, but surely He deserves it of us; and all that we can do is a very poor acknowledgment of our amazing indebtedness to His goodness." ("Morning by Morning," October 26.) And again, "He that watereth shall be watered also himself" (Proverbs xi. 25). "We are here taught the great lesson, that to get, we must give; that to accumulate, we must scatter; that to make ourselves happy, we must make others happy; that to become spiritually vigorous, we must seek the spiritual good of others. In watering others, we are ourselves watered." (*Ibid.*, August 21st.)

Now to take this down by the short-hand method the following operations would be performed. The first person in the second row would, with his right hand, touch the first person in the front row on the left shoulder, when the person touched would immediately write

Ye

on his paper. He would next write immediately after it looked,

so that on the paper of the first person in the front row there would be written the words

Ye looked.

But immediately after the first person in the front row had been touched, the second person in the front row would be touched by the person behind him. And he would immediately write on his paper the word

looked,

and then he would put before it the word *ye*, and the word *for* after it, so that on his paper there would be the words

Ye looked for.

Immediately after the second person in the front row had been touched, the third person in the front row would be touched by the person behind him, and he would immediately write on his paper the word

for.

He would then write before it the word *looked*, and after it the word *much*, so that on the paper of the third person in the front row there would be written the words

looked *for* much.

When the second row came in front, and began to write the words read out by the row which had written, the following would be the words which would be found on the papers. The first person's paper would have the words—

And so on.

The marks (o o o) would mean that the orator was not speaking when the writer was touched.

The marks (house, o Churlish) would mean that the orator had come to the end of a sentence after the word house.

It of course will be evident that no harm will be done if the front row are touched faster by the second row than the rate at which the words are spoken by the orator. This would only lead to some long words being repeated twice or even thrice in the writing of the front row. Such a thing is not a serious evil. But care must be taken that the front row are not touched at a slower rate by the second row than the rate at which the words are spoken by the orator. This would be a serious evil, because it would cause some words to be omitted.

The above method will enable each writer to write with ease and comfort, and even to write slowly. And it will not be necessary for the writers to write short-hand at all. They can easily write long-hand. For, however rapidly an orator speaks, it is the easiest thing possible for a person to take down, in good, round, legible long-hand every fifteenth word that he speaks.

Some will say, "*This is all very fine, but what a dreadful expense it will necessitate!*" My reply is—it will be expensive, but not so expensive as the present system by a long, long way. The *Times* employs a corps of sixteen short-hand writers for the gallery of the House of Commons. Suppose that every other leading London paper employs only three, there must be near a hundred short-hand reporters for the House of Commons alone. Compare one hundred with thirty! When Mr. Shaw, of Madagascar celebrity, appeared at Exeter Hall, there were forty short-hand reporters in the reporters' gallery. Compare forty with thirty. And my system is capable of being written efficiently by a much smaller number than thirty. For instance, the second row might consist of only five persons. Because one man could touch three men in the front row in succession, without moving out of his place. This arrangement would reduce the number required from twenty to thirty. And machinery might easily be used for doing the work of the second row—*i.e.*, for touching the front row. An axle with radial arms might, by revolving, touch the persons in the front row, one after another.

Probably, nine men in the front row, and three behind them, might, without machinery, be found sufficient. And if machinery were used, nine men in the front row, and one to turn the wheel, would probably be found enough. And if the writers wrote short-hand of any kind, then four in the front row and two behind might probably (without any machinery) be found sufficient.

The railway system is a much more perfect method of locomotion than the stage-coach system. But while the stage-coach system cost only from £100 to £800 a mile, railways cost from £10,000 to £39,000 a mile. And some entire railways have cost the almost fabulous sum of one million pounds sterling per mile. The stage-coach system was apparently cheaper than the railway system, yet it was, in reality, immensely dearer than that system. For, besides the fact that each passenger by the stage-coach system had to pay much more than each railway passenger, he was carried to his destination much more slowly, and much less comfortably than the railway passenger is carried. The stage-coach system required little capital, but it was intolerably inefficient. The railway system requires immense capital, but it is very efficient. Now the system of shorthand which I have been proposing requires a larger capital (*i.e.*, a larger number of men to work it) than the old systems. But I hold that it is perfectly efficient, as it reveals a method by which the speech of the most rapid speaker may, with the very greatest ease, be taken down, exactly as it is spoken. *No existing system can do this, or anything like this, as can be proved by referring to the pages of Anderson.*

Yet confessedly inefficient as the old systems of shorthand have been, professorial chairs have been

established to teach them, not only in such advanced places as Germany, but even in such backward countries as Spain. By royal ordinance in 1802, a chair for short-hand was established at Madrid, and the first professor named was Marti, the translator of Taylor's short-hand. Xaramillo was a pupil of Marti's (Anderson, 290).

Every sessions court throughout the country ought to have a short-hand organisation. Court business would then be transacted five or six times quicker than it is at present, with more exactness, and with far greater comfort to all concerned.

It seems that a colonial professor in a college, either in the East or in the West Indies, has recently published a new system of short-hand of an entirely novel character. The English alphabet is printed many times on a page of paper. And short-hand is written by the writer drawing his pen or his pencil through the required letter in each set of alphabets successively. The alphabet is printed about two hundred and thirty times on a page. Supposing the shorthand writer wanted by this method to write the word *liberality*, he would draw his pen or his pencil through *l* in the first set of alphabets, then through *i* in the second set, through *b* in the third set, a set would next be passed over to represent the letter *e*, the pen or the pencil would thereafter be drawn through *r* in the fifth set, through *a* in the sixth set, through *l* in the seventh set, through *i* in the eighth, through *t* in the ninth, and through *y* in the tenth set. There are affixes such as *ty* and *ity*, so that when the pencil is drawn through them there is a very considerable saving in time. Specimens of four short-hand sheets of this colonial professor's system are at present in my possession. These four, as the system has been published, I am at liberty to criticise. Sheet No. 1 is frightfully complex. It consists of a sheet, folio size, with the following printed sixteen times upon it.

0. 1 2 3 4 b 6 c 8 d 10 h i 13 14 15 16 17 18 1 m 21 0 23 p r 26 t 28 w a b c d f g h I j k l m n o p q r s t u v w x y z & ago all are as at been but by call can come could did do done each e-very first for from give-n go God good great had have he how if in is it lord me Mr. more much my no nor not of on one or other our out read shall short should so spirit that the their there them thing think to too truth two under up upon us was were where what when which who will with word would year your ab ac ad al circum con-tra cum des (lis extra for im in-r-o op pre pro recom sub super trans un with able ary ate dom eous ful hood ing-s ion ious ity kind less ly ment ness self ship sion tion tude an n.

The marks at the top, viz., 0 1 2 3 4 b, &c., refer to the following, which is printed at the top of each page:—

1 a few years 2 according 3 advantage 4 as a whole 5 because 6 beyond our control 7 cannot 8 coming and going 9 difficulty 10 from day to day 11 however 12 immediate 13 important 14 ce 15 improve 16 ed 17 ment 18 in consequence of 19 language 20 member 21 not only 22 opinion 23 opportunity 24 particular 25 remember 26 ed 27 tear and wear 28 to and fro 29 without.

Short-hand sheet No. 2 contains the following, printed sixty-four times on a page:—

a b c d f g h i j k l m n o p q r s t u v w x y z & are the that which ing tion.

The following is a set of the alphabet belonging to shorthand sheet No. 3. It is printed two hundred and thirty times on a page.

a b c d f g h i j k l m n o p q r s t u v w x y z & are the that which ing tion ly ty.

The following is a set of the alphabet belonging to shorthand sheet No. 4. It is printed one hundred and sixteen times on a page:—

a b e d f g h i j k l m n o p q r s t u v w x y z & ch nd ng sh th 1 2 3 4 5 6 7 8 9 10 ing ion ive ness ty always an are as have his like more than that those which who

The numbers 1 2 3 4 5, &c., refer to the following (printed at the top of each page):—

1. The present. 2. The past. 3. The former. 4. The latter. 5. A week. 6. A year. 7. Nothing. 8. Bona fide. 8. Pride goeth before destruction, and a haughty spirit before a fall. 10. There is that scattereth, and yet increased; and there is that withholdeth more than is meet, but it tendeth to poverty.

No. 4 is the best, and extremely suitable for being used as the universal mode of penmanship.

The letter e, which is the letter which occurs most frequently in the English language, is not found in the set, the sign for it being a set passed over.

Now the question is, Will this system work? Will it be possible for an expert to write by means of it as fast as a person speaks. I trow not. An expert will be able to write as fast by it as by Taylor's system, but not faster. It is certainly easier to learn than Taylor's system. And it is applicable to every language, while the other system is applicable to not more than one language. It may be useful as the universal mode of penmanship. It would then destroy the possibility of illegible penmanship at a stroke. But that it can ever enable a man to keep pace with a rapid speaker seems impossible.

In reference to all existing systems of short-hand, it ought never to be forgotten that practice makes experts as nearly perfect in them as their defects will allow. When one begins to play the piano, he plays at first very slowly; but, by practice, he learns to play with the greatest rapidity. But the chief aim of good short-hand is not the perfecting of a few experts. The chief aim of short-hand is, in the first place, to invent a system which will

enable men of moderate education to keep pace easily with the swiftest speaker, and, in the second place, to supersede common long-hand writing in ordinary correspondence, and in the ordinary business of life. The second aim, at least, is the view approved by Anderson, who says (page 161), "M. Chauvin, we ought to state, recommends the application of stenography to the ordinary writing. *That, indeed, is the true aim of all short-hand.*"

Short-hand bids fair to become a *sine qua non* of a good education. "The governments of the different parts of Germany have been convinced of the general utility of short-hand; they have encouraged its progress and organised its public teaching, under their patronage, and at their cost, with the result that to-day, stenography is everywhere in Germany, one of the branches, sometimes obligatory, more frequently facultative, of the public instruction. Besides, numerous stenographic associations have been formed for the purpose of propagating stenography, of maintaining a unity of system, of studying all questions of stenographic interest, and of affording, often, a support not only moral, but of a material and pecuniary character, with the view of bringing about a practical solution. These associations are busy at their work, and the most important of them are represented by a special journal each. It is, therefore, not astonishing that under this powerful impulse, with such favourable conditions of application, and with that well-known disposition of perseverance characteristically German, the results have proved happy in the extreme, and that, today, stenography in Germany counts not by hundreds, but by thousands, and that not only amongst the professions styled liberal, but also in all avocations, in the army, in business, in which it is variously used; and, in fine, by all those who appreciate the value of time." (Anderson, page 183.)

"To-day, Gabelsberger's system is taught with ardour in all the principal German States and Duchies. For the year 1874-75 the number of pupils in this stenography amounted to 16,449, belonging to 608 establishments, and receiving lessons from 779 professors. Besides the public pupils, there were 4,660 persons under private tutors of this same system. Altogether, there are 249 societies for the propagation of the Gabelsbergian short-hand, and at the head of these is the Society of Leipsic. Stolze's system, which first saw the light in 1841, is disseminated by no less than sixty associations in Germany, and five monthly journals" (page 187; "At the Colleges of Caracas and Vargas in Venezuela, short-hand is a regular branch of education. Blanco, the rector of the latter seminary, is the author of a system based on the English ones (256), In the staff of the short-hand writers to the Senate of Roumania there are eight of the first rank, who take each five-minute turns. In that of the Chamber of Deputies there are sixteen who relieve each other, in eight divisions, every ten minutes (288). Gabelsberger's short-hand system is taught in more than a hundred Hungarian colleges" (page 284).

Now, in the face of all these facts, the regular introduction of short-hand into Britain and into British possessions cannot be long delayed. Anderson tells us that short-hand has been introduced even into China and Japan. It will be invaluable if it obviates the necessity of writing the cumbrous alphabets of Asia. And if it is introduced into Asia instead of common writing, it can hardly fail to give a mighty impetus to literature. For during the last two thousand years the condition of short-hand has been the truest test and index of the state of literature. In the palmy days of Roman literature, it flourished to such an extent that emperors delighted to learn and to practise it. In the Middle Ages, when learning was at a very low ebb, short-hand was unknown; and since 1588, when Bright published his system, about 3,422 different works on short-hand have been published in Europe.

COPYRIGHT LAWS VERY DEFECTIVE IN ENGLAND.

It is to be regretted that the present deplorable state of short-hand in England is very largely due to the shamefully defective state of the law regarding copyright. "A point which has not been touched on in connection with this topic, however, is this—that owing to the unsettled state of the law of copyright at present in our country, any man with an invention of a new system of short-hand would be slow to divulge it. It might be very difficult for such a person, even after publication, to establish his claim, at least to secure his profit in the invention. In that way, what has been above suggested as to the establishment of a university board for the consideration of the subject would be found, perhaps, to be highly serviceable" (Anderson, page 241). The grave imperfections attaching to Copyright and Patent Laws account for the backward condition of ten thousand things, short-hand among them. If these two laws were only sufficiently improved, many evils which are now most absurdly supposed to be beyond the pale of patents, such as the prevention of famines, of droughts, and of many other calamities, might either be mitigated or removed. But as long as the Patent and Copyright Laws are what they are—costly and incapable of affording protection—inventors and authors, in large numbers, will continue to withhold valuable secrets from the public. The greatest glory shed on the present Gladstonian administration of England is the honour it has gained of having very materially reformed and improved, under Mr. Chamberlain's skilful pilotage, the late iniquitous patent laws of England.

I confess that the system of short-hand now described has never been put to the test of experiment. But what is perfect in theory is very likely to be perfect in practice also. The 47th proposition of the First Book of Euclid has been, for many centuries, accepted as correct, without probably having been once proved experimentally. To prove it experimentally it would be necessary to cut out a square equal to the square of the hypotenuse, and squares equal to the squares of the sides containing the right angle. And then it would be necessary to cut the two smaller squares into such portions, as that, being placed on the large square, they would be seen to cover it exactly. This has probably never yet been done. Yet no one doubts the truth of the 47th proposition of the First Book of Euclid. Valuable secrets have probably been lost to mankind from their possessors being unable to affirm that what they had proved correct in theory had been also repeatedly proved correct by experiment. Theoretically my system, though a perfect one, is also a very expensive one. But whatever its defects may be, as it seems to have some advantages, it is advisable that it should be published. The electric light was discovered a century before it was put to any practical use. The invention of the balloon has not, even yet, been put to any practical use, though it has been known for about a century. But although these two inventions have lain so long useless, is that any reason why their first discoverers and publishers should be deemed fools? Certainly not. So this discovery of mine may be proved utterly impracticable. Or it may lie useless for a long time. But inasmuch as there is some probability that it will, sooner or later, be found useful, it ought to be published. And its very defects, if it has any, may suggest to other and more intelligent inventors a method of short-hand that will really be the boon which men long for. Its expensiveness will probably prove on trial to be more imaginary than real. The best railways in the world are the most expensive. The underground railways of London are the greatest triumphs of engineering skill in the railway line. Yet they cost a million pounds per mile. Had any man in the year 1830 gravely affirmed that some London railways would in 1880 cost one million pounds sterling per mile, he should certainly have been deemed a lunatic and should have been perhaps treated as such.

By the system of short-hand which I have now described, I believe it will be possible to report what is not even now attempted—viz., the gestures of an orator.

In the following speech, which is a kind of epitome of the whole of this "Bitter Bitter Cry of Outcast Inventors," enough is said in the way of describing the gestures of the speaker to show what I mean.

"MR. THOMAS WAGHORN'S LECTURE ON THE WRONGS OF INVENTORS IN ENGLAND.

"Mr. Waghorn, on coming on to the platform, at once proceeded to the business of the evening and spoke as follows:—When I read the lives of English Inventors, I never can avoid recalling the terrible declaration of the great Whitefield. 'Men,' said Whitefield, 'are half beasts and half devils' (here the speaker brought his clenched fist from two feet above his head down rapidly and forcibly to two feet below his face);' but we must beg the beast's pardon, for a beast never becomes half so vile as man does when left alone fully to develop his bad passions.' (Here the speaker repeated previous gesture.) The cruelty with which inventors are treated in their later days is only equalled by the insane stupidity with which, in their early days, they are regarded as lunatics and fools, by both friends and foes. I always get so indignant when I think of this latter point, that I positively cannot trust myself to select an illustration from the lives of English Inventors, lest I should be stirred up to intemperate wrath. I shall therefore choose an illustration from French history, being careful, in reference to all the other points of my lecture, to choose illustrations from English history. Alison, in his magnificent History of Europe, narrates the following fact:—'When Napoleon was paying his court to Josephine shortly before their marriage, neither of them having a carriage, they walked together to the notary Raguideau, to whom the latter communicated her design of marrying the young general. "You are a great fool," replied the cautious formalist, "and you will live to repent it. You are about to marry a man who has nothing but his cloak and his sword." Napoleon, who was waiting in the ante-chamber, unknown to Josephine, overheard these words, but never mentioned them to her till the morning of his coronation, eight years afterwards, when he sent for Raguideau. The astonished old man was brought into the presence of the Emperor, who immediately said to him, with a good-humoured smile, "What say you now, Raguideau? have I nothing but my cloak and my sword?" 'Now,' said the speaker (stamping on the ground vigorously with his right foot, and smiting the palm of his left hand with his clenched right hand), 'is not the heartless, calculating stupidity of that old worldly lawyer the evil by which English Inventors are crucified at the very outset of their career?'" &c.

Englishmen who attempt to criticise any new system of short-hand should exercise great caution, for several reasons, among which are the following. In the first place, Englishmen as a rule know next to nothing about short-hand, and under such circumstances they are only too apt to incur the condemnation of the proverb, "He that answereth a matter before he heareth it, it is folly and shame to him." In the second place, inventors of new systems of short-hand, while publishing as much regarding them as is necessary to give the public a

general notion of their merits and defects, may yet see fit, for very good reasons, to keep secret, at first, some very important details, which when published with the explanation of their first concealment will cover carping objectors with ridicule, shame, and confusion.

I recommend all who take an interest in short-hand to purchase Max Müller's Selected Essays, and study the essay which recommends Pitman's Reform in Spelling. That reform will almost certainly be an accomplished fact, some day. And the sooner the better. I recommend them also to purchase Anderson's History of Short-hand, which is, as far as I know, the best history yet published on that subject.

In conclusion, I may state that I might have adduced several far more cruel instances of persecution for professing to be an inventor, than the comparatively harmless one described here. But persecutors are oftentimes powerful, and as they are still alive, I have refrained, from prudential motives. The time may come, however, when it may be prudent both to speak and to write.

What then do inventors want? They want their cry to be heard and attended to. They belong to the persecuted, despised, hated, envied, and defrauded classes. The cruelties perpetrated on them recoil with terrific violence on the State. It is, surely, much better for the country that deserving inventors should become rich, than that purse-proud gambling speculators should lord it haughtily over their fellows as millionaires. It is surely much better for the country that capitalists should lend money to inventors in England, as Americans do in America, than that they should vainly try to fill bags full of holes, as they commonly do. Not long ago, Mr. McCoan, in his place in Parliament, asked the Under-Secretary of State for Foreign Affairs whether any diplomatic action had been taken by Her Majesty's Government to recover any part of the hopeless debt of *four hundred millions sterling* borrowed recently by South American Republics, chiefly—if not solely—from English money-lenders. A tidy little sum, that of four hundred millions sterling, to be thrown away on insolvent South American Republics! Had it been lent to inventors, perhaps a tenth of it would have been lost, and nine-tenths of it would have produced a golden harvest.

A grateful nation gave Marlborough and Wellington, and other victorious commanders, life pensions of £2,000 per annum. Liberality is almost always blest by God, and such liberality has doubtless produced many benefits to England. But without, for a moment, wishing to diminish the reward due to those who have hazarded their lives in defence of their country, it is abundantly evident that if England had been either just or wise, she would have given greater pensions to the inventors of the steam-engine, the electric telegraph, the paddle-wheel, the screw-propeller, and the sewing machine, as well as an exceedingly magnificent pension to Thomas Waghorn, the true pioneer of the Suez Canal.

Since the commencement of the century (as the Peace Society with crushing logic has conclusively shown), of every pound raised by taxation 16s. 3½d. has been spent for war or war debts, and only 3s. 8½d. for civil government. This shows a shameful and disgraceful prostitution of public money to the pampering of the cruel arts of war, and a still more reprehensible starving of the useful arts of peace. Nothing tends to nourish Socialism, Nihilism, and Communism so vigorously as such conduct.

America is rapidly acquiring the first position in the world. This is largely owing to the extraordinary encouragement which she gives to inventors. Proofs of this might be afforded to an enormous extent. But I shall mention only one—a very important one—which has already been quoted:—"On the 11th April, 1884, the Legislature of the State of New York passed the following Resolution:—

"Whereas The incentives and rewards given to Inventors by the Constitution of the United States, and the laws of Congress passed thereunder, have done more, perhaps, than any one cause to advance our whole country to the front rank in wealth, resources, and industries among all nations in the world" (and then follow the resolutions for the benefit of inventors). (*Scientific American*, April 26th, 1884.)

Unless England is determined to remain content to fall behind America in wealth, influence, and power, she had better bestir herself and become a very, very great deal kinder to inventors than she has hitherto been.

A friend has very obligingly sent me a Hindoostan newspaper, which, as far as I can learn, is one of the leading English papers in Hindoostan. It is called the *Englishman*. It bears date September 8th, 1884. It contains the following most suggestive letter:—

"THE PATENT ACT.

"

To the Editor of the *Englishman*.

"

Sir,—

In reply to 'Nemo,' Statute 15 and 16 Vict., c. 83, sec. 26, and Sec. 5, Act 15, 1859, Indian Patent Act,

authorise the issue of patents, 'subject to any such conditions and restrictions' as the Government in either country 'may deem expedient.' In England the clause is taken to mean that the conditions and restrictions shall be in favour of the public. In India it is interpreted to mean that they shall be in favour of Government. Since the year 1870 the Indian Government, in granting patents, reserve to themselves the right of using them free of all charge for royalty. It is true they seldom do so without paying something, but they pay what they think proper, not what the patentee may consider he is entitled to. In England the matter of compensation is settled by three assessors, one appointed by Government, one by the patentee, and these two nominate a third. If not thus settled, however, the English Government can use any patent without the patentee's licence, and no injunction can be obtained against such use, but the patentee can sue for infringement, and recover his royalty. As a matter of course, any Government servant can take out a patent, but under the present procedure he is a shred worse off than one of the public, because the Government claims the sole use of all his members (legs, arms, and brains). It is hard to say which is the most inequitably dealt by, the patentee in, or the patentee out of, Government service in India.

"E. L. CANTWELL,

"*Patent Agent.*

"Calcutta,

September 3rd, 1884

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The above speaks for itself. It shows how cruelly, how heartlessly, how wickedly, two of the best Governments in the world rob a most deserving section of their subjects of their rights; and how necessary, in consequence, it is for English inventors, all over the world, to agitate, and agitate, and agitate, until such crying wrongs—wrong which injure the State quite as much as their immediate victims, are for ever removed.

If the British Government is desirous of encouraging inventors, it should at once create a new State appointment. It should appoint a State inventor, and give him a salary of—say the same as that enjoyed by the Archbishop of Canterbury—viz., £15,000 a year, on the condition that the net profits of his inventions are divided between the State and himself. This would doubtless be found to pay so well that the Government would soon wish to have a large number of State inventors, on account of the revenue derived from them.

This would not only be an act of justice to inventors, but it would also provide what is terribly wanted at present—a *legitimate* means by which men of education may acquire wealth. At present, almost every means of acquiring wealth in England is illegitimate. What is the making of money by speculating in shares but gambling? From Alison's History of Europe it can be most conclusively shown that one great reason why England lost her splendid American colonies, now called the United States, was because the generals of her armies, who dishonestly made a lot of money by the continuance of the war, prolonged it when they could easily have finished it victoriously for England. Now, the only wise way of preventing men from making money dishonestly, is by giving them every facility for making it honestly. That diabolical and loathsome abomination known as Mormonism, which may yet rend the United States in pieces by a worse war than the slave war, would never have been heard of, if sufficient encouragement had, during the past century, been given to the poor in Europe to marry. One of the best means of destroying an illegitimate state of things is to encourage the contrary legitimate condition.

A warning is, in this pamphlet, given to the British people against the continuance of their cruelty towards inventors. They had better take it, otherwise the consequences will most certainly be disastrous. There is nothing more senseless than to spurn and contemn a warning which is based on sound reason. In 1716 a terrific accident occurred at the Royal Cannon Foundry at Moorfields, in London. Some captured French guns were about to be melted down and recast. A short time previous to the tapping of the furnace, a Swiss-German officer named Schalch, who happened to be on a visit to London, and who took a great interest in everything relating to furnaces, visited the foundry. On looking at the moulds he saw that they were damp, and at once informed the superintendent of their dangerous condition. All experience proves that if molten metal is brought into contact with moisture, a terrific explosion is the consequence. In fact, it would seem from the few and imperfect data of such accidents preserved by history, that the force generated by molten metal, when it explodes after contact with water, is far more terrific than that generated by an explosion of gunpowder. It is supposed, but not proved (simply because nothing but dust and wreckage remained to give evidence), that a large copper smelting factory was blown to pieces solely from one of the workmen spitting into a ladle of molten copper. This exploded apparently, and brought, perhaps, a large quantity of molten copper into contact with a tank of water, and the consequent explosion blew the whole factory and its inmates to pieces. What a suitable simile, by the way, is this fact of the consequences of ill-treating inventors! They are like molten

copper at a white heat of fervent zeal, like Waghorn with his Suez Canal scheme, in promoting some inventive project;—and when they ask for help and pecuniary assistance, the envious metaphorically spit upon them, giving rise to an explosion of retribution, which in God's providence may perhaps ruin some branch of the prosperity of a whole kingdom.

To return, however, from this digression. Schalch was laughed at by the superintendent of the gun factory for his pains. His warning was completely disregarded. Next day the molten metal was run into damp moulds, and Moorfields Royal Cannon Foundry was blown to pieces, all within a certain distance of it sharing the same fate. The Government, now thoroughly frightened, made inquiries after Mr. Schalch, and entreated him to select a site for a new foundry farther from the town. He pitched upon the Warren at Woolwich, which has since blossomed into the vastest arsenal in Great Britain. The Government also immediately made Schalch the superintendent in room of the man who had spurned his warning, who, as far as can be ascertained, was blown to pieces in the explosion.

Now the above true fact is a correct simile of the consequences which arise from kingdoms neglecting the warnings which are, from time to time, uttered against the folly of their ill-using their inventors. This useful body of men do not resort to dynamite. Either through weakness, or in faith, they leave their case in the hands of Him to whom vengeance belongeth. And He does not fail to take it. On the contrary, as a punishment to the cruel, he blights the sources of their national wealth and strength, even as He did the hosts of Sennacherib around Jerusalem. I believe there are many sources of national wealth to which the words of Byron do most emphatically apply:—

*"And the might of the Gentile unsmote by the sword
Hath melted like snow in the glance of the Lord."*

It is a true proverb which declares, "He that saith unto the wicked, *Thou art righteous*, him shall the people curse; nations shall abhor him. But to them that rebuke him shall be delight, and a good blessing shall come upon him." And it is also a true proverb which affirms, "Rebuke a wise man, and he will love thee. Rebuke a fool, and he will hate thee. Rebuke a wise nation, and they will love thee; rebuke a foolish nation, and they will hate thee." England is about to hold an exhibition of inventions. But unless she begins to treat inventors with far more kindness than she has hitherto done, she will only be building the tombs of the prophets, and garnishing the sepulchres of the righteous, which she and her fathers have slain by the cruellest of all deaths—a broken heart. As Macbeth and Herod were terrified—the one at the thought of Banquo, the other at the thought of John having risen from the dead,—so let the English when they read this pamphlet, which purports to be written by Thomas Waghorn, be terrified to some good purpose, and resolve that henceforth they shall treat inventors far far better than has been the case in the past. Then shall the national annals never again be disgraced by the record of such cruel neglect as that which has been shown to Thomas Waghorn and many others. Then also shall a glorious exemplification be furnished of the truth of the first part of the proverb, "*Rebuke a wise nation, and they will love thee*; rebuke a foolish nation, and they will hate thee."