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Depression in the West Indies *Free Trade the only Remedy.*

Written for the Cobden Club

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Depression in the West Indies.

Free Trade the Only Remedy.

THE depression in trade which has been more or less felt all over the world for some time past, has its origin in well-known, but complicated conditions of supply and demand in the various markets and centres of production. As no arrangements, however elaborately made, will enable a community to be for ever exempt from the ill consequences of bad seasons and unsatisfactory markets, or guard it from the effects of the competition and rivalry of other people, it is important to note the countries whose economic laws and conditions best enable them to meet adversity. The methods employed may be such as to enable a community to struggle through difficulties without any eventual loss of power and energy, and to bear with calmness and courage the ills that cannot be avoided. Any one who has a practical knowledge of the condition of the industrial classes in continental Europe and in England will be struck with the fact that in the latter, where the pressure of population is felt even in the best of times, where competition is keenest, and where, perhaps, habits of personal saving and general family thrift are by comparison little practised, food and clothing and the complicated necessities of an advanced civilisation are more abundantly available, are of a higher standard, and are used by the people in larger proportions, than in any other country in the world, except the United States and some of our colonies. The people of England are evidently better off under a bad condition of markets for the sale of the products of industry, and when earnings are low and the labourer only partially employed, than their continental neighbours. If we consider the constant increase and consequent pressure of the population compared with France, for instance, where there is no increase, and, therefore, no such pressure, the distinction becomes striking. For our neighbours are exceedingly thrifty, hard-working, and intelligent workers. The vast majority of the British nation has accepted this result as practically and entirely due to free trade, which has enabled the working classes to procure food and the chief commodities of life at lower rates than can be had in almost any other country.

I hope to show in this short pamphlet that the same system which has made it possible for England to hold her own against the world, and against specially adverse conditions, will also enable our West Indian colonies to emerge eventually from their present dangerous state into a prosperous future.

The general impression about the industries followed by the people of our West Indian colonies is not a correct one. The popular notion is that the work to be done is purely agricultural and that it is exceedingly easy for a human being to exist comfortably out there by doing little work and earning little money; that, in fact, food can be almost picked up by the way-side and the struggle for existence is reduced to a minimum. As a matter of fact the industries pursued are quite half manufacturing industries. The making of sugar or rum from the cane, as it ought to be made, and as it must now be made to command a market, is not a less elaborate process than that which is followed in many of our factories. In fact the preparation of almost any produce for the great markets is daily becoming a process depending more and more on skill and machinery, and is a very different affair in-deed from the growing of corn and digging of potatoes. The ideal notion we mostly have of how the black man lives is also equally far from the stern reality. Nature is great everywhere, and her greatness and potential riches are perhaps more abundantly observable under tropical suns than in temperate climates. There is clearly more foliage if fewer flowers. Fruits and some natural productions, that man may eat but cannot subsist on, may be occasionally more abundant and richer to the sight; but it is open to doubt whether they are, on the whole, more substantial than what may be picked up in our English woods. At any rate, the clearing away of ancient forests from the proximity of his abode, and the ownership of most of the good land by individuals, as well as the necessities of civilisation, have made it as impracticable for the negro of our West Indies to count on nature to help him in the way of food as for the modern Englishman to look to acorns and nuts as a supplementary diet. I have found it necessary to say this because of the false impression abroad, due to

statements made by people who know better, but who seemingly cannot avoid saying again how easy it is to live in the tropics, simply because it has been always said.

The food of the people of our West Indian colonies has to be imported from foreign countries in a far larger proportion than is the case even with England, and there would be starvation in the Islands of the West Indies within a short time were the supply to be cut off by untoward circumstances. In some of the Islands, however, a portion of the population undoubtedly does subsist almost wholly on roots of their own growth and on salted fish. The appearance and physique of these people is inferior. Anæmia is largely and widely prevalent among them, they are physically unfitted for a severe remunerative labour, and diseases and leprosy are prevalent. These facts were reported by Commissioners some years ago, and the last Royal Commissioners also stated: "Medical evidence is strong on the subject of signs of decreasing vitality in the negro race." (Jamaica Report, page 63.) Some people seem to imagine the negro so made by nature that he can be treated differently to men of other races, and that heavy and reliable labour can be got out of him without the expense of getting him the same food other men want. But nature is inexorable and her laws are not to be thus trifled with; she has already done much for the black labourer in enabling him to work in tropical heat and under burning suns; but this is very wasting work for the frame even of a black man. It is not necessary to study the question profoundly to see that the only cause of the loss of vitality complained of in the negro race (which must and will always continue to be the chief labouring population of the West Indian Islands) is entirely due to the want of a sufficiency of proper food. It is practicable enough, no doubt, to exist in the tropics on little food, as may be done elsewhere, but the labour a man can give will be exactly proportioned to the sufficient or insufficient quality and quantity of his food. A low-class food means a low-class energy. To this cause may be distinctly traced the want of energy and the listlessness so much complained of among the labouring population of the West Indies. Even in Europe, where the incentives to labour are as powerful as they can be made among communities of men, the working classes, when they find the necessaries of an adequate and decent subsistence are almost beyond the reach of ordinary labour, are liable to fall away in energy, intelligence, and general aptitude for work. All life, movement, spirit of progress and love of work disappear, and the people, and perhaps the race, are held culpable for a condition of things which Englishmen themselves would succumb to under similar circumstances.

The negro is a powerful man by nature, one of the most powerful that exist. It is, indeed, doubtful whether races can be found anywhere of greater physical strength than those to be met with in Africa. This characteristic has been built up by generations of men whose surroundings were favourable to physical development. It was doubtless due to this that the African race was so sought after as slaves and they fetched higher prices as slave labourers than any other people ever did before. They transformed the West Indies into gardens, and made millionnaires of their owners.

The same race now peoples the West Indies in larger numbers than ever, and yet the condition of the Islands is unsatisfactory; their industries are not well-sustained, and the position of all classes is precarious. Why is this? How comes it that islands by their position within easy reach of the best markets in the world, having the most suitable soil and climate for the raising of every description of valuable produce, inhabited by a labouring population of unsurpassed qualities, and with England behind them as the mother country, should be verging on bankruptcy and ruin?

The answer is simple enough. By artificial means food is made so scarce and dear, and the inflow of capital is so restricted, that both the money necessary to support the people's industries and the food the labourer should live on are placed out of reach; the local planter cannot keep up his cultivation to its proper standard for want of capital, and the local labourer cannot live decently because of the high customs tariffs. The market prices of most tropical commodities are now so low that the grower and manufacturer find it difficult to place them at a profit, at the same time these commodities supply scarcely any nourishment to the labouring population, while customs duties make bread-stuffs artificially dear.

The remedy required in the West Indies is the application to them of our national policy. In his work, "Free Trade and Protection," page 52, the late Professor Fawcett said:—

"If by making food and oilier agricultural produce dearer, the general remuneration of capital and labour is increased, the farmers and their labourers must share the advantage with the rest of the community, and there will be an advance both in agricultural profits and in agricultural wages. If, on the contrary, it can be shown that by making food dearer, every industry is carried on under greater difficulties, and labour and capital become generally less productive, then the farmers and their labourers will not be able to escape the loss caused by this decline in industrial prosperity, if the returns in their capital and labour lie diminished. It can, I think, be conclusively shown that the inevitable consequence of making food dear must be to diminish the productiveness both of labour and capital, and that in all industries including agriculture there will be a decline both in profit and wages. It is not more certain that the returns to industry will be lessened by making food artificially dear, than it is that the efficient working of a machine will be impeded if unnecessary obstacles

ate thrown in the way of its free movement. Suppose, for instance, that, by restricting importation, bread, butter, cheese, and other such articles of general consumption were all made 4° per cent, dearer, a labourer would find that what he was able before to purchase for 5s. now cost him 7s. In this event one of two things must occur. If his wages are not advanced in consequence of this rise in the price of food, a most serious loss will be inflicted on him. His wages, though nominally the same as before, are really greatly reduced, for he finds that all that portion of his wages which he spends in procuring food and other articles which are made artificially dear, has lost a considerable part of its purchasing power. The loss which will be thus inflicted on him will be more serious than that which others will have to bear; but it can be readily shown that the injury which is done to the labourers, will spread far and wide over the rest of the community."

The charges on bread-stuffs in the West Indies, on importation, make them 4° per cent, dearer, as a rule, than they would be were there no customs charges. The revenues raised throughout these Islands have trebled during the present generation—As about a quarter of these revenues are raised on imported food, the charges on the labouring classes have largely increased. Wages, meanwhile, have remained stationary where they have not declined.

The Professor also says, page 117, what could not be more apt if written expressly for these Islands:—

"When the commodities which are subjected to a duty are those in general use, the effect of this duty is precisely the same as if an income tax were levied from the entire community. Such a tax cannot be adjusted or equalised as is the case with the income tax in our own country; small incomes cannot be exempted, for, however poor a man maybe, the tax will fall with unerring certainty on all that portion of his income or his wages which are expended in the purchase of those articles which are protected."

It must be borne in mind that the West Indian industries are practically manufacturing industries. An agricultural people are supposed to grow food chiefly, and have enough for themselves in the first instance. Sugar and Other produce is grown and prepared mainly for export, indeed entirely so, and all the arguments against food tariffs that obtain in a purely manufacturing country apply therefore in even greater force to these Islands.

All the evils which were exposed years ago in the course of the free trade agitation in England exist in the West Indies, and prove the necessity for the application of that kind of fiscal legislation which here is predominant

The evidence taken in the Islands by the late Royal Commission is at times conflicting enough as regards the individual opinions of the parties examined; but there must have been something in the balance of fact against the system in operation for the Commissioners to recommend a lowering of the tariffs on food, the abolition of export duties on produce, and the suppression of the Encumbered Estates Court, or at least its modification so as to do away with the monopoly so long held by the merchants. Mr. McLeod, a Jamaica planter, said:—

"The greatest Want of the country is cheap living. I have seen men after two or three hours' labour in a complete state of exhaustion and staggering from weakness. I attribute this to the want of proper food. I am speaking of the class who really labour, but from the dearness of imported articles cannot procure for themselves, and those dependent on them, the necessaries of life."

Mr. George Solomon said:—

"The total abolition of duty on flour would place it in the power of people to buy a barrel of common-grade Hour at 20s., and any half measures will benefit the importer only."

Lower-grade flours only are imported into the West Indies. This causes the duties of customs—which are specific duties—to tell heavily on them. The Jamaica duty of 8s. a barrel is often equal to 40 per cent, added to the first cost of flour at New York. The proposed reduction of the duty to 4s. 2d. a barrel will be equal to about 25 per cent, added to its price, at the present cost of flour. The customs duties levied on corn-meal are equal to a tax of 18 to 20 per cent, on its value at New York. The Royal Commissioners recommend the retention of these duties.

Of course those who held that the negro did not require bread-stuffs believed the tariffs did no harm. There are, however, other classes of people in the Islands, who have very limited means indeed, and to whom bread-stuffs are even now the staff of life, and these people—the whites and the half-castes—feel the high prices keenly, and they and their families suffer much in consequence.

Thirty years ago provisions were much cheaper in the West Indies, and in many instances they could be purchased for half their present cost.

A duty on one bread-stuff necessitates a duty on all of them. A duty was put on made food—biscuits, &c.—to protect the revenue derived from flour. For the same reason a duty had to be put on wheat. Messrs. Varley and Robinson say:—

"If it had not been for duty on wheat, they would have imported it, used their own machinery, and made bread cheaper."

What are the amounts of the duties complained of? They are high. In some of our richer and greater colonies there are import duties equally onerous. But wages are also very high in these places, and this enables the people to meet the heavy cost of living. The duties levied on wheat and Indian corn and their flours, on biscuits, rice, salt fish, and meat in the West Indies averaged £288,000 a year for the years 1880–1.–2. It must also be borne in mind that these duties tell more heavily than they would in England, because in the tropics provisions are more perishable, and the duties have to be paid at once in coin where cash is scarce and commands a very high value, the importer adds charges which much enhance the cost of food—often as much as 50 per cent, to the consumer—and at times there is a scarcity and the quality is bad. It is unnecessary here to give all the complicated details of the elaborate customs tariffs of the West Indies. It will suffice to say that from 20 to 30 per cent, of the revenues are raised on corn, flour, rice, fish, and meat. It is as if the people of Great Britain paid over £20,000,000 a year customs duty on the food imported. It is proposed to lessen these charges in the Islands where they are highest to a common uniform standard by which only about 20 per cent, of the revenue will be derived from this source. It is almost certain the change will bring but little relief to the labourer, for any duty on such articles will act as an impediment to their importation, and the difference in the retail price will be only slightly observable. In the Islands where the duties are now least prices are often as high as in those Islands where the tax is at its maximum. The lb. of bread varies in price from 2½ to 3½ d., the greater weight for the money and the lesser cost being often due to adulteration by manioc-flour and other starch flours.

Present cost of food in Jamaica:—Inferior quality rice, 2½ d. to 3½d. per lb.; corn-meal, 4½d per quart; wheaten bread, 3d. per lb.; butter, 2s. per lb.; fresh beef, from 6d, per lb.; mutton, 1s. per lb.; salt beef and pork, ad, per lb.; fish, 3d. to 6d. per lb., according to quality.

The returns show that the amount of rice consumed per head of general population in Trinidad is 123 lb. a year, and in British Guiana 182 lb. These are the colonies where the estates are largely worked by Indian coolies imported to labour under indenture, and these people live mostly on rice. The average for the labouring population will be about 100 lb. per head a year in Trinidad, and 150 lb. in British Guiana. In Barbados the average is 54 lb. a head for the general population, and somewhat less for the labouring portion; in Jamaica it is only 17 lb. a head. In Trinidad the general population consume 105 lb. of wheaten flour per head, but the share of the labouring population is estimated to be only 33 lb. per head; and in the Island of St. Christopher, where the average per head is 104lb., the labouring population has only 26 lb. In Jamaica, where the average is 41 lb. of wheaten flour, the labouring population only gets 14lb.; and in Barbados, where the average is 49 lb., the labourer gets 12 lb. of wheaten flour only in one year. Antigua and Barbados consume the most corn-meal, and this is only an average per head of 52 lb. to 54 lb. a year. In Jamaica and Trinidad it is 12 lb. per head a year. In Jamaica the labouring population consume therefore 28 lb. of bread-stuffs and 17 lb. of rice per head a year. The average in Barbados is 91 lb. of bread-stuffs and 54 lb. of rice, and in Trinidad 57 lbs. of bread-stuffs and 100 lb. of rice. These are three typical settlements from which the condition of the others may be somewhat fairly judged, but there are others worse off. If we compare these returns with those from other countries we shall find that the average grade of living is a very low one for the labouring class and manifestly insufficient for genuine labour. On the other hand, it is doubtful whether the amount of roots, fruit, and vegetables eaten by the labouring population in the Islands is much larger in quantity per head than what is consumed by the people of the United Kingdom and of the United States, who are supposed to live mainly on bread and meat. In Great Britain the average consumption of rice is quite 13 lb. a head; and potatoes alone come to over 27lb. a head; and the people consume bread at the rate of over 450 lb. a head per annum. The population of the United States consume per head about 8 bushels of grain a year. Bread in the West Indies, to speak fairly, averages 3d. the lb. The lowering of duties recommended by the late Royal Commissioners may have a slight effect on retail prices, but the bad principle will continue in full force, and the value of good food will be still enormously enhanced, artificially, and will be beyond the reach of the people.

There is another aspect of the question, of much importance, that has now to be dealt with. It is, one may say, the common opinion, and it is also the opinion of the Royal Commissioners, and of many of the people examined by them, that bread-stuffs are not necessary for the food of the West Indian labourer. It is said he prefers sweet potatoes, yams, bananas, and other tropical roots and fruits for his chief diet, and after that he prefers corn-meal, but that bread is not his natural food. There is a good deal of truth in this, inasmuch that he has never been able to get bread. In Africa the black man has manioc, and many substances prepared from its flour, as well as sweet potatoes, yams, and other roots, but he has also a good deal of rice and Indian corn, and large quantities of palm-oil. It is astonishing what a quantity of food a powerful full-grown negro will consume. But the question also involves the further point whether there is a sufficient and constant supply of these roots and fruits of good quality and at low prices to meet all the wants of the West Indian labourer, assuming that he can thrive on them alone while working on a sugar estate. This is where the whole evidence in favour of a root diet breaks down. It is abundantly evident that the quantity of root crops locally grown is in most localities

wholly insufficient for the wants of the population, notwithstanding the complaints of planters that the negro spends much of his time in raising such crops for his wants and thereby denudes the labour market of its proper supply of hands, and makes labour irregular, and sometimes scarce at critical periods. People also seem to forget that economic laws work the same in the West Indies as in other parts of the world; where bread and corn are dear, other food articles, more or less, even if it be some distance off, keep a proportion to them in value; for the West Indian labourer, after all has been said, does eat bread when he can afford to get it. But the difficulty of getting bread forces him to seek the other food, and thereby renders it more generally sought after and more costly to him than it would be were bread-stuffs available. Sometimes these very root provisions are exported from an island where the people would be glad for them to remain, to another island where there is a higher market for them. The evidence from tropical labour generally overwhelmingly proves that the severer forms of such labour cannot be accomplished persistently and satisfactorily on a root diet; that is to say, the kind of labour now wanted in a cane-field by a planter who hopes to sell the produce he raises at a profit.

The nature and severity of the labour wanted in a sugar estate cannot be better described than by quoting the Statement in McCulloch's Dictionary for the year 1882, article "Sugar":—

"We regard it as the merest illusion to suppose that the severe drudgery of sugar-planting will be ever efficiently carried on in the West Indies by really free labour."

This is not an unnatural sentiment, and it would occur to any humane man who saw the work being accomplished by the half-starved and ragged gangs of semi-exhausted human beings. But if he goes to the States, and elsewhere where the black labourer has ample food, he will see the same and even severer labour cheerfully and well done.

The people of the Southern States, where the labour is chiefly performed by the African race, do not admit that roots, and some salt fish with a limited supply of corn flour, suffice to make a labourer efficient. The dietary there is chiefly bread and butter, fresh and salt pork, fried or boiled beef once or twice a week, baked or boiled potatoes and other vegetables, and a pint of coffee and milk. This without limit, and given three times a day. The efficiency of a man for hard work depends much on how he lives, and there is nothing in the climate of a warm or tropical country which will enable a man to work hard on a low diet. If the experience of the Southern States, where the people are comparatively prosperous, goes to prove that a liberal diet is necessary, the experience of the West Indies, where the people are not prosperous, is a proof that the inferior diet and lower standard of living make labour bad, or at all events so unreliable as to be inefficient.

What are the wages a labourer may earn in order to meet these conditions of life? In Jamaica the average for good labour on well-conducted estates is rs, to 1s, 3d, a day (6s. to 7s. 6d. a week), according to class of labour, in the fields.

Able-bodied women earn 10d. a day when their labour is wanted. In crop time, by extra work, 6d. to 1s. a day extra may be earned. In all other islands wages are about the same as in Jamaica; sometimes they may be a little higher and sometimes lower. We know that food is dear in the West Indies, and difficult to obtain by the labourer, and in the Southern States it is cheap and abundant. The wages paid to coloured labourers in the Southern States

"Encyclopaedia Americana:" For 1883, article "Agriculture."

are \$12.10 a month in South Carolina, \$18.20 in Louisiana, \$12.86 in Georgia and North Carolina, \$13.96 in Virginia, and \$16.40 in Florida—quite an average of 2s. a day. In crop time this is doubled. With these figures it is easy to see that in the future it will be difficult for the West Indies to compete with these fertile districts where produce-growing is skilfully and energetically conducted and gives good profits. They will be beaten hereafter in the markets of the United States unless the complexion of things be altered; unless the people get cheap food to put them somewhat on a level with the others, to enable them to work better and earn more wages.

It matters very little practically, although in principle it has its value, to say that in the United States the tariffs are, in the main, imposed for purposes of protection, and in the West Indies for revenue purposes only. But I have also heard it said that the food tariffs in the West Indies did favour the growth of home provisions, by raising their selling price at all events, and the late Royal Commission alluded to the fact, and gave the opinion that a lax on land instead of on imported food would shift taxation from bread-stuffs to yams and plantains. If no corn, practically speaking, were grown in England, and a high duty on foreign flour made bread unprocurable by the people, would not a tax on land instead of on flour make potatoes and vegetables so dear that the fiscal change would be injurious to the labourer? This is one of the arguments employed in favour of keeping up the food tariffs. Another argument is that the labourer pays no other taxes, and this is the only way to get at him. A further reason, which destroys any value there may be in the previous one, but which, nevertheless, is often used almost in one breath by the same people, is that the tax does not affect the labourer, as he practically makes little use of bread-stuffs. The Commissioners also say that food taxes in the West Indies cannot be looked on in the same light as in the United Kingdom, because the soil of the former can produce all

the food necessary for double the present population, while in England at least one-half has to be imported. But this argument fails because at present there are practically no bread-stuffs or rice grown in the West Indies, and it would be folly to grow them, instead of raising sugar and other produce more suitable to the soil and climate, for these food-stuffs can be had from the States at perhaps half the cost it would take to raise them in the Islands. And there are not enough root crops grown for one-twentieth of the population. Raising sugar and other produce pays better than growing yams and root foods, except occasionally, and in a small way—But these duties are protective in one sense: they protect the large landed proprietor and others who might fairly bear more of the public burdens, and they shift too large a portion of the taxation on to the already heavily-laden shoulders of the toiler. Those who can best bear it almost escape taxation, while they reap the most benefits from settled and orderly government. It is now proposed to tax land at 1s. per acre up to 100 acres, 6d. an acre from 100 to 500 acres, and 1½d. an acre for every acre over 500 acres. The peasant proprietor, the owner and cultivator of a small holding, being thus the most heavily taxed, and the large proprietor being less taxed. The reason given for this favouritism, as it must be called, is that the large owner will have much of his land in wood and pasturage, which is held not to be so valuable as cultivated ground. This can hardly be deemed a sound and valid reason. It is a direct tax on industry and enterprise in favour of the man who may choose to keep land for his pleasure, or for speculative purposes, or because he prefers keeping it in his own hands to letting others make a better use of it. Pasturage is valuable, and so are properly managed forests.

The freeing of bread-stuffs, fish and meat, in fact what is—or ought to be—the food of the people, from any customs charges, will, of course, cause a serious loss of revenue. The difficulty is no doubt great, but it has been exaggerated. There are forms of taxation available that are now untouched. The facility of raising revenue by customs tariffs in the West Indies, where there was no educated public opinion strong enough to curb the fatal tendency, has resulted in an unusually large proportion of revenue being thus raised. Free trade principles are dominant in Great Britain, and are practised here because the people so will it, and are well informed enough to see the advantages and necessity of applying them. The influences that prevail in the West Indies are sectional, and the power is practically in the hands of classes who, in England, would not hesitate to reestablish protection, had they a like influence and control, and deemed it in their own interest to do so. The public mind of the Islands is also ignorant of what is really wanted; the people feel the pressure, but do not know of the remedies.

Fewer customs charges will cause a diminution of the expenditure of collection, and the force of events would, in the course of time, lead to a less public expenditure, not by diminution of salaries and less effectiveness of service, but by a further and needful concentration of offices. The various governments in the West Indies were founded when communication was difficult, and each island had therefore its own complete staff of officials. Recent federations have not altogether broken through long-established usage. With the aid of steam and the telegraph, administration might be made cheaper by concentration and the employment of fewer hands.

Taxes on real and personal property could be made to contribute a far larger share of revenue if they were imposed in the manner adopted by most civilised countries. A tax on food falls ultimately on the proprietor and cultivator, through his available labour being made inefficient. Customs charges are mostly unobserved in their immediate effects by the ignorant, who feel the pinch but do not trace whence it comes, and the well-to-do are directly little affected by them. The indirect consequences are those which are most mischievous. In their present low condition any direct taxes on the people would be exceedingly unpopular and perhaps be resented; they would deem them fresh charges and look upon any promised relief from other quarters as delusive. They see the cost of government increasing every decade, while the prosperity of the Islands shows no stable advance in any direction, and often a falling away. On the whole no conclusive reason has been shown why land should not pay more of the public revenue. If a choice of evils has to be made, there can be no doubt the food taxes do irreparable and far-reaching injury. While the Islands were undergoing the transformation into free trade centres of industry, by the abolition of these tariffs, it may be that an Imperial loan would be required to aid the administration. But the prosperity that would certainly follow on the adoption of our fiscal system in the West Indies would enable them before long to repay the aid given.

The West Indies are very anxious to have sure and remunerative markets in the United States and elsewhere for their produce, but it will be in vain to expect to have this boon permanently anywhere unless they can also take something equal in value in return. Payment in coin does not lead to so permanent a trade as payment by other commodities. No one owes the West Indies anything, and they cannot expect to be favoured above other people by selling what they produce at a profit and not taking a full equivalent. The West Indian food tariffs, as it happens, interfere with industries quite as much as protective tariffs and bounties do in other countries, but with more fatal results, for in the case of the West Indian Islands, it lessens the power and influence they would undoubtedly otherwise command in the markets of the United States and elsewhere as consumers. The entire abolition of vexatious and injurious tariffs long ago would have been the means of establishing a much larger

trade with the States in necessary bread-stuffs, which it would have been the interest of ever one to keep up, and sugar and other produce would have naturally gone in payment. The West Indian Islands may be sure of this, that no compact or treaty or arrangement with any Government will establish trade permanently on a sound basis, unless it be the interest of the several dealers to carry it on. They can make it the interest not only of the dealers in the United States, but of those of the world generally to do business with them by adopting free trade principles, and abolishing tariffs that keep out commodities necessary for the peoples welfare. They have now to buy their food dear, while they must sell their produce low, and they are consequently more heavily weighted than others in the competition. But can they expect permanently to establish a sound basis of prosperity by dealing with the question superficially, by the application of palliatives: and by special treaties with one State? If they set to work on sound principles of free trade with every country, they will not have to depend on any one market for their existence; they will be sure of themselves and of the products of their industry finding buyers in every market.

The tariffs on food not only interfere with and hinder the natural flow of supply and demand and the interchange of commodities, and therefore check trade and intercourse, but they lower the value of labour by lessening the purchasing power of wages, on which its physical strength depends. Mr. Mundella said in Parliament on the 31st of October last; "They must make Englishmen the most intelligent, the most thrifty, and the most competent workmen in the world, and then they would have nothing to fear from foreign competition." If the West Indies overlook the interests of the labourer so completely as they do now, they must not expect to succeed in competition with other countries which work on different lines.

Most of our West Indian settlements levy export duties on produce shipped from their ports. In their origin these duties were mostly intended to supply funds to support a local militia and yeomanry—sugar estates furnishing men, and the owners receiving for each man a grant of £25 or £30. Some of the export duties were imposed for the purposes of keeping up the Established Church and for assisting planters to get coolies from India. Taxes of this nature, for whatever object imposed, had little or no injurious results in the days of high prices for sugar, but in these days it is unnecessary to dwell on their ill-effects. The Imperial expenditure in the maintenance of the land and sea forces in the West Indies cannot be less than £400,000 a year, and the few militia and yeomanry maintained at local cost would be of no use whatever in case of war and invasion. Some people deem such forces useful should it ever become necessary to suppress risings or insurrectionary movements among the people. All evidence up to date shows not only the inexpediency of keeping up such a force for such an object, but that it would be valueless at an emergency. A reliable civil police should be all that is wanted to keep internal order in a British colony.

In Jamaica an export duty of 5s. 9d. is levied on every hogshead of sugar, 4s. 6d. on every puncheon of rum, and 6s. on every tierce of coffee, &c. In Trinidad the export duty is 6s. on a hogshead of sugar. Antigua, under three separate ordinances, charges 5s. for every hogshead of sugar exported. St. Christopher charges export duties not only on sugar, but also on rum, molasses, and cotton. St. Vincent and Grenada include cacao, arrowroot, and spices. The small island of Monserrat taxes everything exported. The Virgin Islands, having no other produce to levy an export duty on, tax the cattle and food they send to the neighbouring market of St. Thomas.

The Royal Commissioners have recommended the abolition of export duties in all the West Indian Islands.

Unless the principles which political and social science deem essential to progress, are inapplicable to our West Indian colonies with their mixed races, it must be evident that our laws with reference to land in these Islands are in themselves almost sufficient to account for their adverse condition. It is doubtful whether any continental nation would have admitted into its colonies a system of monopoly such as Free Trade England has allowed her merchants to hold in the West Indies. As some of our own institutions are more the result of unconscious and unobserved development than the product of direct legislation, so in these Islands, the Encumbered Estates Court, when formed in 1854, was a necessary and valuable institution, and the legislators who formed it, and the administrators who recommended and introduced it, had a well-founded hope that it would have had most useful results. It was intended that the owners of heavily encumbered estates, who were unable to cultivate them or pay their debts, should be forced to sell if their creditors so willed it, and the purchasers were to get a valid and unencumbered title. This was a sound measure, and should have had the beneficial effect of bringing free trade principles to bear on the transfer of land and in all dealings connected with it. But the practical working of the measure, after it had passed out of the hands of those who framed and introduced it, fell into the hands of men whose notions on the subject were not the same, and whose principles of justice had a somewhat different standard. The action of the Court has consequently had a quite different result from what was intended.

The West Indian Encumbered Estates Court was established in 1854 (17 & 18 Vict. cap. 117), and amended and continued (35 Vict. cap. 9). The Commissioners appointed under the Act first compelled the sale of all estates in England, but local commissioners were afterwards appointed in the Islands to see that sales should be

carried out there if the applicant so desired it; but of course the applicant, if he be an English merchant, very rarely does desire this. An appeal lies to the Privy Council. It seems that the Court from the beginning applied a rule, founded on a decision of Lord Elgin in 1808 (*Scott v. Nesbitt*—14 Ves. 448), which gives priority of claim to what is called the "consignees' lien" over any previous debt, or claim, or encumbrance, even if guaranteed by mortgage, or founded on a will or a settlement. This "consignees' lien" is, in other words, the amount, on a balance of account, that may be owed by a proprietor to a merchant who happens to be dealing with an estate—buying the sugar and giving advances in the regular course of business. If, therefore, any person who knows and has confidence in the owner of an estate lends him money to cultivate it, and it becomes consequently of value, he may find his investment a secure one for years; but if the owner has dealings afterwards with a merchant, and gets involved, this merchant—who is perfectly aware of the incumbrance existing on the estate before he dealt with its owner—can force the sale of the estate in the Encumbered Estates Court, and obtain priority for all his claims over all pre-existing claims. Sometimes no one bids for the property at the auction in London, and the merchant then buys it in for the amount of his debt, and the Court gives him a new and perfect title. The mortgagee loses everything. Should the estate by any will or settlement be charged with any payments for the benefit of widow or children, such claims will also be overridden by the merchant's lien, and entirely lost, unless, indeed, the amount realised by the sale should be in excess of the amount due to the merchant, an improbable contingency. It is obvious that a great injustice has been done to these Islands; they have been handed over, as it were, to a powerful corporation, and the consequences of this monopoly are seen in that want of development and that stagnation which is the only end possible to such a state of things.

The Royal Commissioners, in page 4^o of "Windward Island Report," said:—

"The West India Committee in London, a body interested in, but' certainly not resident in, the Islands, has on occasion claimed sufficient influence to advise the imperial authorities that Ordinances passed by the Local Legislatures may be disallowed as being opposed to what this Committee consider to be the best interests of the Islands."

This great influence, wielded by absentees, and the representatives of one interest only, and that an interest often even opposed to the best interests of the people of the Islands, is entirely due to the action of the Encumbered Estates Court, which has thrown the land into the power of the mercantile class and has frightened away all other capital. There is another and obvious evil consequence arising from this monopoly, and that is that planters are forced to deal with merchants for advances, as being the only parties who can be secure of their money; consequently, the merchant can make what terms he pleases for the sale of produce and for freight. What is wanted here is the abolition of the Encumbered Estates Court, and let land be dealt with in the same way as any other form of property. Free trade principles applied to the land are absolutely essential to the prosperity of these Islands and their inhabitants.

The recent lamentable incident in the Island of Trinidad has drawn public attention in England to the fact that we have in some of our West Indian settlements large numbers of coolies.

At the Jubilee of the Anti-Slavery Society (1st August, 1884), Mr. Forster said:—

"It was the duty of the Anti-Slavery Society to keep watch on the condition of our freed negroes, freed slaves in the West Indies and also at the Cape, and it was abundantly their duty to keep a jealous eye on the efforts to introduce slavery in another form—sham emigration and sham contracts."

This is a very pregnant and suggestive statement I shall here only deal with that part of it which refers to the bringing of coolies to our West Indian Islands, where there already exist more than enough black labourers (freed negroes and their descendants) for the purposes of cultivation.

Free trade principles applied to labour must mean that the rates of wages paid shall be left to work to their natural level by the ordinary rules of supply and demand. In the majority of the West Indian Islands the liberated Africans refused to work for planters on the conditions offered to them. It has been shown in this paper that these conditions were insufficient. The planter, thereupon, with the aid of the public taxes, and assisted also by the authority and weight of the Imperial Government, sought labourers in India, where wages are very low, and brought them to the West Indies, where wages are much higher. The imported coolie labourers are bound to work for their employers for a term of years. In recent times they have been well treated, and, for East Indians, well paid, well housed, and well fed. Coolies have not so many children as the liberated Africans; they have, consequently, not the same family obligations, and they pay no taxes.

The result of this system of coolie importation may be seen in the creation by it of two classes of colonies. We have colonies outwardly prosperous, such as British Guiana and Trinidad, but where all cultivation is practically carried on for absentee proprietors by coolies under indenture, and if there are time-expired coolies working for hire among them, the wages of these latter will be more or less determined by the rate of remuneration accorded to the indentured coolies. We have also colonies where Africans are more largely in the majority, but these people refuse to work except irregularly, because the wages offered them are less than they demand. Coolies have also been imported into some of these latter settlements—into Jamaica, for

instance—with the result of yet further demoralising the African labourers. Had the English Government left the employers of labour in our West Indian Islands to their own devices, they would undoubtedly have found means to conciliate the liberated Africans in these Islands, because the necessities of both parties would have urged them to reconcile their interests. The labourers would have received more pay, or the food taxes would have been abolished, or a superior method of cultivation would have been adopted, or all these three results might have been brought about, as has been the case in the United States.

Mr. G. D. Godkin, in the *Contemporary Review* for November, 1883, in an article entitled "The Southern States since the War," says:—

"The negro race does the work of the country—the sowing, hoeing, ploughing, picking, and reaping—apparently better than it ever did, and the black population has increased from 5,639,749 in 1871 to 9,000,031 in 1880."

It is stated in the same article that since emancipation the cotton product of all the States taken together has increased by 90 per cent, that of wool by 517 per cent., that of wheat by 407 per cent., and that of Indian corn by 99 per cent. Mr. Godkin further says:—

"There is no difficulty in obtaining black labour of good quality by those who pay wages regularly in cash."

The blacks of African race are showing themselves capable citizens in every form of industry.

Our West Indian Islands are inhabited by exactly the same races, but a similar result has not followed their emancipation, because we have acted in an opposite spirit to that which has been followed out in the States. We make the higher-class foods so artificially dear that the labourer cannot procure them, and we introduce into the Islands another race of labourers who are forced by circumstances to be subservient to their masters on conditions the native-born labourers cannot afford to accept. Mr. Herbert Spencer has said:—

"Unless the mass of citizens have sentiments and beliefs in something like harmony with the social organisation in which they are incorporated, the organization cannot continue."

In our West Indian Islands the native races are all Christians, and if they were given a fair chance they would work and prosper materially, as they do in the States. The Indian coolie is either a Mahomedan or he belongs to one of the religions of India, and he has nothing in common with the people he is brought among.

The Royal Commissioners recommend a large State-subsidised and State-Supervised importation of coolies into all the West Indian Islands, because they consider the native labourers to be non-available for planting purposes. At the present prices of food and rate of wages the Commissioners are perhaps right in concluding that the African will not work. But the West Indies will never be prosperous colonies under a system of emigration which is only a disguised form of giving a bounty to the planter. An African able and willing to labour can do the work of two coolies. He is appreciated elsewhere, and he is leaving our Islands for Central America in thousands. Are we sure the coolie, when he is able to do so, will not follow him when he finds he also can get better wages by so doing? The statement that the African will not work is disproved by all we see in the Southern States; it is also disproved by the example of Barbados, an island into which no coolies were ever imported, and it is now the most highly-cultivated and the most civilised and enlightened of all our West Indian settlements. Mr. Mackinnon, the Manager of Government Railways in Jamaica, stated to the Commissioners that he preferred black men (Africans) to whites, because they did not drink, and were more reliable and cheaper. In Jamaica 60 per cent, of the total value of exports is the produce of the sugar-cane; but out of the whole population of the island—580,000—only about 5 per cent., or 29,000 people, are engaged in its cultivation. With such figures it is impossible to substantiate a claim for the introduction of coolies into the island after the manner indicated. Even in Trinidad and British Guiana, where labour was much scarcer, it would have been perhaps wiser to have relied on native labour only, and by fair terms to have attracted free labour from other places where it was not fully employed. Had favourable conditions been held out to them, had the Government not interfered, the African population of the West Indies would have largely increased, as they have done in the Southern States, and it would be now equal to supply a far larger demand for labour than is likely to be made by planters.

Vital statistics are to some extent a gauge of the condition of a people. The West Indian climate being remarkably suitable to the negro race, the returns of births and deaths have much value because they bear directly on the question of food. The causes that operate among the poor in cold countries necessarily result in a considerable mortality, but deaths among infants are largely owing to the severity of the weather. In the West Indies the climate is favourable for children. Yet in England out of every 1,000 children born 736 are alive on the 5th birthday. In Jamaica there would be only 600, and in Antigua only 500. These serious circumstances have led to the establishment of public nurseries, and in Antigua it is provided likewise that an inquest shall be held on every child dying within a year of its birth. A more certain remedy would be cheap and abundant food. The negro mother is fond of her child, but she is often unequal to the strain of rearing it.

If imports and exports are in any way indicative of the well-being of a population, the returns show considerable differences between the Islands.

The following figures are averages for the ten years 1873—1873.

The Leeward group export produce at the rate of £48s. 4d. a head; Barbados, £5 18s 3d.; the four Windward Islands, £4 4s. 6d.; Jamaica, £2 7s. 6d.; Trinidad has been returned as high as £13 4s. 2d., but the average for produce has recently been about £12. The exports of British Guiana for twelve years have averaged, £2,550,000 a year, but the produce is almost entirely raised by coolies from India. The average exports of the West Indies may be roughly taken at £ 9,000,000 a year, or £5 12s. 6d. per head; and the imports at £7,800,000, or, £4 17s. 6d. per head. They thus lose about, £1,200,000 a year, which may be considered the profit made by the merchants and others who work the estates but live abroad. This profit contributes nothing to the public revenue.

Taken as a whole the West Indies are showing but little signs of progress or vitality, while the trade of Venezuela has quadrupled within a few years and the people of the various states of Central America have been displaying much activity and enterprise. A large amount of American capital is invested in Campeachy and Yucatan amongst which about five millions of dollars in the cultivation of the *Agave Americana*, yielding the sisal hemp of commerce.

The strong lustrous fibres of the *Agave Americana* are superior to every other species of *Agave* for ropes and cordage.

Sugar, coffee, fruits, and all the most valuable products of tropical climates are being also largely raised; but above all it is evident that considerable capital is being sunk in these countries in cultivation which will tell hereafter. In order that our colonies may hold their own and also progress, it will be necessary to apply to them the system we find so efficacious in England. The adoption of free trade principles in dealing with land will attract the necessary capital and enterprise, and a form of impost founded on the system of untaxed bread-stuffs will give to labour such advantages that it will prosper and the Islands will speedily be raised to a high stage of prosperity.

At the recent Jubilee of Emancipation, Lord Derby said:—

"What may be the future of the negro race (in the West Indies) is one with which we are only indirectly concerned. What does concern us is that we should do our duty by them. Let them have freedom, let them have a fair chance, let them be fairly matched in the race of life; and whether they win or lose our responsibility is covered. We are not answerable for their doing well; we are answerable for [putting no obstacles in their way to prevent them doing well]."

The past success of the West Indian Islands was due to a condition of things that can never return—a state of things which gave them a monopoly of some of the richest markets of the world. The labour was then no better and the soil was no richer than now. But prices of produce then ruled artificially high as now they rule artificially low. For the future the West Indies will have to stand on their own merits against powerful competitors. Not only will they have to compete for the best markets, but the people of African descent will emigrate from the Islands if the latter do not offer them advantages at least as great as they can obtain elsewhere. The soil of these competing countries is no richer, but it is equally as rich as that of the Islands, and the best appliances of human ingenuity will be brought to bear on it. If our colonies fail in this contest, if they be not among the foremost, it will be due to Englishmen not giving them those advantages of free trade enjoyed by the mother country.

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Landlordism. What it is; what it does; and what should be Done with it.

Free Land, not Free Landlords.

By Francis L. Soper, F.L.S.

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Landlordism.

IN the Land Question we must regard the people as divided into two distinct sections:—those who own land and those who do not. The real Land Question lies in the relation of these two sections of the community to each other. When we consider that land is essential to every man, as a dwelling-place and as the source whence all the necessaries of his life are derived, it is evident that every man, down to the very poorest, whatever his occupation may be, is deeply interested in (the land, and that those who possess it have an immense power and advantage over those who do not. The latter class are, in fact, entirely dependent upon the former for the means of existence. Farther, as land is limited in quantity and cannot by any possibility be increased, while population

increases rapidly, the relation between these two classes becomes more and more strained; the demand for land and its produce becomes more and more urgent, and the landlord's power accordingly more and more arbitrary.

Mr. Arthur Arnold, however, tells us that, while in France and in the United States of America there are only land-owners and tenants, in England we have no *landowners*,—only *landlords* and tenants. The distinction is a fine one, but it is significant, and, properly considered, will conduce materially to a solution of the question. It is true, the Nation is the only landowner, and has absolute power to resume possession whenever she thinks fit. What is it then that landlords actually possess? It is not the land itself, but a *Power over the land*, or rather *over the people who dwell upon it*. The land itself only marks the boundary within which this power may be exercised. We may discuss this power without personal reference to those who happen, for the time being, to be the depositories of it. Landlords are doubtless responsible to the nation for the way in which they use their power, but they are not personally responsible for its existence. While the power exists it must be in some hands, and may as well be in those of its present holders as in any other.

What then is this Power which we may not inaptly call Landlordism? It is the power to determine absolutely who shall and who shall not dwell upon the land. It is the power to exact whatever portion of the tenant's earnings the landlord pleases in the shape of rent. It is the power to impose upon tenants whatever condition he please, such as improvements in his property, for which improvements, though he has contributed nothing towards them, he may eventually demand a higher rent. Let us look a little more closely into the working of this power. We are told that the greater portion of the land of this kingdom is in the possession of about 30,000 individuals. Throwing off five or six millions of the population as against small owners, we have 30,000 landlords to 30,000,000 of people—that is, one landlord to every 1000 persons. These 1000 people are under the absolute control of the one landlord. No one can remain on the land without his gracious permission. He can eject from his borders any he pleases for political reasons, for religious reasons, for personal reasons, or for no reason at all but his own caprice. Upon those whom he condescendingly allows to remain, he has power to impose whatever obligation he pleases, in the shape of rent and improvements in or additions to his property. He must necessarily leave them sufficient to keep them alive and induce them to work on, or he would get no rent at all; but beyond this he can take every shilling they earn as rent. And, for the most part, however hard the tonus may be, they have no alternative but to submit or expatriate themselves; for, if they step off one man's land, they must step on to somebody else's only to find the same conditions existing. It may be objected that landlords as a rule do not exercise their powers in this arbitrary and despotic manner. Perhaps not; some, however, do, and all may. Many a despotic ruler has governed his people wisely and well, but that does not make despotism right. Many slave-owners also treated their slaves with great humanity, but that does not make slavery light; and I ask, Is it right or reasonable that thirty millions of freeborn Britons, who have washed out the despotism of kings with their blood, should still bend their necks to this despotic yoke of landlordism? Is it right or reasonable that freedom-loving Englishmen who, at the cost of twenty millions, struck the fetters from the bands of the slave, should still be subjected to such a servitude as landlordism at home? They may be reminded of the good that some landlords do in improving their lands, and of the interest they take in the welfare of their tenants. True, some landlords are model men—all honour to them; but some are not. If a man devotes his lime and capital to the improvement of land, he thereby enters the lists of the industrial classes, and deserves his reward as much as the manufacturer, the merchant, or the artisan. But this is no part of landlordism, he may do all this without being a landlord. He may be a landlord and do nothing. As a rule, improvements are left for tenants to make, the landlord contenting himself with reaping the benefit at the earliest opportunity. In speaking of landlordism, then, I speak exclusively of the power possessed by landlords, not of how they use it, nor of anything they do. The real fundamental Land Question is—Ought such a power to exist? Can it exist consistently with the natural rights and liberty of man? If any man answers in the affirmative, and asserts that it is right that the great majority of the nation should be dependent upon the absolute will of the few as to where they shall live, how they shall live, upon what conditions they shall live, then there is no final solution to, no permanent settlement of the Land Question. You may limit the power of landlords by legislation or by Land Courts, but as long as the two parties exist, there will be a perpetual struggle for freedom on the one hand, and resistance on the other. There can be no effectual solution of the Land Question but by the total abolition of Landlordism.

If so, the next question is, What order of things is to take its place? Perhaps I shall not be suspected of going very wildly wrong if I take the Duke of Argyll as my finger-post. At a meeting recently held under the auspices of influential landowners to form a limited liability company, whose business should be to purchase estates and resell them in small portions, the Duke of Argyll propounded two principles. Arguing in favour of increasing the number of landowners, his Grace said that it was a good thing to make a man a freeholder, to give him an interest in the soil; that it made him less revolutionary, more conservative, that is in a right sense, not a party sense. Very good. If this is true, then, the more men we can make freeholders the better. If it is a good thing to make a hundred men freeholders, it is a better thing to make a thousand, still better, a million;

best of all, the whole nation. Then we should be conservative in the highest degree, and perfectly secure against revolution. But it would not be expedient to cut up the land so as to give every man his slice. Certainly not. Nine out of ten would not know what to do with it, and would find themselves much worse off than at present. The Duke felt and admitted that in many cases it might not be expedient or profitable for a man to own a plot of land to cultivate single-handed, so he propounded another principle, the principle of co-operation. And he spoke well of co-operation, pointing out what it had done in cheapening supply and aiding manufacturing enterprise. And he said, Why should not ten or a dozen men form a co-operative association to own a larger plot of land to be worked for the common benefit? Very good again. But if a principle is worth anything, it will bear carrying out to its fullest extent. If ten or a dozen men may co-operate to hold land, why not a hundred, a thousand, a million? Why should not the whole nation form this co-operative association, and hold the land to be worked by those most competent to utilize it for the common benefit? What do we come to here but Land-Nationalization? And so I lie Duke must admit the principle of Land-Nationalization, or eat his own words. But the land, we are told, is the nation's already; we have not to make it so. What is it then that stands between the nation and its willing workers? Nothing but this incubus of landlordism, which excludes numbers from the soil they would gladly cultivate, repels capital which might be profitably employed in its improvement, and draws off every advantage gained from the national into the private pockets of the wealthy landlords.

Let us next glance at the remedies proposed for the admitted evils of our land system. First there is Mr. Arthur Arnold and his so-called "Free Land League." The first object of this organization is to simplify and diminish the cost of conveyance. Who will benefit by this? None but landlords. Landlords will say to purchasers, Now you will have no cost for conveyance, you can therefore afford to give a higher price for my right in the land. Purchasers will look at it in the same light, and thus the only result will be to transfer to landlords the fees now paid to lawyers, and increase to a large extent the saleable value of their property. No wonder that landlords favour this scheme. Another object of this association is to abolish the right of primogeniture and restrict the power of entail. The former is virtually a dead letter, operating only when a landlord happens to die intestate. The latter will simply liberate future landlords from the control of their predecessors. Neither of these projects will in the slightest degree affect the relation between landlords and their dependent lack-landers. This association would be more appropriately named "The Free Landlord League."

The next organization is that referred to above, set on foot by some great landlords in the form of a limited liability company, the professed object of which is to purchase estates in the market and resell them in small portions, spreading the purchase-money over a series of years. Now every one knows that a limited liability company is a costly piece of machinery; it must have paid officials and offices for the conduct of its business. To the cost, therefore, of the estates they purchase must be added the cost of conveyance to them, their office expenses, the interest they owe to their shareholders, four or four and a half per cent., the cost of conveyance to their purchasers, and so much of the principal as may be necessary to liquidate the whole within a given time. Now if farmers on a large scale, with the aid of animal and mechanical labour-saving power, and paying a moderate rent, cannot make agriculture pay, can it be expected that men of small or no means, destitute of these advantages and paying a much heavier rent, can make it profitable? The consensus of opinion on all sides respecting peasant proprietors, both at home and abroad, even where the land is already their own and they have nothing to pay, is that the life is one of incessant toil and privation, a severe struggle for existence without any of those features which render life happy, enjoyable, or progressive. If such is the case in countries where the system is of natural growth under the most favourable circumstances, what is it likely to be if artificially introduced under less favourable circumstances in a country which has in reality passed beyond that stage of civilization?

Then there is Mr. Chamberlain's scheme to invest local authorities with power to purchase land and let or resell it in small allotments. This can be carried out only near villages or towns where land is most costly, and if such land is taken exceptionally and compulsorily from landlords, heavy compensation will be demanded, which, with other necessary expenses, will greatly exceed the value of the land for any agricultural purposes. If loss is incurred, who is to bear it? the ratepayers or the taxpayers of a wider area? A new species of poor-rate and pauperism. Where is the local authority disinterested enough, and free from the influence of landlords and their tenants, to be entrusted with such a [rawer as this? Who would fix the price of the land? the landlords? surveyors? arbitrators?—perhaps Mr. Chamberlain himself. Such partial dealing with the land can do no good; it may do much harm. Suppose a few hundred labourers are placed upon allotments of land by this or other means, would that afford any perceptible relief to the teeming millions of our great towns and cities? The stronger and abler labourers flock from the country to the towns because they there get a better remuneration for their labour. They push out of employment the feebler class, who would do no better on land than they do in town.

Mr. Broadhurst's proposal to give lessees compulsory power to purchase the freehold of their premises may be dismissed with a word or two. Whether it will be any advantage to the lessee depends upon the terms upon

which he acquires the freehold. If carried out, the lessee becomes the landlord, and can exercise all landlord's powers over future tenants. It is simply the substitution of one landlord for another, with no advantage to any one beyond, but with this disadvantage, that with the multiplication of such landlords, each claiming the right to do what he likes with his own, great injury may be done to property.

These proposed alterations in the law may cause some land to change hands, but whether they will lead to any wider distribution is extremely doubtful. There will be the same opportunity and the same inducement, for the wealthy to accumulate land as now, and they will doubtless avail themselves of it. Again, suppose the number of landlords increased ten or a hundredfold; that will not make the land more accessible to those who want to utilize it. It may have the opposite effect, for great landlords can afford to be generous if they are so disposed, whereas small ones cannot, and tenants may therefore find themselves under harder conditions than before. The only way in which the land can be made accessible to all who wish to utilize it, whether on a large or a small scale, is for the nation to pension off the landlords and take it under their own care and management. Every legitimate want could then be satisfied without difficulty and without extravagant cost.

The schemes above referred to leave the main question un-touched. They simply shuttle the cards, or pass them from hand to hand. Landlordism with its baneful influence still remains.

Nor will any special legislation with a view to contract or regulate the power of landlords, or to limit the rents they shall receive, be of any avail. These partial measures disturb existing relations, but settle nothing. What an anachronism is a Land Court! If we are to have Land Courts to fix fair rents, why not Labour Courts to fix fair wages, Capital Courts to fix fair interest of money, Price-current Courts to fix fair prices? The price law, the law of supply and demand, which regulates wages and interest and prices, will regulate rent. The fair rent of land is what any one will be willing to give for it in open competition with his fellow-man. Whoever has it for less has an undue advantage. The only effectual remedy is the total abolition of landlordism.

How is this to be effected? Happily we have a valuable precedent in our crown lands. Formerly a large part of the country belonged to the sovereign, and was as much his property as land is now the property of landlords. But sovereigns, setting little store upon what cost them nothing, conferred large portions of it on courtiers and favourites, and then came to Parliament when they wanted money. Parliament at length determined that no more of the crown lands should be thus alienated, took them under their own management, and allowed the sovereign a fixed income in compensation. These crown lands, though Mr. Arthur Arnold says they, in common with all corporate property, are the worst managed in the kingdom, now produce, I believe, a profit income of some £ 20,000 a year. If the whole of the land had been thus taken, as it might and ought to have been, instead of £20,000 a year, the nation might by this time have been making nearer twenty millions a year. We might now have been free from income-tax, house-tax, customs and excise duties, and the national debt might have been greatly reduced, if not extinguished altogether. This is what must be done now. Better late than never, but the sooner the better. The nation must resume possession of the land, and take it under its own management. It can then give freedom of action to those fundamental economic laws which govern the land in common with all human affairs, and, without difficulty, provide for all legitimate demands whether for small or large allotments. How can this be carried out? Will it not produce great social and monetary disturbance? Not at all. Parliament will decree that from and after a certain quarter-day, all rent of land will be due and payable to the public exchequer. Six or twelve months previously, all persons having any claim upon land will be required to send in full particulars of their claims and of all charges upon them. A register of these particulars will be made and the gross rental of the country ascertained. From this gross rental a deduction will be made for the cost of management, as paid by landlords, and for contingencies, such as losses from bad tenants or from no tenants, and deductions of rent in bad seasons. Then, as in the place of a security difficult and costly to realize upon, we shall give a security which can be sold any day for the nominal sum of half a crown per cent., some consideration may be allowed for this. Interest paid for loans on, mortgage will also be deducted. The net rental income being thus ascertained, perpetual annuities to the amount will be secured rateably to all having claims upon land. All fixed rent charges, whether perpetual or terminable, would be paid in full, and the reversion of the latter secured to the rightful owners. Mortgagees would receive notice that their loans would be paid off. They are entitled to the capital sum advanced, but this need not be paid in cash. If so paid the owners would have to place it somewhere, perhaps at their bankers at one per cent. We may save them this trouble with advantage to themselves by giving them consols at the price of the day, on which they can realize when they please. Thus can this great change be carried out without any either social or monetary disturbance beyond what takes place when an estate changes hands or a mortgage is paid off.

Do landlords object to this mode of settlement? We reply that the only legitimate *property* that landlords have in the land is the net income they derive from it. And since this income has been created mainly by the growing industry of the nation, it would not be unreasonable if they were required to surrender some portion of it back to the nation. The nation has full power over it as it is, to limit it either through land courts or by means of a land tax. Do they call this confiscation? What is it when a landlord diminishes the income of his tenant by

increasing his rent? What is it when a landlord takes possession of tenants' improvements, of houses and buildings towards which he has not contributed a single brick? If landlords have speculated in the future, they have bought castles in the air, and must suffer the consequences. We are not bound to indemnify them for that. If landlords resist a reasonable settlement now, they will unquestionably have to submit to harder terms hereafter. As the people realize more fully the tyranny of landlordism, and the ignominious servitude to which they have to submit, they will become less rather than more considerate.

Some persons object to granting perpetual annuities on the ground that it entails a perpetual burden on the nation. They advocate terminable or life annuities. To this I reply that the annuities will be no additional burden to the State, inasmuch as the land will fully provide for them, and I think perpetual are preferable to terminable annuities, because 1st, we are bound to give as good a security as we take away: 2ndly, it will remove one serious ground of objection; 3rdly, the annual amount will be less. If we gave terminable or life annuities, we should have to give a larger sum, which would tax the present for the benefit of a future generation. Future generations, with a liberated land, will be well able to take care of themselves, and will have full power over these, as over all other annuities, to redeem, convert, or tax, if need be, for national purposes. Another proposal is to convert freeholds into life interests for two or more lives. This would be inequitable, inasmuch as some lives would drop early, while others might be jointly protracted for a century or more. All the evils of landlordism would be perpetuated for an indefinite period, and the nation would be debarred from making those effectual and economic arrangements for the management of the land which are essential to its advantageous possession.

There are some who would compromise this matter by levying a tax upon landlords' rents. To them I would say, "Freedom before money." No payment can compensate for the want of liberty; no monetary advantage can make the yoke of servile dependence sit easy on the neck of an otherwise free people. We want to be free to make those arrangements relative to land which shall give employment to the greatest number of our toiling population, and afford them the largest return for their labour. This cannot be done while the ghost of landlordism remains. Taxes as rent would ultimately find their way back to the pockets of our despotic masters if we allow them to retain their power. We must be our own masters or nothing.

What, it may be asked, are the advantages which may be reasonably expected to accrue to the nation from this great change? First, the land being liberated from personal control would be free and open alike to all comers and for all legitimate purposes, in large or small portions. It would be let by public tender for such fixed periods and on such conditions as may appear expedient in the public interest. The rent being thus fixed by the tenants themselves, there could be no ground of complaint, while competition would ensure the full value being obtained. While it is but just that tenants should be compensated for the improvements they make, the creation of anything in the shape of tenant right is inexpedient, being open to the same objections as landlord right. The obligatory payment of a sum for tenant right would be an impediment to many men of energy and enterprise, but of small means, locking up their capital unprofitably or throwing them into the hands of money-lenders, to their detriment or ruin. Lands, therefore, upon which the outlay of capital for improvements would be expedient, should be let subject to such works being satisfactorily executed, and for a term long enough to ensure to the tenant an adequate return for his outlay during his tenancy, the tenant fixing the rent accordingly. At the expiration of the term, the land would revert to the nation improved but unencumbered, and would command a higher rent in compensation for the lower rent paid during the preceding term. Secondly, an immediate material advantage would accrue to the nation under the head of management. The whole of the land being managed by a central board, responsible to Parliament and the nation, with a paid staff, the cost ought not to be more than half that paid by landlords for land-stewards, agents, &c. Then, while landlords usually pay four or four and a half per cent, for loans on mortgage, which of course would be deducted from the gross rent, the nation would pay annuities at three per cent., there would be a saving of one or one and a half per cent, on all mortgages. Under these two heads there ought to be an advantage to the country of something like four or five millions per annum without diminishing the present net income of landlords. Lastly, much land now useless and unproductive might be turned to profitable account. The encouragement and security offered for improvement at home, could not fail to attract capital now invested abroad. Capital being helpless by itself, would attract labour, and employment would be found for many hands at present unwillingly idle. The impetus thus given to industry and national progress would soon be felt throughout all classes of society, and lead to that revival of trade for which we have waited so patiently and so long. In all the future advantages which would accrue to the nation, the present landlords would largely participate, and would thus be fully compensated for any present loss they might sustain by the change.

Some may object to commit such a power to a government department, on the ground that government departments are not trustworthy. This would be reasonable where the government is a power independent of, and irresponsible to the people; but, happily, in England a government department is and must be just what the people permit it to be. We have already a department of Woods and Forests, which has the management of the

crown or national property; but at present it can act only along landlord lines, and must not be a hard landlord. It has only to be enlarged sufficiently to undertake this greater work on clearly defined principles laid down by Parliament. The country would have the pick of the ablest and most experienced men to act on its behalf, and as every act would be public, corruption or mismanagement would be impossible, except with the connivance of the people, or from their neglect to exercise that watchful supervision which their interests require.

To sum up:—

- Landlordism, by the intervention of personal control, deprives us of freedom of action.
- Landlordism drains off the proceeds of our labour in the shape of ever-increasing rent, for which no service is rendered in return.
- Landlordism confiscates the products of labour in the shape of houses, buildings, and improvements, without any compensation whatever.
- Landlordism subjects us to an ignominious, servile dependence upon the arbitrary will of another.
- Landlordism repels capital from land, and thereby deprives labour of its employment.

Free Land—what does it mean? Does it mean that the eldest son of a landlord who dies intestate shall not succeed to the whole power of his father, but share it with his younger brothers? Does it mean that landlords shall not have power to fix the descent of their despotism to generations yet unborn?

Does it mean greater facility to landlords for buying and selling the fettered victims of their rule, the flesh and blood of the toiling millions dependent on their will? Let us not be deceived by a false cry. We ask for bread and they offer us a stone; we demand fish and they give us scorpions. The only Free Land is land free from personal control; land open to every one who will bid a fair rent for it, a rent fixed in open market and paid to the national exchequer for the national benefit. Will Mr. Chamberlain give us free land in this sense? If so, let him place himself at the head of this movement and we will support him. There is no one more able; no one more worthy, as the champion of Free Land, to occupy a pedestal beside the glorious hero of Free Trade. Victory is as certain in the one case as it was in the other.

Fellow-countrymen! are you disposed longer to endure this despotic yoke of landlordism? Are you content to submit to this degrading servitude? If not, let us be up and doing. The time is propitious. Let us with a firm, unanimous voice assert our freedom. Let us form our National Free Land or Anti-Landlord League, with ramifications throughout every county, town, and village. Put this paper into every hand; read it; think about it; discuss it with your comrades in private and in public. Make anti-landlordism the watchword on every political platform. Enrol the name of every one you can get to adhere to the principle. Affecting, as it does, the very foundation of our national existence, its importance is paramount above all other questions. Let a bill be ready for introduction on the first day that Parliament meets. Let every member be armed with a petition bearing every obtainable signature within his constituency. Let us spare no effort till we have liberated our country from this last relic of feudal despotism, and our people from a debasing servitude. Let us relax not our energies till we have obtained FREE LAND in a true sense; till we have made every man a *freeholder*; have given every man a country he can truly call *his own*; a country to love,—a country to defend,—a country to live for,—aye, and if it need be, a country to die for!

State-Tenants *versus* Freeholders.

By Alfred R. Wallace, LL.D.

WHEN Nationalisation of the Land is advocated, a great many people reply. "I don't see the good of Nationalisation I prefer freeholders to State-tenants." Let us therefore see what are the comparative advantages of the two modes of tenure.

In order that the greatest number of people may become freeholders, many liberals advocate the abolition of all restrictions on the sale and transfer of land. They say, make every man who owns land an absolute owner, with power to sell, or divide, or bequeath as he pleases, and plenty of land will come into the market. Then, every one who wants land can buy it, if able to do so; and if the mode of transfer is also made simple and cheap everything will have been done that need be done. We shall then have free trade in land; there will be no limited or encumbered estates, and capital will flow to land and develop its resources.

But people who talk thus forget that we have already had two great experiments of this nature, both supported by these very arguments, and that both have utterly failed. Thirty years ago the dreadful condition of the Irish peasantry was imputed to the prevalence of entailed and encumbered estates, the owners of which had no money to spend on improvements, and a most radical measure was passed, by which all these estates were brought into the market and sold to the highest bidder. But the result was not as expected. Capital flowed into the country, but with no benefit to anyone but the capitalist. English manufacturers and speculators became owners of Irish land, and sometimes laid out money on it; but they were harder landlords than those whom they

replaced, they looked upon the land they had bought merely as a means of making money, and utterly ignored the equitable or customary rights of the unhappy tenants. Irish distress was not in the least degree ameliorated by this drastic measure from which so much was expected; and it is now rarely spoken of, while legislation on totally different lines has been found necessary.

The second example of the utter uselessness of pouring capital into a country so long as the people are denied any *right* to the use of land is afforded by Scotland. In the early part of this century, the great demand for wool made sheep-farming profitable, and many of the highland landlords were persuaded that they could double their incomes by establishing great sheep-farms on their vast estates. They did so. Many thousands of valuable sheep were introduced; much money was spent in fencing and in building new farm houses for the lowland farmers, while the rights of the hereditary dwellers on the soil were utterly ignored, and, by a series of barbarous evictions, these poor people were banished to the sea shore, or forced to emigrate. The result was, for a time, beneficial to the landlords, who proclaimed the scheme a great success; but it was most disastrous to the people, who, ever since, had been kept in a state of perpetual serfdom and pauperism. The present condition of the Highlands is a direct consequence of the application of capital to the land by landlords while the rights of the people were ignored; and the result of these two great experiments in Ireland and Scotland should teach us that any similar experiment in England cannot possibly lead to good results. It is true the conditions of society in England are different. There are here more capitalists ever competing for the possession of land; but "free trade" would simply enable those capitalists who desire land to obtain it more easily. What chance would the poor man have against such competitors? With population and wealth and manufactures ever increasing, as they are in England, the poor man will have less and less chance of getting land, so long as it is to be obtained solely by purchase, and there is neither compulsion to sell, nor right to buy at equitable prices.

As land is ever getting scarcer in proportion to population, and in private hands must necessarily be a monopoly, it offers the greatest temptation to speculators, who even now, frequently buy up estates offered for sale and resell them in small plots at competition prices which no poor man can afford to give: and this will continue to be the case so long as land is treated as a commodity to be bought and sold for profit. We maintain that this is a monstrous wrong and should never be permitted. Land is the first necessary of life, the source of food and of all kinds of wealth, and a sufficiency for health and enjoyment is absolutely needed by every one. It is political crime to permit land to be monopolised by a few, to allow the wealthy to enjoy it for mere sport or aggrandisement, while thousands live in misery and have to suffer disease and want because they are denied the right to live and labour upon it.

In order that all may have equal rights to use and enjoy the land of their birth, it must become not theoretically only, but actually, the property of the State, in trust for all; and for all to derive equal advantages from it, those who occupy it must pay a rental to the State for its use. This is the only way to equalise the advantages derived by the several occupiers of land of different qualities and in different situations,—the only way to enable the whole community to benefit by the increased value which the community itself gives to land.

The use of land is twofold. Its chief and primary use is to supply to every household in the kingdom, the conditions for healthy existence, and whenever possible, some portion at least of their daily food. When all are thus supplied with the land necessary for a healthy home, the remainder should be devoted to cultivation in such a way as to produce the maximum of food, and at the same time to support and bring up the maximum number of healthy and happy food-producers. All experience shows that these two things go together, and that in any country the maximum of food is produced when the greatest possible population live upon and by the land. At one extreme we have the great farms of S. Australia, and California, cultivated with the minimum of human labour and producing a net return of about ten bushels of wheat per acre, and at the other extreme the allotments of our farm labourers producing food to the value of £40 per acre.

But in order that our labourers and mechanics may each be enabled to have, say, an acre of land to live on, and an acre or two more to cultivate, if they require it, with the power of getting a small farm of, from 10 to 40 acres, whenever they have obtained money enough to stock it, the land must be *let*, not *sold* to them. For at first a man wants all his little capital to enable him to cultivate even the smallest plot of land, and if he has to buy it, even by the easiest instalments, he is to that extent crippled. Moreover it is a bad thing for him to *own* the land absolutely, because he is then open to the temptations of the money-lender. Instead of economising and pinching in bad seasons, he borrows money and mortgages his land, and thus falls under a tyranny as bad as that of the hardest landlord. In every part of the world the small freeholder falls a victim to the money-lender.

As a State-tenant the occupier would have all the essential rights and advantages of a freeholder. His tenure would be practically perpetual. He would have the right to sell or bequeath his holding, or any part of it, just as freely. His rent would never be raised on account of any improvements made by himself, but only on account of increased value of the ground-rent, due to the growth of population or other general causes, which would effect all the land around as well as his. He would therefore enjoy all the rights, all the privileges, and all the security which a freeholder enjoys. But he would have this great advantage over the freeholder, that he need not sink

one penny of his capital in the purchase of the soil; and thus, for one man who could save money enough to acquire a farm or a homestead by purchase, two or three would be able to become State-tenants, with money in their pockets to stock their land or build their house, and to live upon till their first crops were gathered. Those who maintain the superiority of freeholds, therefore, speak without knowledge; the superiority is all the other way.

There is one more point to be considered, which is of great importance, that under a general system of small freeholders, one half of these would very soon be ruined by the other half—would be obliged to sell their farms to money-lenders or lawyers, and thus great estates would again monopolise the land. The way this would necessarily come about (as it always has come about) is as follows. Suppose there are a body of peasant-proprietors all over the country. Their land necessarily varies in quality and position, and, therefore, in value from fifteen or twenty shillings an acre up to two, three, or four pounds an acre; and all being freeholders, none of them pay rent. But the owner of the better land can afford to sell his produce of all kinds at a lower rate than the owner of the inferior land, because prices which will enable the former to live and save money, will be starvation to the latter. Hence an unequal competition will arise between the two classes in which the one must necessarily starve out the other. The payment of rent in proportion to the *inherent value of the land* equalises the position of all. The occupier of poor land at a low rent can fairly compete with the occupier of rich land at a high rent; and thus while [unclear: a] system of *small proprietors* is sure to fail, a system of [unclear: small] *occupiers*, under the State, combines all the essential elements [unclear: of] stability.

This danger has been attempted to be obviated on the continent by the farms consisting of scores or hundreds of scattered patches of land of different qualities. But this system renders economical cultivation impossible, and the remedy is worse than the disease.

Thus far we have considered the question solely from the economical and practical point of view, but the great superiority [unclear: of] State tenants over freeholders is equally apparent when we treat it as a question of justice. Land necessarily increases in value as population and civilisation increase, and that increase being the creation of the community at large, is justly the property of the community. By a system of State tenants we shall [unclear: obtain] this increase for the benefit of all, by means of a periodical [unclear: reassessment] of the ground rents payable to the State; but if we create a body of small freeholders we shall perpetuate injustice and inequality. A. and B. may acquire two farms at the same cost and may bestow the same labour and skill in the cultivation of them. But in 30 [unclear: or] 40 years the value of the two may be very different. Minerals may be discovered or some new industry may spring up causing the farm of A. to become the site of a populous town while that of B. remains in a secluded agricultural district; so that, while the children of the one are earning their living by honest labour the children of the other may be all living in idleness by means of wealth which they have not created and to which they have no equitable claim, and to the same extent the community at large is robbed of its due. If on the other hand we establish a system of State-tenancy over the whole country, the natural increase of land-value by social development will produce an ever increasing revenue even if existing landlords continue to be paid the incomes they now receive from land, so that in addition to all the other advantages of the system we shall acquire the means of bringing about a steady diminution of taxation by which all alike will benefit.

Briefly to sum up the argument: Small Freeholders are Bad because,—

- Money must be sunk in the *purchase* which can be better invested in the *cultivation* of the soil.
- The number of men who can advantageously acquire small farms is therefore greatly reduced.
- The unearned increment of the land is taken from the community who create it and is given to individuals.
- The inheritors of these small farms of different qualities of land will compete unequally with each other, and those holding the poorer land must sooner or later sell their farms or fall into the hands of the money lender. The system therefore contains within itself the elements of decay and failure.

IN ALL THESE RESPECTS STATE-TENANCY IS GREATLY TO BE PREFERRED TO SMALL-FREEHOLDINGS, AND A GENERAL SYSTEM OF STATE-TENANCY CAN ONLY BE SECURED BY A COMPLETE NATIONALISATION OF THE LAND.

Vignette

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Land Nationalisation Society,

57 & 59 Ludgate Hill, E. C.

Object—*To equitably restore the Land of the Nation to the Nation, so that all may have equal facilities to use and enjoy the Land and may equally benefit by the revenue from it.*

President—Alfred Russel Wallace, LL.D., FR.G.S., Frith Hill, Godalming, Surrey.

Treasurer—A. C. Swinton, Maybank, the Avenue, Upper Norwood. London, S.E.

All who are interested (and who are not?) in Land Law Reform are cordially invited to become members of

the Society and to assist it in the formation of branches. Copies of the Society's detailed Scheme, Rules, and other literature may be had on application.

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Land Nationalisation;

Its Necessity and its Aims.

Being a Comparison of the System of Landlord and Tenant with that of Occupying Ownership in their influence on the well-being of the people.

BY ALFRED RUSSEL WALLACE,

Author of "THE MALAY ARCHIPELAGO," "ISLAND LIFE," &c., &c.

Land Nationalisation Society Tracts.

Deputation to the Right Hon. The Earl Granville, K.G.

State-Directed Colonization.

(*Secretary of State for the Colonies*),

And the

Right Hon. G. O. Morgan, M.P.

(*Under-Secretary of State for the Colonies*),

On Friday, February 19th, 1886.

London: Published by the National Association for Promoting State-Directed Colonization. 1886.

The Deputation

Comprised the Following:

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MR. FREDERICK YOUNG (Colonial Institute),

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 MR. E. FULCHEN,

and Representatives from a large number of Working Men's Clubs and Friendly Societies in London.
 The Deputation comprised about 300 persons.

LORD Brabazon, in introducing the deputation, said: My Lord, I have the honour to introduce to you this large deputation, for the purpose of bringing before you the question of State-Directed Colonization. I lay stress upon "Colonization," because although in our programme we include Emigration, we lay much greater stress upon Colonization, because there are less difficulties and fewer objections to Colonization than to Emigration. I am not going to detain your Lordship to-day by making a speech. My views are well known—they have already appeared several times in print—and I would much rather ask you to listen to the representatives of the working-classes, who have come long distances to-day in order to address your Lordship. We have here representatives of about 170,000 working-men—representatives who are honoured by their own class, who are trusted, who are recognised leaders of their class. We have here several Members of Parliament. We have also Mr. Froude with us, who has lately returned, as your Lordship is aware, from the Coonies, and who, I hope, will address you here to-day. We have here representatives of all classes, and all parties; clergymen and ministers of all denominations; and we have also representatives of twenty working-men's clubs in this metropolis. I will now ask our Secretary, Mr. Alfred Simmons, to address your Lordship.

MR. Alfred Simmons (Secretary of the National Association for State-Directed Colonization, and who also represented the Agricultural Labourers of the counties of Kent and Sussex) said: My Lord,—Rising on behalf of this deputation, to place before you our proposals, I am sure I shall be doing that which will be a satisfaction to my friends if I say that we thank your Lordship very much for your kindness in receiving us here today, (Hear, hear.) We feel sure that your Lordship must experience a keen sympathy with the large numbers of poor, unemployed people who are in a very deplorable condition; and knowing and feeling that—knowing as your Lordship does that, to working people, want of employment means want of bread—we feel sure that if we can place before your Lordship proposals that meet with your approval, you will do what you can to enable us to

alleviate, or to assist in alleviating, the terrible condition in which so many of poorer fellow-creatures are placed to-day. Not only from London, but from all parts of the country the cry reaches us that there are multitudes of men and women and children, who, from continuous non-employment, have become absolutely poverty-stricken, and these are appealing to people, who, like ourselves, are striving to perform our duty on their behalf; numbers of them are appealing to us, asking us the question, "Why cannot we receive some assistance, so that we may go to those British possessions where we can honourably labour and secure food for ourselves and our families, instead of being kept here, where we are not required, in compulsory idleness, without food, and in this destitute condition?" We have not been able, my Lord, to answer that question. It has been absolutely compulsory, so far as we are concerned, to give but one reply—that we are, as they themselves are, absolutely helpless—that all we can do is to lay their pitiable requests before those who have the opportunity and the power, if they will but use them, to remove the wretchedness of people who do not wish to descend into pauperism. My Lord, three years ago Lord Derby received a deputation from this Association, and, indeed, I think he received us in this very room. He told us that he was satisfied that the volume of our business does not increase in proportion to the increase of our population. We also believe that. We know it to be true. Every day experience proves it. Although at present there is exceptional depression, the fact remains that our population does increase beyond the requirements of our business, and the question arises: What should be and can be done, to assist that surplus population—for they are the people who are appealing to us, at this moment, to mercifully consider them in their helplessness and trouble? Our proposal is that, in harmony with the Colonial Governments, the Home Government should establish a Board for Emigration and Colonization purposes; that by public loan, or otherwise (but not from the rates or taxes) the Government should secure and provide a substantial sum of money; that unemployed people who will voluntarily proceed to our own Colonies may be enabled to do so under certain clearly defined conditions. At present, unfortunately, our Colonies are much in the same condition, so far as trade and commerce are concerned, as we are at home: depression rules, and labour is at a discount; consequently, it would be necessary for the Colonial Governments to place at the disposal of the Home Government, or of the Board to be created for the purpose, tracts of Colonial crown lands; and, upon these lands, an unlimited number of people might be advantageously settled under a carefully devised system of Colonization. No possible objection could be raised to this proposal by the Colonial working people, because large agricultural settlements being created, and not too far removed from Colonial towns, there would rapidly emanate from those settlements a demand for all those articles and necessaries that the mechanical trades of the towns provide. The advantages to Colonial tradesmen, and Colonial working-men, would be very great. (Hear, hear.) We suggest, my Lord, that the cost of sending out the people, and settling them down as Colonial peasant farmers, should be repaid by them in easy instalments, with a small percentage added to cover the necessary administrative charges. (Hear, hear.) Here, my Lord, I would point your attention to a distinction I think it advisable to draw. Our proposal is for a State-directed system of Colonization, rather than for that which is generally described as a State-aided system. We do not ask, as I have stated, for public rates or taxes to be used for this purpose: we ask for a public loan, to be repaid to those who lend it. State-aided Emigration is understood to mean aid by means of the State, and from the State Exchequer. State-directed Colonization we interpret to mean, that the State, by appointed officials, shall direct the Colonization, but that the public revenues are not to be used for the purpose. Then, my Lord, our proposal is that not a fraction of public money should be used for this purpose. On the contrary, the people proposed to be Colonized are rapidly descending into pauperism. Many of them—a very large proportion—will very speedily become a burden upon our parish rates, unless they are enabled to remove. We ask the Government then to perform a great and a good deed that will positively cost nothing to the State, but will certainly, in the near future, save millions of money to the ratepayers of this country. (Hear, hear.) My Lord, I have been engaged in emigration work for many years, and many of the ladies and gentlemen here to-day have also devoted a large portion of their lives to emigration work. We know that the people we have assisted to go to our Colonies have, in leaving their poverty behind them, succeeded to an extent that we scarcely dared to hope for. I myself have followed poverty-stricken people to the Colonies, in order that I might satisfy myself whether emigration was a good or an evil thing. I have stepped into cottages in our Colonies—notably in New Zealand—and I have found people who, here in Great Britain, had been starving, and who must inevitably have become demoralized and pauperized—I have found those same people there, happy, contented, respectable Colonial citizens. They have sent us innumerable messages expressing their gratitude; and we know that this movement, which we are asking your Lordship to initiate, will be an immense boon to thousands and thousands of the poor people who are so pitifully clamouring for bread about our doors today. (Applause.) My Lord, as representing a very large number of those people, I do beseech you to look at this question, and to regard it with favor. I am certain that, if you do so, the people who, as the result, are enabled to escape from their poverty, will turn round in times to come, and offer you that gratitude which would rightly be your Lordship's due. Your Lordship cannot be insensible to the feeling which would necessarily arise in your heart from the knowledge that myriads of poor people had, by

your Lordship's timely and kindly assistance, been enabled to escape from the horrible poverty that surrounds them in this country. But beyond that, my Lord, at the request of my Association, I have travelled through this country addressing meetings and holding conferences on this question. We know that public opinion is behind us, and I am convinced that when it becomes known that your Lordship, and your Lordship's colleagues, have decided to carry through this proposal—I am certain that the nation itself will feel satisfied, and that our fellow countrymen will acknowledge that the members of the Ministry have performed a duty worthy of themselves as the Government of this great and Christian and wealthy nation. (Applause.)

MR. J. Maudsley (Manchester Trades' Council): My Lord, with regard to this business I have come from one of our large manufacturing centres. It may be presumed, in the first place, that we are not, perhaps, so directly interested in this question as in others, inasmuch as we could not for a moment presume that we could transfer our artisans and mechanical workers to agricultural districts, and make them into agriculturalists, all at once. We are none the less, however, affected by the depression which we find, not only in our large centres of industry, but also in the agricultural districts. We find that whilst our producing capacity, with regard to manufactures, is probably increasing from year to year, we also find that this increase of producing capacity does not require an increase in the number of hands. On account of the improvements in machinery, and from other causes, we find that whatever increase we have in the trade, is fully compensated for, or reduced by the improved power of machinery; and in the present time, in the cotton trade, and in many others, although we are producing from ten to twenty-five per cent, more than we did many years ago, we are employing actually fewer hands. You will therefore see that this movement, going on with a corresponding increase in the population, means that a large proportion of our people must be unemployed. While, if we add to this, that we have a large number of working-people from the agricultural districts coming to our centres of population, I think you will agree with me that it accounts very largely for what we now hear as to what is going on all over the country. My Lord, then we consider that if our surplus agricultural population, in place of being drafted to towns, were drafted to the spare lands of our Colonies, thereby making the Colonists produce food for us, thereby keeping down the cost of our food, and producing customers for our manufactured goods—we should have accomplished one the best results, and one of the best means for getting rid of the surplus population, which is now becoming dangerous to the country. I do not profess, and I do not wish, at present, to go into the details of it; I think you have had sufficient of that from Mr. Simmons. My object is more to show you that we are thoroughly in sympathy with it. We have exerted every means at our command for the purpose of getting the opinions of the working population of Lancashire on this question; and almost unanimously—I might say quite unanimously—as far as the bearings of our intention are understood, it has been endorsed by the whole population of the country. I have much pleasure, my Lord, in asking, that as far as practicable, you will give us your assistance in this matter. (Applause.)

MR. Merrick (Leicester Unemployed Committee): My Lord, I come from the Midland Counties, where there is a general expression of sympathy in the objects which our deputation to-day are seeking to accomplish. The condition of many of the working people in our districts is very wretched indeed; they would work, but they cannot get it to do. Some hundreds, if not thousands, are either totally out of employment, or only partially employed. That state of things has been actually increasing during the last ten years. We see, as my friend has just stated, in manufacturing centres, that the improvements in machinery go on more rapidly, producing large quantities of goods, and that means a much lesser number to be employed, and there is a greatly increased population. And therefore it follows that some steps must be taken to remove the surplus population of the unemployed labourers, or the result may be most disastrous. I quite believe that there are remedies which may be adopted in our own country to reduce the evil to a certain extent; but the extent to which the working-class is unemployed is so very great, and the probability is, according to the law of natural increase, the population will go on increasing—so that this would be a permanent means, as well as a present help, to reduce the present numbers of the unemployed in our midst. I am sure your Lordship will know the condition of the people is such that only those who witness it from day to day could at all form any adequate conception of it. What is really needed, if possible, would be present help; but if that cannot be obtained, the earnest and prompt attention of the Government should certainly be directed to some means by which the distress of the country could be relieved from the condition in which the people are found at present in large numbers. Therefore, I hope your Lordship will be kind enough to entertain the proposal made, and give it your most favorable consideration. (Hear, hear.)

MR. J. Anthony Froude: My Lord, the very few remarks it will be necessary for me to make, or that I should wish to make, on this occasion, will be limited to that part of the subject which the previous speakers have not yet touched upon.

They are far better able than I am to lay before your Lordship the difficulties in which the population is at home, and how much it needs relief, and what a relief it would be if large numbers of them could be transported into the Colonies. But what I would wish to say is something about the Colonies themselves, and the feelings

which they are likely to have on the subject, because it is impossible for us to do, or attempt to do anything considerable, in the way of Emigration, without the entire co-operation of the Colonial Governments, and a thorough understanding between our Government and theirs as to what we are doing. But, on the other hand, any steadily organised system of Colonization, by which those who form the surplus population of this country could find a home in our Colonies, instead of going, as by far the great majority of them now do, to the United States—that, I think, the Colonies would regard as the highest benefit that could be conferred upon them. A growing and a healthy population, in fact, is their own wealth; and if it could only be introduced to them by degrees, if I may say so, they would be able to absorb it by some steadily organised system, and nothing could be invented which could tend to draw the Colonies closer to this country, and so unite us all as one people, as we all ought to be. I know the feeling is very strong on this subject in the Colonies, and I am quite sure the Governments of the Colonies would meet the Government in the most cordial way, if there is any chance that any wise and well-thought-out system, in which we can all join, could be hit upon.

MR. E. Memmott (Sheffield Labour Council): My Lord, I am very sorry, following the strain of some of the previous speakers, to inform your Lordship that very great distress prevails in our town; so much so that the Mayor of Sheffield to-day is calling a public meeting in order to see what temporary relief can be given. But, my Lord, we are wanting a system to be inaugurated that shall give permanent relief. We are tired of wasting our energies month after month, and year after year, to see our people walking about for work, and cannot find it. It behoves us to adopt some means whereby these people may be fed. The opinion of a number of our Sheffield working-men is that we have not even done our best to find employment in our own country; for it is said that there are yet millions of acres of land capable of cultivation. If the people had the means at their disposal, and facilities were offered, they might be producing food on these broad acres, and finding us employment in the towns, to make them steam ploughs and other things. If, however, my Lord, the land of this country is so locked up that we cannot get access to it, then we come before your Lordship and ask that means may be provided, whereby the honest poor may be carried to lands where they are more free. I cannot enlighten your Lordship more than to say that what we are asking for is not a home for our criminal or pauper population. As you are aware, my Lord, the population of this country is increasing rapidly. The town I have come from, in the last half-century, has been increased more than sixfold. Whereas, about fifty years ago, we were a small town of some forty thousand population, to-day, my Lord, we number three hundred and six thousand. We have since then introduced very largely into our manufacturing concerns machinery of all kinds. We have sent into the country districts steam ploughs, and that sort of thing, and that has driven the men back again into the towns to help us to do the work. Then we have invented steam-hammers, and we have taken away from the workmen the work that they formerly had to manipulate, and we do as much with the steam-hammer as perhaps ten or twenty men would do by hand-labor. Then we have these people who have come out of the country districts to do our menial work thrown upon our hands, hanging about, competing in the market, reducing the wages, and, altogether, a burden to themselves and to their fellows. Now, my Lord, we are wanting something, if it can be done, whereby those who are willing to work may be able to support themselves and families, and at the same time of becoming customers of ours—giving us their produce, and taking in return our handicraft. (Hear, hear.)

MR. COUNCILLOR J. C. Laird (of the Newcastle-on-Tyne Trades Council): My Lord, I do not know that I can add much to that which has been already said. The subject has been so forcibly brought before your Lordship's attention that I think anything I might say almost might be superfluous. I speak now as a representative of a very large section of the community. At the present time we see that depression which is, unfortunately, almost spread over a large portion of the country, and we have a very great number unemployed, through no fault of their own. I may tell your Lordship that at the present time, on the North-east Coast, in one particular industry alone—I allude more especially to iron ship-building—we have about thirty thousand unemployed, who are willing to work. I am also accompanied by his worship the Mayor of Newcastle, who himself is a very large employer in this particular. Some few months ago, my Lord, we had a large and enthusiastic meeting called for the purpose of considering this question in one of our halls in Newcastle, at which the then Mayor presided. The resolutions were unanimously adopted, asking Her Majesty's Government to enter into some correspondence whereby the Colonies and the Home Government might act in harmony on these questions. We do not want, my Lord, to have it in the shape of simple Emigration, or to remove, as it were, one class of evil from one centre to another; we want a system of Colonization, instead of ordinary Emigration. Were your Lordship but to enter into some of the places it has been my unfortunate position to enter into—to see those who are willing and anxious to work—to see the bread-winner deprived of it—I feel certain, my Lord, that you, at all events, would bring it strongly before Her Majesty's Government. Could you see the man that is too proud to beg, the man that is too honest to steal, with his children weeping round him, asking only for an opportunity to earn that bread; and when you have relieved him, or got to understand his circumstances, to see that strong man burst into tears, it would melt—I care not how hard it be—it would melt the heart of any man. Those, my Lord, are the men we want to help; those are the cases that we want to send

beyond the seas, in order that they may become a portion of ourselves. Instead of being a burden on the community at large, they will be in a position to send us back good food for our people at home. (Hear, hear.) They shall not have the name of pauper, but they shall, my Lord, in the course of a very short time, repay the whole of it back by way of instalments, in order that that stigma may not be attached to them. I may state also that I speak the sentiments of a very large portion, because, being a member of the Town Council, and representing between 7,000 and 8,000 of municipal electors, I speak as their mouthpiece, and that had it not been for the golden gleam of sunshine of Sir William Armstrong's works there, and also a portion of his worship the Mayor's works, Newcastle would be in a terribly depressed state. It was therefore, my Lord, with a view to obviate this, and in order that instead of the spasmodic efforts that are continually made to alleviate the distress, we should, by an organised system, alleviate it, and effectually eradicate it, because, however we meet it, the populations are increasing to so great an extent. The city we are at present in—London—sprang, as it were, from 800,000 in the beginning of the present century, to between four and five millions at the present time. Increasing and progressing, as we are, at this rate, immediate help would only for the time being put the question off for a year or two; but this continuous increase, my Lord, will have to be faced, and he who has the boldness to submit to the Government any scheme whereby it can be done will earn the gratitude of the working classes. (Applause.)

MR. John Wilson, M.P. (Scottish Emigration Association): My Lord, I am expected to say one word upon this subject. I was asked to join the deputation to-day to your Lordship to represent the interest that was taken in this matter of Colonization in the City of Edinburgh, and that I have very great pleasure in doing. I can supplement and endorse all that has been said by previous speakers as to the great desirability, both for this country and the Colonies, of a wise measure of colonization being as speedily as possible arranged. The previous spasmodic methods of transferring, or rather helping to transfer, the movement of the population of our mother country to the Colonies, has been in too many instances followed by most dire results. Just a few days ago, perhaps your Lordship saw in the papers the results of a so-called Colonial settlement in Florida. Nearly 200 unfortunate fellow-countrymen of mine had been deluded into buying land there, through an agent—land which they knew nothing at all about; and when they reached the promised Paradise of their future lives, they found it a wilderness, and a desert, unfit to produce food. Well, too many of such instances have occurred in the past. This Association proposes that there shall be in the future a wise concerted plan of transferring the surplus population of the mother country to the Colonies, and that can only be done, and best done, by having communication with the representatives of the Colonies at home. In concert with them, I think your Lordship could discuss the matter, and mature wise plans, whereby the Colonies would become primarily interested. They would be the chief movers in this important step, for it is they who are to be ultimately very substantially benefited. The plan indicated is an extremely judicious one. No money is asked for, except by way of loan. The money advanced will be expended in improving those districts in our Colonies which at present are waste, and which, in the course of development, will become the sources of great wealth to the Colonists; and those who settle there, I have no doubt whatever, will be able to repay us with interest. I have myself travelled over a large portion of America and the Western States, and I have seen there the wonderful results in the position of the settlers in a very few years. I am satisfied that the Government cannot undertake a more beneficial step—one that is more calculated to do the whole population good, and benefit our great Colonies. I have therefore very great pleasure in being here to-day, and I would urge your Lordship, with all my heart, to entertain the proposals made with all seriousness, and give them the earliest possible consideration. (Applause.)

LORD Brabazon said he did not purpose addressing any observations to his Lordship, but wished to direct attention to the very representative character of the deputation. He would only add that he was much obliged to his Lordship for listening so patiently.

EARL Granville: Lord Brabazon, Ladies, and Gentlemen,—Mr. Simmons, in terms of courtesy, expressed some thanks to me for receiving you here to-day, and Lord Brabazon has been good enough to allude to the patience with which I have listened to what has been said. Now, I cannot conceive of anybody in my position, who has lately come into an office which he has left some 16 years ago, that he should not be deeply grateful to have the advantage of hearing what a deputation of this sort, so singularly representative in its character, has to say upon the most important question which you have brought before me. With regard to my patience, I may say that Lord Brabazon must think me of a singularly impatient disposition if he thinks it was difficult for me to listen with attention to the very short but very pregnant addresses which have been delivered during the last three-quarters of an hour. I would even have kept such a fund of patience that I think I could have made up my mind to listen with decent apparent attention, if Lord Brabazon, who has distinguished himself so much in everything that bears a philanthropic character, would have been good enough to speak on this occasion, instead of leaving it to others to do so. Now, I gather from the representations that have been made, what indeed I was aware of before, that the object of those who are represented here to-day is very nearly this: that though they are stimulated by the distress which at this moment exists, they wish to deal permanently with the evil which recurs

from time to time with regard to a country where the geographical extent is small, and the population is increasing—that they wish to do this—to do that which they think would not only relieve those at home, but would be an absolute advantage to those Colonists, between whom and the mother country the connection appears to me to be getting closer every day, to confer upon them a benefit, and at the same time to look forward to the benefit of the mother country and of the Colony, by increasing the trading relations between the two. I believe that it has been for many years acknowledged that it is a desirable thing that well-regulated emigration should take place from the smaller country, which is over-populated, to one of very much greater extent, where perhaps some capital is required, but where the great want of all is properly selected labour, and therefore the very question is, how this can be best organised and managed. There are three points which have been raised, one of which was hardly touched upon to-day, but it has been raised. I find that communication has taken place with regard to some better means of appointing some Government office by which all the information bearing upon Colonization and Emigration should be more rapidly and more universally spread in this country. I find that my predecessors, Lord Derby, and his brother, have both considered this subject. They have been in communication with the Association, with the Crown Agents, and with the Treasury, on the subject. Nothing has been done yet, but I am happy on one circumstance, that the present Chancellor of the Exchequer—and I may say, the Secretary of State for the Home Department, because he is a man who knows as much about the Colonies as any of the public men of this country—Sir William Harcourt, the Chancellor of the Exchequer, a most important person in these matters, I know has been for some time favourably disposed to the establishment of a department of this sort. There will be a difficulty in the organization, and I do not wish to clinch myself in any way in matters which do not solely depend on me, but I look forward pretty sanguinely to the accomplishment of that object. There are two other points: one is with regard to Emigration, and the other, more particularly, with regard to Colonization. Now, with regard to Emigration, I may say that during the few years I was in the Colonial Office, there was at that time a Government Department, namely, the Land and Emigration Commissioners. They had been established, I think, in 1840. They had to manage the waste lands which then belonged to the Crown. They had to manage the traffic of passengers, and they had particularly, by the money which they received by the sale of Crown lands, the means of assisting Emigration to a very large degree, in order to bring labour to those waste lands. That has now disappeared, and the management of those waste lands entirely belongs to the Governments of those respective Colonies. Now, Mr. Froude, or one of the gentlemen here present, said—and the observation was cheered, I remarked, by all present—that in anything that we do, the assistance and the perfect co-operation of the Colonies is absolutely, necessary with regard to any success. Well, with regard to Emigration, one Colony has lately shut up its Emigration Office in this country from want of employment in the Colony. You must a little bear in mind with regard to this—that this distress, which diminishes the employing of the labour in this country, is also applicable to nearly all the nations of the world, and to our Colonies, too. They find labour and the demands of labour pressing upon them a great deal—much more than had previously been the case. But what I understand to be the case is this: that at this moment, with regard to Emigration pure and simple, the Crown Agents are able to get without difficulty all the Emigrants which their Governments and their constituencies require. I think this deputation has rather put on one side the immediate consideration of the mere Emigration of labourers, who are to compete with the labourers already existing in the Colonies. (Hear, hear.) Now the other question is a very large question, and a most important question: it is with regard to "Colonization." I have looked a little into what happened in Ireland. I believe Mr. Tuke is not here, or, in his presence, I would have asked him to have stated what happened in Ireland; however, I will do so myself. Lord Spencer organised a system of Colonization. It was confined to particular rural districts in Ireland, where there was an especial congestion of labour. It succeeded to a certain degree. It has been put a stop to, not so much from economical reasons as from political and other feelings. During the time it was in operation, I believe that under the superintendence of the Central Government, and by the work of the local authorities, the Boards of Guardians and other local authorities, and by the aid of some philanthropic associations, such as those to which Mr. Tuke belonged, the greatest possible care was exercised in the sending out of Emigrants, especially to Canada, the United States, and a little to Australia. There were a few sent back from the United States, belonging either to the pauper class, or having forged letters, which did not appear to be authentic, from relatives in the United States, professing a readiness to support them. There was also a little tendency on the part of the Irish to get into the cities, and not to go on to the lands. But with regard to a very large proportion, there is no doubt that they did establish themselves in the Western Dominion, and generally have succeeded very well indeed. Now, with regard to the State undertaking it, I understand, particularly from what Mr. Simmons stated, that with regard to the financial arrangement on this point, this deputation have somewhat of a new scheme to suggest. Mr. Simmons says, I think, that no loan is required from the Government at all. I understand him to say—

LORD Brabazon: I think, my Lord, he said it was "not from the rates or the taxes." I think Mr. Simmons's proposal is that a loan could be raised.

MR. SIMMONS: That is so.

EARL GRANVILLE: With regard to that, I should be extremely obliged if I might have in writing the character of the loan, and the conditions which would attach to it, in order that I might submit it to the Treasury. The Treasury look at these proposals with a critical eye, and I am the very last person in the world to blame them. They have charge of the public purse, and they are absolutely bound to look with a critical eye at all proposals bearing in any way upon the finance of the country, derivable from the public exchequer. But if there is a new plan, as I understood Mr. Simmons to state, I should like to have it in writing, to submit it to my colleagues and to the examination of the Treasury. The appeals made to me personally I received with great pleasure, as indicating a belief how fully I sympathise with the distress that is felt, and how anxious I should be to find means of alleviating it; but you will remark that, as Colonial Secretary, and unofficially, apart from my being a member of the Government, there is one portion of the question which we at the Colonial Office are not necessarily bound to consider—the best way of dealing with that which happens locally here. We have the interests of the Colonies to provide for. We are bound to the public to obtain all possible information; we are bound to put as much as possible at the disposal of the Government all the information that is ascertained from the Colonial representatives in this country; but the particular question of how best to deal with the distress of certain localities here is not a Colonial Office question, but is one which affects the Home Office and the Local Government Board. I am saying this, not in the least to send this deputation from one department to another, but I wish a little to distinguish where the responsibility must naturally rest. I can only repeat my thanks to the deputation for the manner in which they have brought this case before me. I shall hope that they will bring before me in writing the exact character of the new plan which they think would be acceptable, and would do away with some objections which have hitherto been raised, and you may be quite sure that not only I shall bring it before my colleagues, but my colleagues will be most anxious to give the fullest consideration to your proposals. (Applause.)

LORD BRABAZON having thanked his Lordship for his encouraging observations, the deputation then withdrew.

The Province of Government.

3d.

*An Address delivered before the
Liberty & Property Defence League.*

BY THE RIGHT HONOURABLE E. PLEYDELL-BOUVERIE.

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The Province of Government.

MY LORDS AND GENTLEMEN, I have been requested to take the chair on this occasion, with the view of laying before you the Annual Report of the Liberty and Property Defence League, and with a view also, I hope, of advancing the objects of that League, and of considering how best those objects can be promoted by a short discussion here to-day. Looking at this matter in a general way I cannot help observing that in the history of modern Europe, and in fact of the world, there has been an extraordinary change in the last 100 years in respect of freedom. The contest which has been carried on for more than that period, beginning, perhaps, in the American colonies and taking place in most countries of Europe, and even within the shores of our own country, has been one for political freedom. It has been one for a greater share of the right of governing, for the extension of the privilege of taking a part in directing the affairs of the nation, so that by degrees, in the course of time, a very large proportion of our countrymen here—a large proportion of mankind in the civilised countries of Europe, have gradually acquired a share in the directing power of the State. This has practically been a great revolution. It has been a revolution accompanied by violence in many cases, by great civil convulsions in others, while in some cases it has been a quiet revolution. But not the less has it been a revolution; and the result has been that practically, we may say, that in most of those countries and in our own the majority rules. It is not perhaps a mere numerical majority, but what with the influence of public opinion and with the extended franchise now possessed by the population of this country, here, at any rate, what is called a majority rules. Now, in former times, the rulers were in a small minority. Sometimes this was a minority of one, and sometimes a minority of comparatively few, as set against the great mass of the population over whom they ruled. The struggle then, on the part of those who were contending for political freedom, was more or less to limit the powers of those who ruled, and to control the exercise of their arbitrary will, and to endeavour to place a limit on the functions of the Government. But owing to the change which has now taken place to which I have adverted, the question assumes a totally different shape, because it is no longer the power

of one, or a few, over the many, which is sought to be limited, but it is the power of the many which, in many cases, in my humble judgment, is sought to be unduly exercised over the few, and which it is desirable to limit.

The struggle, therefore, which will ensue in the coming century and which is beginning now, as I think you will observe, in many parts of the world and also in our own country, is the struggle of the few to endeavour to limit the arbitrary power which may be exercised over them by the tyranny of the many. Now, this question is one of the utmost importance, not merely in abstract politics, but in practical politics. We know that a very great philosopher who has recently departed this life, Mr. Carlyle, talked about mankind, as being "mostly fools." Perhaps, that was a rather strong way of putting it, but we know, for certain, that a great portion of mankind owing to their having no comparative leisure—owing to their not having engaged in studies which would have enlightened them, are influenced by impulses, and feelings, and passions, which are not of an enlightened character, and we know also that there is in our own country especially, a strong tinge of fanaticism in matters religious and connected with religion, which if once associated with what may be called the folly of mankind, would, in the arbitrary exercise of political power by the many, have a most disastrous influence over the nation's best interests and ourselves. Now, in the abstract I should say, that the greater advance a State made in civilisation—that is to say, in morality and religion, in the development of the culture of its citizens, in their efforts at self-control, in their prudence, in their thrift, and in their intelligence, the greater ought to be the personal freedom in that country, Folks who can wisely govern themselves, and do all they should do, do not need to be governed by others. But I sadly fear the tendency of modern times, in our state of civilisation, is rather the reverse, and that it is to diminish personal freedom, so that it behoves those who share in that feeling to endeavour to combine, if possible, to stem the tide which they think may be setting in a wrong and disastrous direction. We all remember the phrase which was applied to the Bourbon Princes when they went back to France, that they had forgotten nothing, and learned nothing. But we, too, seem to have forgotten very much and to have learned very little, as regards a large portion of the matters interesting to us concerning the effect of the interference of the Government and the Legislature with the free action of the individual. The truth is, as far as I can discern it, that this vast extension of political privileges and franchises of which I have spoken, has practically turned up a new stratum of political soil, so to speak, which is readily prepared to grow exactly the same weeds of pre-judice and ill-understood opinions, which sprang up and prevailed among the more cultivated class two hundred or three hundred years ago, and which has been eradicated from their minds by the experiences of those times. We must recollect that those prejudices, if we believe them to be so, those false and preconceived notions, have to be overcome. They are the natural produce of ignorance, inexperience, and folly. They can only be overcome by discussion and enlightenment, and by endeavouring to set before those, who are practically holding sway in a country like this, what is the truth. There are circumstances, too, at the present time, which make the influence of this power thus held the more galling, and the more terrible in prospect, than it might have been in former times; because the eye of the Government has become now much more acute and searching, and its hand has become more weighty and powerful. In old days, Acts of Parliament were passed to regulate trade in various ways, such as to fix the rate of wages of labourers, to settle what should be the rate of interest which should be paid by those who borrowed to those who lent, to prescribe the mode of making certain goods, and so on. But these were comparatively *bruta fulmina*. They may, to a certain extent, have been put into force by the decision of the law courts; but, so far as these enactments were alien to the habits and feelings of the mass of the people, and contrary to the natural course of trade, they were probably, in many cases, a dead letter. And, I believe, that is an explanation of why you find such a large number of these Acts in the old statute-books re-enacted, again and again, for pre-cisely the same objects. There was the sense of evil to be overcome, some uneasiness of feeling, which originally prompted the desire to have an Act of Parliament, which it was fancied would prove a remedy. This Act was proved a dead letter; and, consequently, there was a constant re-enactment of the existing statutes, while in the recital of those old Acts it was set forth, that as the laws previously enacted had continued to be unobserved, it was therefore necessary to re-enact them. Now, in these days, we have armies of policemen all over the country; we have battalions of Inspectors of every kind. The catalogue of them is endless. I have put down from memory a few of the inspectors, who have come into existence in recent years; some for a good purpose, and some for a questionable one. There are, for instance, Prison inspectors, Factory inspectors, Mine inspectors, Workshops inspectors, Brickfields inspectors, Asylum inspectors, School inspectors, Boiler inspectors, and a whole long list of others. This system of constant inspection, though something may be said for it with a view to preventing offences against the law, brings, on the other hand, the Government into close and immediate contact with the citizens of the State, and makes this infringement of the liberty of those who are subject to it, far more galling than ever it was in the history of this country before. I would like to maintain that, as to all these Acts, the burden of proof is upon those, who are in favour of special interference by the State. It is often a question of the utmost importance in legislation, as it is in a law-suit, to know where the burden of proof lies, and it seems to me that, in many of those cases, where Parliament is now called upon to interfere between man and man in the way in which it has never interfered in

recent times till now, the burden of proof should be laid strictly on those who contend for the change, not only to show that there is some evil which it would be right to attempt to diminish or put an end to, but that also the methods to which they would have recourse, are the true methods by which that evil may be corrected. The collateral consequence of this method of modern legislation is the enormous expense of it. There can be no action, you may say, of the Government, in a general way, without expense. Whatever the Government is called upon to do, it must be done by instruments who are paid for doing it, and consequently every addition to the functions of a government is an addition to the expense of the Government. And I believe myself that the real explanation of the constant increase of the public expenditure, which has been going on now for a great many years, and which is always found fault with by the leaders of the party in opposition, but which is also carried on by every Government when it is in power, is that this increase is a necessary expenditure consequent upon the constant increase of interference by the Government in every direction. You cannot have the services of the Government without paying for them. Some of those cases of minute interference lead to consequences which the public do not seem to contemplate. There is an Act of great importance, the objects of which nobody can find fault with—the Act of 1883 for the amendment of the Bankruptcy Law. An ingenious friend of mine who is in the House of Commons himself, and who is a shrewd man of business, told me he had taken the trouble to calculate what would be the accumulation of volumes of account-books which by direction of this law are ultimately to be collected and kept for a given period as records in the central institution which has to administer this law. He took a moderate number of books for each bankrupt concern. He took the average number of bankrupts in a year, and he accumulated these books for five years—he thought perhaps that that would be long enough to keep them—and he estimated that, in that time, there would be an accumulation of 142 miles of books preserved in this central office of the accounts of bankrupts. This is not therefore a theoretical question, but it is simply a practical question—one upon which politics will turn, and upon which the struggle will be carried on in this and other countries of the world, in the next 50 or 100 years. The same thing exists in America, that we see tending to arrive in this country. In America we know that the cultured, most independent, and intelligent class are in the minority, as probably they will be in most countries to the end of time, because culture involves leisure from physical toil, and leisure is not a boon which the bulk of mankind can look for if they are to work for their living. This minority is excluded from political life. They are ostracised. Those who by their culture and character are the natural aristocracy in the United States are there ruled out altogether, and the majority, with the feelings of majorities, and the feelings of the class to which they belong, ignore the wishes, and desires, and even the rights, of the minority, who are obliged to sit in silence as best they may and submit to what is, after all, nothing more or less than the tyranny of the democracy. Now the real question at the bottom of all this matter is—what is the real and true province of Government? Is it to protect people in the enjoyment of their liberty and their property, and their industry, and their right to think and speak and do as they like, so long as they do not interfere with or injure other people—is that the business of Government, or is it a great machine which is to endeavour, by some awkward mechanical contrivance, to grind out, as it were, a greater amount of material enjoyment and happiness for the bulk of those who are governed, than they ever had before. That is indeed the great question which has come to the surface abroad, as well as here, but more conspicuously on the continent, than in this country.

There is a school now—an able school, too—who contend that it is the business of the Government, by the revenues raised from the taxation of the people at large, to endeavour by artificial means to alter the condition of those who have to toil for their maintenance and for existence—that toil which is imposed upon the bulk of us as a burden, and which, practically, is unavoidable as long as mankind and the present world continue to exist. There is, I say, this one school—the school of socialism. But there is another school which even goes much further than that, as we know, which contends that all property is a mistake. First of all it contends, that property in land is entirely wrong and indefensible, though I have never been able to understand what distinction there is between land and other property. But, further, this school says that all property is entirely wrong; that a period is coming when there will be no property, and everybody will be all the richer and happier. The difficulty is, as has been suggested by a French writer, that everybody will have to be taxed to give everybody else a salary. But these questions, again, I say, are no new ones. They are questions that have sprung to the surface in former times, and which have been thrashed out, and the foundations of which have been shown by absolute demonstration to be unstable and unsound. These questions originated with the first outburst of the Reformation, with the revival of letters, and with the consideration which was then given by learned and able men to what is, after all, the main question at the bottom of all these matters of discussion, namely, why should there be suffering and sorrow, and misery and toil amongst mankind? The very word "Utopian" points to the ingenious and able romance, written by one of the greatest men of the 16th century, Sir Thomas More, which was an endeavour to find a solution of this question. And so again, now, these ideas have been revived, once again to be met and discussed, and, once again, I have no doubt when fully discussed, to be found to be false, and so far from being able to yield any substantial addition to the happiness of mankind is concerned,

found to be fraught with mischief, disorder, and increased misery. I am sorry, gentlemen, to detain you at this length. I have carried you further afield than I wished or intended with regard to questions of this sort, but they are practical questions of the day. Look at what is proposed to be done even in the present session of Parliament. I have got here two or three Bills, and have looked at them with a view of considering whether they do not unfairly infringe upon just principles of freedom. I found one Bill is to prohibit the sale of intoxicating liquors, on Sundays, in the county of Durham. A similar Bill was passed a year or two ago to prohibit the sale of intoxicating liquors in the principality of Wales. Now, these are no new notions—these notions that, by Act of Parliament, you can prevent drunkenness and vice. They are merely the revival of old notions. There is inherent, I believe, in mankind a desire to prohibit people from doing what you don't like to do yourself, and this particular kind of prohibition seems always to have had a peculiar attraction to the puritanic mind of England. Don't believe that those notions have only sprung up for the first time in the present day. There were Sir Wilfred Lawsons and Temperance Leagues in the days of James I. and Queen Elizabeth, who attempted to do the same thing by legislation, which these gentlemen are attempting now. They passed Acts of Parliament for the observance of the Sabbath. They passed Acts prohibiting drinking in ale-houses, to make it penal to get drunk, and a variety of other things, intended, according to the light which they then had in them, to improve their fellow-creatures. These Acts were failures. They were admitted in those days to be failures. Let me read the recital of the Act 7, James I., chap. 10; the date of it is 1609. It is called "An Act for the Reformation of Alehouse Keepers."

"Whereas, notwithstanding all former laws and provisions already made, the inordinate and extreme vice of excessive drinking and drunkenness doth more and more abound, to the great offence of Almighty God and the wasteful destruction of God's good creatures."

This proves that the same views prevailed then that are current now with a large class of well-meaning people; and that the endeavours then to legislate in this sense wholly failed in their purposes. I look upon the like attempts of modern days exactly in the same light. Nobody can stand up to defend intemperance; nobody can say but that drinking to excess is a vice which leads to many other evil consequences, but the question is whether you can stop it in this way; whether, as in this Bill, the State is entitled to say that the houses men choose to go to for an innocent purpose—for rest and refreshment are innocent purposes—shall be shut up entirely one day in the week, because some people happen to drink to excess, and many people believe a thing to be wrong on a Sunday which is innocent on another day. I may on this point differ from some of you, but it seems to me that is distinctly an infringement of just personal liberty. I don't understand how I can be regarded as having the rights of a free man if during one day of the week, when I am travelling in a populous district like Durham, for instance, I am to be debarred from going to a public inn to find a place of rest and refreshment, because it has pleased a certain number of people in that county to say that all public-houses shall be shut on the Sunday, and that I am to have no place of rest, as a stranger, on the day of rest. And apart from the general objections which I feel very strongly to such a proposal, which I am confident will not bear discussion with unprejudiced people—apart altogether from this, I say, what can be more ridiculous and absurd in this kind of legislation, than to say that while you shut up these houses in Durham, and in the prosperous, town of Gateshead on the south side of the Tyne, you may, if you walk across the bridge to Newcastle, find all these houses open in Northumberland just as they were before the Durham Bill was passed? If this is to be done at all it should be done universally. But I venture to contend that to do it at all would be entirely wrong, and I want to substantiate yet further, if you will allow me, what I said, that this is nothing more than old-fashioned puritanism, now revived by an influential section amongst our constituencies, who are driving things much further than people will be disposed to bear, and which puritanical notions were tried and exploded amidst public scorn and derision nearly 300 years ago.

Now here is the preamble of another Act which was passed in the reign of James I., 276 years ago, for "repressing the loathsome and odious sin of drunkenness."

"Whereas the loathsome and odious sin of drunkenness is of late grown into common use in this realm, being the root and foundation of many other enormous sins, as bloodshed, stabbing, murder, swearing, fornication, adultery and such like, to the great dishonour of God and of our nation, the overthrow of many good acts and manual trades, the dishonour of divers workmen and the general impoverishing of many good subjects, and wasting the good creatures of God."

This has the ring of an Alliance denunciation, but this statute and others with the same object in those times wholly failed.

Then, again, you will find a series of old statutes, which are called by lawyers the "Tippling Acts," passed, not for the Sunday merely, but for every day in the week, to prohibit anybody staying more than an hour in a public-house, for the purpose of drinking and eating. And this is the class of legislation now again sought to be imposed upon the free people of England. The same class of wisecracks who got these passed then, are trying to get them passed now; and if they succeed in getting them, there will be the same result—a failure. We are very

much unlike our forefathers if we are likely to submit to this kind of legislation. It is an attempt by foolish well-meaning people to make other people good, in their own way.

The principle of such interference is unsound. So long as I do no harm to my neighbour, and use my rights so as not to harm him, or infringe his right to equal liberty, so long he has no just claim to impose upon me State restrictions of this kind. He may have a majority in his favour—perhaps he will have—but majorities cannot make that right and just, which is wrong and unjust. If I violate the laws of public decency, which is an obvious offence, that is another thing; but as long as I do that which is innocent, or simply that which hurts myself alone, and not other people, then, I say, the State has no right to interfere with me. At one time it was thought reasonable to attempt to regulate trades of every kind. They regulated how hats were to be made, how skins were to be curried, and how horses were to be turned out on the commons. I find that in the reign of Queen Elizabeth two hundred and sixty-nine Acts of Parliament were passed; of these sixty-eight were for regulating trade. In James I. 's reign one hundred and sixty-seven Acts were passed, of which thirty-three were for regulating trade. These have all been repealed. Experience showed them to have been useless, or mischievous; but the same fallacies which then led our ancestors into passing them now again crop up among us, and again the same blunders will be made, and again experience will have to demonstrate the folly of these attempts to interfere with the natural laws, which may be best relied on properly to regulate Trade.

The new gospel of prosperity is that we are to have the making of contracts taken out of the hands of those who have the best means of making such as suit their interest, and settled by public authority for them. Grown men are not to be supposed capable of taking care of themselves, and their fortunes, but they are to be nursed and dandled by Act of Parliament. This is the old doctrine of Protection revived. The Agricultural Holdings Act is founded on that doctrine. Why especially are the tenants of land supposed to be incapable of taking care of themselves? And why are land and contracts as to it to be made the special subject of Legislative interference? Only on the assumption that those concerned in its cultivation have a claim to special privileges—that is, to protection. I thought all this had been exploded, when the Corn Laws were justly repealed. But the notion, at the bottom of this new scheme of legislation, is the old one, again come to the front, and set up to be worshipped. Could it be better expressed than in the preamble of the Act 15 Charles II., chap. 7, "For the encouragement of Trade"? It would serve admirably for the Agricultural Holdings Act of 1883. Here it is—

"Forasmuch as the encouraging of tillage ought to be in a special manner regarded and endeavoured, and the surest and effectuallest means of promoting and advancing any trade, occupation, or mystery, being by rendering it profitable to the users thereof, and great quantities of land within this kingdom for the present lying in a manner waste and yielding little, which might thereby be improved to considerable profit and advantage if sufficient encouragement were given for the laying out of cost and labour on the same, and thereby much more corn produced, greater number of people, horses, and cattle employed, and other lands also rendered more valuable."

It looks as if with the new extended constituencies the whole battle of freedom against restriction, of liberty against State meddling will have to be fought over again. I have no doubt myself that the true doctrine is, that the greater the freedom, the greater the amount of prosperity and enjoyment. We have by long experience realised the truth of this maxim, and that has been the source of the wealth and the greatness and the power of the country which have exceeded that of any other country in the world at any time. If we as Englishmen once allow a complete change to come over the spirit of our dream in that respect, go back to what we once did, as I have shown, and attempt to find our happiness in the pposite system of restriction and protection, we shall reap our reward in loss, in suffering, and in misery.

For my part, I have always been a believer in the old doctrine which I learned at school, which was that one Englishman was equal to three Frenchmen, and I really believe that there was some foundation for that prejudice. The reason of it is that, as compared with the French people, for many centuries the Englishman has been comparatively a free man, whereas the Frenchman has not. The system which has prevailed in France has always been till very recent times one of Government interference, direction, and control, of responsible power, and arbitrary monarchy. Our system contained the essence of freedom. Everybody was allowed to do what had not been prohibited, and as little was prohibited by law according to the lights which prevailed from time to time as well could be. In France the spirit of the nation is so different from ours, begot by generations and centuries of traditions, that even in the most trifling matters the Government and the public authorities interfere. A friend of mine was in France a few years ago at a cricket match, which was played by a team of my own countrymen at Pau, in the south of France, and one of the cricketers was a very swift bowler. By the wicket stood a *gendarme*, who from time to time shouted out, "*doucement, monsieur, pas si fort, sil vous plait*," "not so fast—gently, man, if you please," for fear the batter should be damaged. This is the system of protection. Here we have to take care of ourselves, and on the whole we do it better than if we had the protection accorded to our neighbours, who are treated as babies. If we are treated as babies, we grow up and behave as babies. I believe all these schemes and notions for State meddling, directing and protecting are essentially and inherently wrong.

Freedom is the true solution for many of our troubles—the utmost freedom that can be given to industry—the utmost freedom for a man to contract, or to bestow his labour upon any subject he chooses, without State interference, while the only protection which the Government has a right and a duty to extend over its subjects is the protection to life, liberty, limb, and property, from injury by others; which protection they are bound to give to the humblest of our fellow-citizens.

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Regarding Evolution: The Previous Question of Science.

Regarding Evolution

BY *The Rev. James MacGregor. D.D., Oamaru.*

"HE THAT IS FIRST IN HIS OWN CAUSE SKEMETH JUST;

But his Neighbour Cometh and Searcheth him."

Prov. xviii., 11.

Published by: James Horsburgh, George Street, Dunedin; Andrew Fraser, Oamaru.

The Previous Question of Science Regarding Evolution.

(Paper Read at Meeting of the Otago Institute,

13th October.)

THE evolution in question is especially of species in physical nature. It is an interesting circumstance that there is not one clear case of actual evolution of species in the history of nature as known to mankind. That was intimated a few months ago by the late Sir Wyville Thomson, an avowed Evolutionist, of Challenger reputation as a nature list of highest class, in what I suppose to have been his last inaugural address. It was of course admitted by Mr. Huxley, the living apostle of evolutionism, when with his charming frankness, he said that we might have seen a case of actual evolution *if* we had been there—as of course we might., *if* the evolution was there. And it is implied in the well known evolutionary postulate, that of this process of nature the result at every time must be supposed to be infinitesimally small, so as to be imperceptible to a microscopic onlooker on the spot.

The circumstance is impressive in relation to the question of fact, whether there is such a thing as evolution in physical nature. If the evolution was there, why are there no clear traces of it *here* and now? A vast army, horse, foot, artillery and baggage, has marched across a green field, and left no trace of the transition; but the turf unbroken, the primrose upright on the stem, while "ilka blade o' grass keeps its ain drap o' dew." Yet other things, even the tiniest, have left their traces clearly legible: the footprint of birds, the trail of earth worms, the mark of rain drops, the ripple of gentle breezes on fine sands. Surely that army is a phantom host, like that of the avenging Teutons in vision of Erckmaun Chatrian's crazy German schoolmaster, on their way from Fatherland across the Rhine to reconquest of Elsass and Lothringen.

Other processes of nature, that is, those really known to us, gravitation, for instance, and ordinary generation, bear witness to their reality every day before our eyes, in actual cases of gravitation and generation countlessly multitudinous, infinitely more numerous than the stars in the firmament or the sands on the seashore. How comes it, then, that this alleged process of nature is fruitless in appearance as a long extinct volcano? A volcano can become extinct, as gas is turned off at the meter, or a fire burns down in the grate. But what can be meant by exhaustion of a great fundamental process of nature, while nature herself remains in full vigour of productiveness, as shown in her processes of generation and gravitation?

Besides, an extinct volcano leaves traces to all future ages of its activity in the past; although, as compared with the alleged evolution, its action can have been only as one evening watch fire in a series of great campaigns. The evolution must have extended over the whole history of origination, through all the vast aeons, Palaeozoic, Mezozoic, and Tertiary, recorded and depicted for our learning in the Geologic Pictorial History of Origination, vols. I., II., III., of which the grand *finale* of our Quaternary with Man is only as the last page with a *Finis* at the foot. Yet, we are told, it has left no "foot-print on the sands of time."

And further, that fundamental process of nature, why should we have vainly to look for it only in the records of the past? Why do we not see it in operation at this hour? Why are there not clear cases now occurring of actual origination of new species? Not only around man throned and crowned as lord of all, but higher than he, and yet higher, and higher still, like the steps of the ladder of angels at Mahanaim? It is true that we cannot at any moment see the grass growing; but we can see it grown; so that it is to-day in the summer where it was not in the early spring. The new species, though they should be long on their way toward completeness, ought, as the result of evolution, to be every day arriving at completeness, coming into manifestation as new and distinct; ranks hitherto unseen ever coming into view on the heels of those which have become visible before, as the ranks of an endless army, in wave after wave, appearing on the orest of origination in the dawning, where the morn of life is jocund, ever new—if, indeed, on the misty mountain top. We might have seen a case, you say, if we had been there. But we are there: on the theatre of the evolutionary process of nature—if, indeed, there be any such process, of a nature which is alive in the present as in the past.

The previous question, to which our attention is now to be directed, is of what lawyers call *the issue* in the case: How are we to bring this matter into shape, for a judgment upon it according to truth? I propose that we should look upon it from the view point of science in the strict sense of physical or natural science, constituted by interpretation of physical nature in her facts for ascertainment of her doctrines. It is true that in a general sense, which is a true sense, science includes all reasoned information that is solid, all knowledge that rises above simple apprehension of details into comprehension of them through relative principle, or, to perception of principle in pervasive domination of details. Regarding a process of nature we may have such information that is not derived from nature; as we may obtain some knowledge of watch-work, not only through study of machinery and material, but also from such relatively external sources as the testimony of a competent witness. And if we have such information regarding origin of species, the circumstance of its being extra natural in source need not hinder it from being truly scientific in quality. We therefore shall reserve the right of all real knowledge of the matter to be taken into account in the final judgment of science regarding evolution. But for

the present we shall contemplate the matter simply in the light of natural or physical science, self-restricted to ascertainment of nature's process from nature herself in her facts, observed, collected, tested and digested.

The previous question being—How are we to judge the claims of the evolution hypothesis to be received as a theory of the origin of species, I find the answer to be: By forming a "clear and distinct idea," (1) Of the fact of the alleged process of nature, (2) Of the specific nature of the process, and (3) Of its alleged extent in physical nature. (1) Is it alleged as a reality of nature? (2) What precisely is it said to be? (3) How far is it supposed to extend in operation? The Cartesian prescription of "clear and distinct ideas" is important in relation to all questions of physical science; for it is in clearness that science lives, and by distinctness that she moves, progressing through differentiation to; victorious ascertainment. And it is peculiarly important in the present case, because in connection with evolution there appears to be a peculiar proclivity toward [unclear: o] indistinctness, as if the children of Evolutionism had, like Israel in the Red Sea, been all baptised in the cloud.

I. OF FACT—ALLEGED PROCESS OF NATURE.

Science takes an interest in a hypothesis or doctrine only so far as it alleges a fact of physical nature—nature disclosing its process through its history. Thus her doctrine of gravitation is nature's fact of the apple's fall comprehended by reason, so that the apple's fall is for her the doctrine of gravitation apprehended through sense. Keeping this in view, we obtain deliverance, in relation to the alleged evolutionary process of nature, from entanglement with baseless naturalistic speculation on the one hand, and, on the other hand, from supranaturalistic doctrine of creation.

1. Baseless naturalistic speculation about origin is represented by the "specs I growed" of clever childish Topsy, and by the daydream of primeval Athenians and others, in the clever childhood of peoples, regarding autochthonic origination of their fathers from their soil of fatherland. Such things are humanly interesting, as phases of the pathetic history of human guesses at truth near the deep springs of life. But by science they are disregarded as guess-work, not solidly built up on ground of nature from her facts, but floating in air, on wings of imagination or fancy; or they are by her regarded with aversion as dangerous to solid ascertainment of truth, all the more hateful if they be plausible, so as to be peculiarly dangerous impostures. Such, in relation to the world as a whole, was the ancient cosmogony; to us represented by the noble poem of Lucretius, whose *rerum natura* is, not simply the system of things, but their genesis as a system, their systematic origination as a world, of *cosmos*, "order," or *mundus*, "the beautiful." We shall pause for a little in view of that speculation, which has lessons to our present from its past.

The method of inductive science, which had hardly begun to dawn upon the ancient masters of speculation, has in our new time come to be almost a second nature of inherited habit through generations of induction as a science and a practice; so that a *petit maitre* in our schools can easily obtain exact and full information about wide regions which were as worlds unknown, not only to the deep and far penetrative industry of [unclear: Aris] mighty intellect, but to the incarnate genius of speculation a out ideal possibilities, eagle eyed adventurous, in the imperial reason of Plato the divine. This must be held in view of our minds if we will do justice to the old masters, and enter through sympathetic intelligence into comprehension of their speculation, and place our Helves in right relation of discipleship to their genius; as Manfred saw "hoar antiquity" majestic and lovely in the moonlit world he gazed on from the solitary tower, so that for him—

The place became religion; and the heart ran o'er
In silent worship of the great of old! Those dead, but
sceptred sovereigns, who still rule
Our spirits from their urns.

And yet, moonlight is not daylight. We are the children of a distinctively modern day of science. We must judge, as we shall be judged, according to our lights. And in the new light of our day we perceive that that speculation was not science. To poetry, in her love of beauty and grandeur, it has a fascination in its magnificent unity in vast and varied multiplicity of movement and life. To philosophy it might be welcome as a rain-bow ladder of ascending through *physica* of nature to *metaphysica* of being. It may even be made subservient to theology as a discipline of religion, in her aspiration, on wings of the soul, "to follow nature up to nature's God." For she can distinguish the glorious poetry of a Lucretius from his Epicurean metaphysic, and transfigure his poetry into her psalmody more glorious, apprehending his *natura* as being also *creatura*, the *physis a ktisis*, meet theme of nobler song than his. But it was not the result of solid ascertainment of Nature's doctrine from her facts. Origination was apprehended as a sort of universal growth-*pangenesis*—with perhaps an unconscious *anima mundi*, or non rational "soul in nature," as vital principle of the great evolutionary movement. And this gave rise to song—in the strain of—

From [*unclear*: harmony] from heavenly harmony,
This [*unclear*: univers] began;
From harmony to harmony
Through [*unclear*: I] pass of the notes it ran,
The [*unclear*: diapa] closing fun in man.

But poetry is not science. The hypothesis of universal growth, at the core of the representation, and in pervasive domination of it all, was essentially guess-work like the "spec's I grewed," and the day dream about autochthones. Ionian Anaximander adduced on behalf of it the fact of a spontaneous origination of life from the slime of subsiding seas in sweltering primeval heat of the sun. But that fact was a [*unclear*: fi], like the recent fable of Bathybius. It was an afterthought of imagination in support of a speculation really fanciful. In substance and spirit that cosmogony was but a sort of philosophical poetry of nature, meetly robed as poetry even when strenuously reasoned as the "Paradise Lost," but not less truly fanciful though in aspect it should be quasi-scientific plain prosaic, like a transcendental muse in quakeress costume.

To us it may come in the deeper disguise of a master of modern science in the third century of our new Baconian epoch of Induction. It may call itself a scientific evolutionism. And he may regard with scorn such as will not receive his speculation, denouncing them in the spirit of the saying, "This people, who know not the law, are cursed." For there is a phariseism of science as well as of religion: professed teachers of the law who make the law of none effect by vain traditions of their coteries; idolatry of the theatre of system, or of the cave of cloistral isolation, to say nothing of the baser idolatry of the market place, which can sink into pandering to low cravings of the unreflecting by pungent contradictions or inuendos against received beliefs. And science, having no passions, may not repay that scorn with scorn. But she will guard herself by remembering that, while there may be a really scientific evolutionism, ostensibly built up on ground of nature from her facts, a viewy speculation floating in air is not science but imposture, even though the impostor should be himself a believer—

Like [*unclear*: Katerfe] to with his hair on end.
At his own wonders wondering.

Corresponding to that ancient cosmogony, there is an ideal construction of nature, now-a-days calling itself materialistic philosophy, and really being a hybrid of physics and metaphysics, both misunderstood, which may be set forth as follows. We assume, to begin with, one infinite homogeneous substance, inhabited by one force working equally in all directions. And from that we imagine the universe as arising in a manner such as might have been suggested to Kant, if he had not been either a philosopher or a physicist, by his categorical imperative, "Act from a maxim fit to become law in a system of universal legislation" Here the germinal idea is "fitness." In the government of a rational universe, nothing is "fit" to hang together as a system but morality, and nothing but what is moral is "fit" to hold abiding place in such a system as precept of detail. Let us apply this idea to the wholly different case of origination of a physical universe. The universe will rise into being through a vast process of unconscious experimentation, on a principle of what we call "survival of the fittest," though a clear-eyed philosopher might prefer to say "instatement of the fit," First, in that laboratory, by all round operation of the one force, all conceivable worlds, every one of them with all conceivable infinitude of variety in details, rise toward inchoate being; but while yet only nascent, not instated in being, like Milton's half-created lion: "pawing to be free," are flung back into nonexistence by friction or strain of "unfitness:" the totality proving "unfit" to hang together as a world, or one or more details in an infinite infinitude of details proving "unfit" for adjustment into harmony with the whole. At last, by a sort of physical *abscissio infiniti*, there is attained an evolutionary [*unclear*: sab] of nature, reposing on completion, in that one world which, both as a whole and throughout all its infinite infinitude of details, has been found "fit" to stand—on what? And how? And why?

The idealism of this construction is clumsy and coarse as compared with the methodology of Hegelians, Chinese, and other speculative barbarians, who deduce the universe by process of logic from a characterless Being equal to Nothing. The speculation, thus crude and crass intellectually, is inferior to the Epicurean materialism in respect both of simplicity and of that cynical frankness, of confessed guess-work, which underlies the Epicurean suggestion of a fortuitous concourse of atoms. The assumption which it has in place of that guess, the one substance with one force, is a purely arbitrary creation of man's will; "shooting," as Hegel said of a kindred speculation, "the universe out of a pistol." In fact, the universe is assumed as begun, before we

have begun to begin it. And this oddly fatalistic universe, thus originated by man's will before it begins to originate itself by necessity of physical nature, has in it a fatal incapacity of "marching" either through the origination or to it. For the speculation has no provision for either setting the one force in operation or sustaining it in operation once begun. And it is bewildering to try to think whether the resources of mathematical symbolism can conceivably furnish an expression for the infinite infinitude of infinity of chances against the origination, by one force always dispersing itself aimless in all conceivable directions, of a universe so thoroughly and essentially definite as ours, with a great system for every star, and a little world in every atom, through all its countless multitudinous infinitude of systems of differentiation, precise and harmonious, as if in express manifestation of one sovereign mind, "a manifold wisdom" all pervasive, pervasive "all in the whole, and all in every part." But from the view point of real science what falls to be said of the speculation is this:—It is not only unscientific but anti-scientific, in matter and spirit, in method and result, from centre to circumference all round. To the real world known to science its ideal world stands in no relation but of persistent reciprocal exclusion and repulsion. To real knowledge it is related only as thesis to decisive antithesis. To a really scientific evolutionism, if such a thing there be, it is only an illustration of contrast. Upon disciplined reason it has no claim, except to be driven away from her bar as an old and oft-exposed impostor.

2. At the opposite extreme, we seek to avoid entanglement with the supernaturalistic doctrine of creation. Some appear to regard evolution simply as the antithesis of creation. And many are under the impression that the one is of course exclusive of the other. But science knows not any matter of course. She will believe only what she perceives in the nature of the things in question. She therefore disregards any "strife of tongues" that may be among zealots of either science or theology. For zeal may be "not according to knowledge," nor conformable to the maxim, "He that believeth shall not make haste." And men may consult their ambition more than their qualification before rushing into a controversy so momentous in its issues, both for true rational science and for true rational theology. Disregarding then, "vain janglings," of [men who perhaps "know not what they say nor whereof they affirm," let us look into the nature of the things in this case. It is represented by the expressions, respectively, process of nature, and will: evolution is, origination by process of nature, and creation is, origination by will. Here then there is difference with coincidence and connection. But that does not make a manifest necessity of collision. There is difference with coincidence and connection, yet there is no reality of collision, nor indeed possibility of it, in the case of space and time as related to one event, and in the case of colour and sound in relation to one body. And in the clear light of science we can see that there is no real necessity of collision between evolutionism and creationism in their own true natures.

On the face of the matter we see that while creationism with its will has to do only with extranatural, supernatural, relatively metaphysical, evolutionism, as an hypothesis of science, has to do only with the physical of nature and its process. Every thing extra-natural is as such outside of the province of physical science as such, beyond her jurisdiction and her ken, her power of right to judge or to think. Assuming the substantive reality of nature, she does not further inquire whether that reality reposes on supernatural, or whether it may not be self-existent and eternal, or whether it may not be constituted by chance assemblage of atoms. To any such question she cannot say either yes or no without so far ceasing to be as physical science. It would be suicidal on her part to think about anything metaphysical, supernatural, extranatural, even in her dreams. In relation to everything but physical nature she is bound by her constitution, under penalty of death by "the happy despatch," to be dumb because deaf and blind, as Babbage's calculating machine.

An Evolutionist, it is true, besides being thus far a man of science in profession, may further in practice of thought or speech be a metaphysician—perhaps without knowing it, like the man who spoke prose. In this capacity he may, beyond inquiring into realities of nature, speculate about the ultimate constitution of the universe. And speculation may land him in the panphysicist doctrine, that physical nature is the only reality; so that what he sees in the looking-glass is a sublimated beast; and that correspondingly it is weak unscientific unreason to believe, with the Great Father of Modern Science, that most assuredly in the judgment of reason "this universe frame is" *not* "without a mind" (Bacon's *Essays*: "Of Atheism"). Or, speculation may root him and ground him in the doctrine, that, while physical nature is real and substantial, there is a supernatural not less real and substantial at each of her poles, both in man at our terrestrial pole of wondering contemplation, and in God at the celestial pole of sovereign gubernation and origination: that nature herself is to reason a mute eloquent plea for supernaturalism,—*"Shew me thy man, and I will shew thee my God."* (Theoph. Ant.) But Physical Science as such does not delare for or against either doctrine. He who says a word about either so far puts himself out of her court. The most devoted of her disciples, if he so much as begin to think about supernatural or extranatural in any way, of negation, affirmation, or dubitation, then and thereby "drops into" metaphysic of poetry, philosophy, or theology—lapses *instantly* from physical science, as distinctly as Daniel O'Rourke fell out of the moon. And if we dissolve from strict science into considerate philosophy for the occasion, and look into the heart of the matter, still we shall find no apparent necessity of collision.

Where creationism is at its highest, most eminently characteristic in supernaturalism express, there most

clearly all possibility of collision is completely out of the question. It is inconceivable that there should be even contact. For there is no ideal possibility either of evolution or of any other process of physical nature. I refer to what is called "immediate creation;" that is, the primary origination, with no employment of material or medium, by—(*rhema*, not *logos*, He. 11: 3)—pure and simple *fiat* of will. This extends to rational spirits or souls and to the raw material of the physical world. And in the origination of these it is inconceivable that there should be any process of physical nature; as it is that there should be "a natural body" outside of space and time. The rational spirit or soul in view of creationism does not belong to physical nature. It is not *of* her world even when *in* it: though here among her *physica*, it is *gershom*, "stranger here." Physical science as such, so far from having any theory of its origin, is not competently aware of its existence; she does not know, and even cannot competently inquire, whether any such thing as a rational soul has ever existed anywhere in the universe. Not less clearly the origination of the raw material of the physical world is altogether beyond her competency of knowledge. A raw material—*hule*—which may be for metaphysic as *ens rationis*—is not for physical science as a concrete entity, an object of knowledge or distinct conception. As raw, formless, indeterminate, chaotic, it is to her apprehension only as an abyssmal darkness, to look upon which is to be struck blind. In order to have further a cognisable existence, the matter must be [*unclear*: indu] I with some form, or imbued with something of formative determination, were it only as bathyous or other slime. Thus far a formed world, an existing nature, at least in germ, actual or possible, real or imaginary, has to be presupposed in order to ideal possibility of so much as a germinal science. Doubly or trebly *a fortiori*, it is beyond the competency of science to frame any hypothesis of the origination of a raw material of nature or of world. To speak of a natural process of originating nature's raw material is like speaking of a man's being the father of his grandfather.

The secondary origination which has place in a formed world introduces us to the doctrine of a "mediate" creation. Here Theology recognises the previously existing nature with its process. Thus, in the origination of individuals, parentage with generation. This she makes to be employed by the Creator as his material or medium. But in so doing she does not ostensibly annul the nature in respect of reality, nor cancel the process in respect of validity. On the contrary, she validates and conserves, and that in two ways. First, generally, all creation secures the reality of nature as resulting consequent. For a true creation is a positing of something real; so that if the creature be unreal the creation is illusory, and providence is without a sphere of preservation and government. And second and specially, mediate creation further demands the validity of nature in her process as antecedent condition. For here the Creator employs the previously existing nature as his medium. And only what is real can be really so employed: to employ is not to destroy but to conserve, in employment, for the employer. So of the origination of individuals. And so, conceivably, of the origination of species. If it be ascertained that the origination of species is, like that of individuals, by process of nature, for Theology the result needs to be only her finding, that the creation of species, like that of individuals, is not immediate but mediate.

The finding does not need to be for her an unwelcome surprise, as if thrust upon her by necessity of conforming to new ascertainments of science. Her doctrine of a mediate creation was formulated in her schools many ages before the new science had begun to be; and was applied to species as well as to individuals by the most illustrious of her masters, such as Thomas Aquinas, her Angel of the Schools. That may now appear to her—as it did to him—most fully in keeping with her general view as to immediate creation, that its appropriate work is origination of raw material and of souls. It may otherwise interest her as affecting her logic of classification or her metaphysic of dogma. It does not touch her substantive doctrine of creation, as consisting in origination by will, with or without employment of medium or material previously existing. Her distinction between mediate and immediate affects only the way and manner of creation, not the substantive fact of creation. It enables her to show that in good faith she has no quarrel with evolution simply as origination by process of nature. But it leaves intact the grand reality of her fundamental confession and song, "I believe in God the Father Almighty, Maker of Heaven and Earth."

Physical science, on the other hand, on behalf of an hypothesis of origination by process of nature, has no call of interest, nor power of right, to quarrel with theology as affirming origination by will. We know that there can be an origination which is at once by process of nature and at the same time by will. For in the inner world of mind, while the origination of logical conclusions is wholly by process of nature intellectual, and while the origination of true poetry is wholly by process of nature aesthetic-imaginative, at the same time the origination in both cases is wholly by will, designing free agency, of the person as reasoner or poet. We do not know that it is otherwise in relation to the outer world of physical nature. For aught that we can really see there may be there a rational agency along with the physical, yet distinct from it, as light is from atmosphere in space which by each of them is filled "all in all;" rational causation may be there in concourse with physical, to one and the same effect, as light blends with heat in effect of the sunbeam; the physical may be employed as a second cause by the rational as first cause, witness the "voluntary" action of our body, always conformable to its laws of body, but always controlled by the mind. So we reason; and that from the view point of physical science.

So it is even when there is no origination of life in the question. In ordinary course of nature's history her falling apple makes us aware of a process of gravitation; the uniform direction of this becomes for us the revelation of a law; and through know-ledge of that we rise into comprehension of the mechanical system of the universe. But what is this force thus proceeding through nature, or whose? May not that which here in nature appears as a law have its unseen fountain in sovereign personality as a statute or decree? May not this force be wielded for the purpose, if not ultimately reposed in the will, or even constituted in its operation by the stable persistent volition, of a supernatural free agent—an angel or a God? Questioning to which physical science cannot answer. This matter, metaphysical, is beyond her: here she has "nothing to draw with, and the well is deep." Hersciolist, not knowing himself nor her, may be dogmatic in the presumption of ignorance, dreaming of omniscience where nesience—*docta inscitia*—is her deepest wisdom. But she, knowing herself, can school him, with the world's great master of wisdom in song—"There are things in heaven and earth, Horatio, that are not dreamed of in our philosophy." And her Newton, knowing himself and her, will subscribe to the confession of her reverent humility, and speak of himself as a child who gathers a few pebbles or shells on the sea shore, while the great ocean they came from remains to him ever an unfathomable and unsearchable deep.

II. OF DEFINITION—SPECIFIC NATURE OF THE PROCESS ALLEGED.

It is not enough to say generally, this evolution is a process of nature, in origination from a previously existing something. For definition here has to be specific. And in that general sense there are various other evolutionary processes of nature, from which, in order to adequate clearness of science, the process in the present case has to be distinguished. There are the twain evolutions of growth and decay, the generative evolution of individual offspring from parentage, the logical evolution of conclusion from premisses, and the aesthetic imaginative evolution of poetry, from what in the "maker's" mind is "sown a natural body" to be "raised a spiritual body." What, then, is the distinctive in the present case as compared with those other cases. And the answer, doubtless, is—Contribution of real specific difference. This is not merely said by us. It is seen by science in the nature of the thing. Since the distinctive result in this case is origin of species, the distinctive in process has to be, contribution of specific difference, constituting the new species, making it to be as new and distinct. This, and nothing else. This, or nothing to the purpose—nothing but delusion or baptism of cloud. If there be shown in nature any such thing as contribution of specific difference, then evolutionism is an established theory of origin of species; if not, not.

On behalf of Evolutionism it has been contended that the distinctness in a species, resulting from process of nature, does not, except in degree, amount to more than the distinctness in a variety, producible by directing intervention of man. If that be so, then a species may natively be only a variety that has hardened into stereotype. And correspondingly it may conceivably, without violence to nature, soften back into the variety,—perhaps on its way toward final delinquescence into protoplasm, or dissolution into that slime which the Challenger has found in place of the bathybius of Evolutionary imagination. And so the distinctness in species as in variety will be, not permanent because essential as the form in a statue of bronze, but only complexional and therefore evanescent, like a fading picture on canvas, or dyer's colour in cloth, or discolouration of a flooded river. Here then, when we come to propositions, may rise a question of the reality of species in nature; or, of the reality of nature as specific; and consequently, of the possibility or competency of natural scieice, as distinguished from a mere natural history which, in absence of knowledge of specific natures, can be only a more or less elevated gossip, about illusory surface aspects of a nature that is unreal. But at our present stage of definitions, we need only say that, though species should L e really the same sort of thing as variety, nevertheless a new species has in it something new, distinct from all else in the world; and that this new something, in respect of which the species differs, is of course a specific difference, so far as it goes and so long as it endures. Though it should be superficial and fleeting as the ripple on the lake, the shadow on the hill side, or e'en—

As the rainbow's lovely form
Evanisbing amid the storm,—

still, the origination of it is a contribution of a specific difference, constituting the ne" species, giving it being as new and [*unclear*: distin] enough.

The "Note of Criticism" following are [*unclear*: the] abstract which was delivered at the lecture. [*unclear*:

The] full-length statement is now given as an Appendix.

Notes of criticism of two famous phrases—[unclear: tos] *signature*—of evolutionism, "spontaneous generation" and "natural selection." They are [unclear: low] poetical metaphors instead of exact scientific [unclear: de] nititions. They are logically nonsensical; [unclear: rhetorically] effective thus far, that through [unclear: baptia] of cloud they lead into worship of a wilderness [unclear: cal] (1.) "Spontaneous generation." Here the "[unclear: spo] taneons" means that life is originated not from any previous life; while "generation" has no meaning except as implying that the origination [unclear: from] previous life parental. Through [unclear: th] nonsense we land in the view (if view [unclear: may] be called) that to [unclear: i] about prolongation of old chain (say, zinc or copper, is the way to ascertain about origination of new metal (say bronze, by fusion of these). Natural selection" "Natural" here has [unclear: mean], without directing intelligence; for the [unclear: wo] is employed by way of contrast to (" artificial [unclear: sel]) man's intervention of directing [unclear: intel] in the production of new varieties Now "selection" has no meaning except as implying that [unclear: th] is [unclear: di] intelligence operative in the process appearing in the result. The nonsense here [unclear: condu] through cloud to the co fused impression, (1) [unclear: th] the in [unclear: r] nature of the process is affected the absence or presence of directing intelligence the [unclear: ex] occasion of it; or (2), that in [unclear: inqu] ing how in what way or manner nature [unclear: contri] specific difference, we are dealing with the [unclear: tr] or falsehood of evolutionism, that is with the question of fact whether there is [unclear: or] such contribution made by nature anyhow, [unclear: matter] how.

[unclear: D] specialty is that he places the [unclear: cause] specific differentiation in the cosmical condition of the general system of nature around, while other evolutionists place the cause in the previous existing specific nature of individual bodies. [unclear: Th] makes a difference only between two schools [unclear: evolutionism], two moles of evolution It [unclear: pres], [unclear: pos] that evolution, somehow, by process of [unclear: ture], is a fact; while the present [unclear: question] whether in fact there is any such thing as [unclear: n] evolution, causing the origination of specific [unclear: the] world.

The emphasis laid on cosmical condition in the general system of the world around, [unclear: influencing] the development of specific [unclear: s] variant life in detail, may have incidentally enriched natural history by giving an [unclear: imp] toward those observations and [unclear: experiments] tions on nature of which Darwin himself [unclear: w] a master so distinguished. Conjectural by potheses are occasionally thus found useful, [unclear: impulsive] guidance to expiscation of [unclear: fa] even though the facts should be [unclear: des] when [unclear: exp] to explode the hypothes [unclear: is] a mistaken guess. So Saul, when he went astray in the search for asses, found a kingdom. But it is the asses we now are in search of. And the search for them may be beneficial to our intellectual health in the present relation, if the exercise of dealing away fallacies of ostensible definition serve to deepen and establish in our mind the "clear and distinct idea," of the true nature of the question, which is important in all cases, and very peculiarly and greatly important in the present case.

II.—OF LIMITATION IN WIDTH AND DEPTH.

Pharisaic tradition made the law of none effect, because arbitrary construction of a law really puts the interpreter in place of the law. A corporation water or gas, by being doled out at the discretion of private owners, is shown to be not a public gift of nature to all, like the sunshine or the rain. And the two postulates of evolutionism, on which I now proceed to comment, appear to me as thus wounding evolutionism in the house of its friends—with a wound in each case fatal. First, as to breadth of area, it is restricted so as not to include the origination of life at the outset and of man at the close of the history: as if the water and gas were cut off from the houses of the people and the palace of the king, and sent only to the stables and the streets. And second, in respect of depth, or amount of result where it is operative, the evolution is made to be infinitesimally small, practically nothing; as if the town water had been refined into invisible vapour, or the gas had been lowered so as to leave everything in the dark. These proposed restrictions either arise out of the nature of the case, or they do not. If they do not, then the Evolutionist who makes them shows that he does not thoroughly and intelligently believe in the hypothesis. If they do, the hypothesis is mistaken, evolution is not a reality of physical nature, the water and gas are imaginary.

(1.) As to *breadth*. From *eoazon Canadense*, at the base of the pyramid of life, to man shining on the summit, there is said to be an unbroken reign and progress of natural evolution of species from species. But the wondrous transition from lifeless to life, or the more wondrous transition from brute to reason and conscience and worship, is by this and that Evolutionist not ascribed to that process of nature. Here their faith fails them. They faint into incapacity of believing confession of what everywhere else is owned by them as with exulting psalms of nature. The evolutionism swoons to death in their heart.

On their part, therefore, evolutionism is not a real theory of the system of origination of mundane life; as

that is not a real account of the drama of "Hamlet" which excludes the part of Hamlet in the drama. A history of origination that does not include man is like a system without a sun. An hypothesis that does not apply either to the culmination of mundane life in him, or to the first introduction of life into the world, is like an ancient Hebrew hypothesis of astronomy that should, while claiming to account for the movements of "the eleven stars," be confessedly inapplicable to "the sun and the moon"—an incoherence "not for Joseph," even in his dreams. A hypothesis thus abandoned in relation to main constitutive details of the system is virtually abandoned in relation to the whole system, as an arch gives way with its keystone.

Further, wherefore that shrinking in these two cases? Whence that fainting of faith, that deadly swoon, precisely where the evolution, if it be at all in nature, might be expected to show itself illustriously? The thing that here is shrunk from is—evolution: the same kind of thing which everywhere else is joyfully owned as the public secret of origination. Only here the thing, if it be at all, has to be on such a scale that the true nature of it becomes "clear and distinct" while elsewhere it can be thought of as present in so low a degree, small infinitesimally, practically nothing, that the supposed presence of it makes on the mind no real impression of its nature. That is to say, here, and here only, evolutionism sees itself, in its own true nature, looks on its own natural face, "clear and distinct," as in a faithful mirror. And—it dies, as of horror and affright. A fair suggestion is, that that kind of thing is in some way monstrous in nature, so as to be revolting to reason; that the revulsion from it on the part of an Evolutionist is a revolt of the rationality in the deep of his soul against the speculation on the surface of his mind. And that suggestion finds corroboration in the "light of nature," as shining through the universal mind of mankind in its catholic human apprehension of physical nature.

Science, as interpretation of nature, is dependent for materials upon a primary observation of nature that is competent to man as man. In her case at least, *Nil in intellectuquod non prius in sensu*. She cannot make for herself even Leibnitz's exception, *nisi intellectus ipse*. For information about nature she does not look in upon herself, but looks out upon nature as the sole fountain of life-giving light. And that light of life she receives with the eyes, and into the heart, of an intuition of reality that is given to all men. Otherwise she perishes through lack of knowledge. Science can be only as intellection of what is given by nature to that intuition: her material for the laboratory can be only what she gathers from nature in the fields. To dispute, therefore, the competency of that intuition, which is the root exercise of reason, would for science be not only irrational, abnegation of common sense, but self-contradictory and suicidal, plucking out her own eyes, stabbing herself to the heart. Well—

In that primary observation of nature, man perceives an essential distinctness of natures. To the view of his intuition, nature discloses distinct species in her reality of being, as a constitutive essence, or *principium essendi*. We see a bovine nature, an equine nature, a feline nature, a canine nature, a human nature, distinct from everything else in the world, in every individual of all conceivable varieties of ox kind, horse kind, cat kind, dog kind, man kind. We not only see it, but are under inward necessity of owning it as real. No sane man ever seriously believed in his heart, no one can really believe, that a horse may become a cow, or a dog a cat; any more than, that a circle can become a square. The mathematical absurdity is logically of higher grade than the physical; but psychologically, the impossibility of serious belief is as real in the one case as in the other. The popular interest attaching to evolutionism may thus be secretly sustained by unbelief in it; thus far like the interest of amused amazement with which we see species after species brought by sleight of hand from a conjuror's hat—along with something of that fearful joy which children have in unhallowed Black Arts. And this impossibility of believing, while it reposes on nature's testimony in her *principium essendi*, is rooted in the fundamental rationality of man, enabling Adam to give names to the creatures through perception of their natures.

Along with that *principium essendi*, in the being of species as distinct realities, nature has a *principium cognoscendi*, a "mark" of true species, which is a credential demonstration of that real distinctness. That is, fertility in the line of true species alone. The sterility of hybrids is nature's own [*unclear: Sin*] proclamation of the law, with astern prohibitory, "Thou shalt not;" and at the same time, as in the legislation of conscience, an execution of her doom of death, her curse of! barrenness on transgression of the law. The relative words—*genos, gens*, kind, clan—which we find among human languages as if spontaneously originated from the human mind, I are an ever living family of witnesses to the I fact, that mankind has, ever since the beginning of nature's teaching, had this imprinted on its mind from her types, that she sacredly guards the distinctness of kind in the line off descent, and revolts from all mixture as incestuous abomination. The *principium cognoscendi* corroborates the *principium essendi*, while each has an independent evidence of its own: as the two sides of a roof, though in isolation they should be unable to stand, are in combination steadfast as an oak or a rock. And all this light of nature, of evidence comparatively *a priori*, is corroborated *a posteriori* by what we now shall see as follows.—

2. As regards *depth* or measure of amount. Evolutionists make it to be all but of the essence of their hypothesis to hold, that the result of evolution is always at every time infinitesimally small, practically nothing;

that the movement of origination is never by leaps or bounds, nor even by perceptible steps; but only by a sliding progression as on! the smoothest conceivable ice, at a rate so slow that the movement would not be perceptible to an observer in a lifetime, though his life should extend to 6000 years. Hence, for the work of origination, they have demanded an "immensity" of time; time "practically infinite." Thus Darwin, for one small part of the work, bespoke at least 300 millions of years.

We happen to know that the "immensity" of time required has in fact no existence, except for an immensity of imaginative credulity. Evolutionists now, aware that they have only a sternly limited amount of time to come and go upon, will no doubt cut according to their cloth. Such free handling of an alleged process of nature, as if it had been a private property of their own, is still suggestive of their unconsciously being under influence of a claim to ownership constituted by invention. And we will not forget the significance of the more grandiose free handling in which they indulged when they were not restrained by a knowledge of nature thrust upon them from without.

Their dependence upon time, as that which is to bring about the origination of a world of life, again betrays the working of loose imagination in place of exact thought. It turns the metaphor of, "time works wonders," into dogmatic assertion of real fact; as if in the sense of science time had been a potency, working wonders of itself, instead of being only, like space, a condition for the working of potencies in nature. As it is not space, but gravitation, that causes to a body the gain of momentum which it makes by moving in space, so it is not the Summer time that ripens the corn. That auspicious *time, chromos*, is only the *kairos*, "season" or opportunity for operation of nature's workers, the sun and rain and fruitful soil. Besides, though time had been a worker, and not simply a theatre of work, it could never work the wonder of bringing something out of nothing, so that a process of doing practically nothing shall in course of time result in the origination of a world. And finally, and above all, though Time had been Omnipotence instead of impotence, even Omnipotence cannot work a miracle that is unnatural or monstrous. But such is the miracle alleged by evolutionism.

First, the alleged evolution is unnatural, as a departure from the analogy of nature so far as really known to us. The line of origination, alleged by evolutionism, is not the line of known origination in nature, but always crosses that line. Nature's line as really known to us is always horizontal, parallel to the base of the pyramid of life, the origination proceeding by *similia e similibus*, like ever producing like, on the same level as itself. The evolutionary line is always at an angle to the base, an angle of elevation, like ever producing unlike, on a higher level than itself, all the way up the sloping pyramid, thus continually crossing the only line of origination that we really know. What we really know of nature is crossed by evolution. It is important that we should mark this fact, which is clear and distinct whenever we pause to consider. For there is a confused impression that evolution is somehow in accordance with the system of nature in her facts. Let us, then, here distinctly mark the plain fact that, on the contrary, evolutionary origination, being on an ascending line, continually crosses the only line of origination really known to us in nature.

From the analogy of what is below the base of life's pyramid, the inorganic world, we cannot reason with much confidence; because lifeless is dissimilar to life. But there we see as a general fact that the line of origination, by the only process known to us, mechanical and chemical, is horizontal thus far, that the consecution is simply of one form of inorganic matter followed by another form of matter inorganic. From the base of the pyramid up to its apex we see clearly. The lines of natural origination are countless in number, as many as the species, varieties, pairs, that have ever been in our world of life since the dawning of life in our world. But the direction of the line has been only one, that is, horizontal. The only process of origination of life really known to us in nature, ordinary generation, is thus only horizontal, like ever producing like, offspring ever of the same kind as parent. Evolution is thus ostensibly unnatural, as involving a continuous departure from the analogy of nature as really known.

Second, and especially, the alleged evolution is ostensibly monstrous, as involving an essential change in the nature of things. "Natur'," said a philosopher in Dickens, "natur', she's a rum'un;" and another said—"It's a rum go, is life." Their moralisings might have been occasioned by evolutionism. For evolution makes nature in history of life to be continually, not only moving up hill, and throwing herself inside out, but at the same time everywhere destroying herself and concealing the suicide—continually running away from the memory of her having by her own hand ceased to exist. Even Omnipotence does not work the monstrosity of changing the essential nature of things, so that a lie shall become truth, or a circle be evolved out of a square, or corn be grown out of sand. But this is the very essence of what is ascribed to nature by evolutionism. It alleges an essential change of nature, as real as that from triangle to quadrangle, and from quadrangle to curved enclosure though it be a different species of change, as physical differs from mathematical. This on a grand scale is the meaning of the distribution of the history of origination into Palaeozoic, Mezoic, and Tertiary divisions. It means, that there is an essential change of nature in types of life; so that the symbols of the divisions respectively might be made, Triangle, Quadrangle, and Curved enclosure, until at last we reach the perfect circle in man—who, while as rational he is distinct from the physical world, is physically "the sum-total," as

Oken says, "of all the animals," the metropolis of their empire, the sun of their system, the realisation of their ideas, the antitypical fulfilment of their typical prophecies, the One in whom they all are united.

In order to see clearly and distinctly the kind of thing under consideration, we must take into view the whole pyramid, from Bathybius to man. Does the reason within us revolt from a change of slime into Shakespeare, and Plato, and Paul? That is the kind of thing which, upon the hypothesis, has been working in the history all through, at every minutest subdivision of time, in every infinitesimal shade of a touch of nature's formative finger. Though sense perceives only the grass grown, reason sees it growing. What reason sees is the growing;—that is, formation by one indivisible process, ah through the spring and summer from seed to ripened fruit. The curve is in the minutest segment of a circle as truly as in the whole. And, no matter how far we may minimise the mere amount of result, as nearly as conceivable to nothing, to reason that makes no difference when the question is, whether the alleged kind of thing has any reality in nature.

A small monstrosity is as truly impossible in nature as a great one. A fib is morally impossible in the same sense as a perjury. A square can no more turn into a slightly curved figure than into a perfect circle. The meanest of all grasses can no more grow out of sand than the highest nobility of corn. It is the angularity of the angle that here makes the wonder, of crossing nature's line; and an angle is angular, as truly though it include only a 300-millionth part "of a degree as if it had embraced all the 90deg. of a rectangle. It is the contrariness to nature that makes the monstrosity: a river can no more run up the gentlest slope than it can leap straight perpendicular up to the zenith. It is the fact of such progress, not the mere rate of it, that makes the incredibility: progress is progress, as really though it should extend only to a 300 millionth part of an inch in a thousand years, as if it should shoot in one instant to the remotest of the fixed stars. Here, as the French say, the first step is what costs.

To avoid that first step, of which confessedly nature has nowhere left a trace Evolutionists make evolution to be practically nothing in result at every time. They have to do so, in order to avoid the monstrosity of an essential change of the nature of things. But in doing so they back out of evolutionism under the name of explaining it. Planing the result of it down to practically nothing, they explain the process away into practically nothing. For out of nothing it is that nothing comes. An evolution which is practically nothing in result is practically nothing as a process. If the result be practically nothing at every time, it is practically nothing though the process should be extended through all time or through all eternity. Multiply nothing by an infinity of infinities, and still you have only nothing at the end. Thus evolutionism is "hoist with its own petard," destroyed by its own defensive postulate: made by itself into practically nothing, but a weak nonsensical guess, that out of nothing something comes, *if you give it an "immensity" of time.*

"If." The calf-idol here shows a truly simple foolish face. The consolation derivable from an "if" is not scientific; and in the present case the "if" is blown away by real science. Mathematical Physics undertakes to demonstrate that there has not been, of time available for the work of origination, anything in the least resembling that "immensity." Geological calculation (Dana: *Manual of Geology*) based upon measurement of the thickness of the sedimentary rocks, has resulted in a maximum limit of 100 millions of years, beyond which the earth was in such a condition of heat that no life of any sort was possible on her surface. Nearly the same result was obtained by Sir William Thomson, the greatest mathematical physicist in the world, from combination of independent lines of evidence, contributed respectively by the three orders of the hierarchy of our solar system;—the sun's radiation of energy, the moon's retarding influence on the circumaxial rotation of the earth, and the earth's emission of central heat from her surface (*North Brit. Review*, 1869). But in such a case a maximum limit ever tends to contract, through further ascertainment of limiting conditions. And it is now a number of years since Professor Tait, whom some regard as the foremost of living mathematicians, and who has been the associate of Sir William in these physical researches, intimated (*Recent Advances in Physical Science*) that the maximum limit had already contracted from 98 millions of years to 10 millions. That is to say, this real science, speaking through the greatest of her masters, allows, for the whole work of origination, not more at the utmost than a thirtieth part of what Darwin reckoned indispensable for one small part of the work.

To evolutionism the utterance of real science here is like the explosion of a bombshell in a balloon. Even the approach of real science appears to have such an effect upon it as the cool air has upon an air-bubble, which quickly vanishes into "air, into thin air," and like the baseless fabric of a vision, leaves not a wrack behind.

Now looking back to our starting point, the impressive circumstance that there is not one case of actual evolution of species in the known history of the world, we recall to mind the truth, that evolution has in some way to be shown to be a reality of physical nature. It is only on the profession to be thus founded on fact that evolutionism can have any claim to be so much as considered at the bar of physical science. Excepting as professedly founded on fact, it is a mere speculative romance, like the ancient cosmogony.

Then we remember that the fact in profession has itself to be tested. "Nothing," says Canning, "is so fallacious as figures-but facts." Mere accumulation of facts may only burden the mind so as to prevent thinking, like a haystack suppressing vegetation where it stands; so that it is conceivable that natural science should

perish—in the mind of a professor—under a mountain-load of accumulated observations in natural history. And the facts must not only be comprehended, but rightly comprehended. Otherwise, they may be worse than useless—misleading. An irrelevant fact is a false witness swearing away the life of truth. To multiply such facts is only to multiply the mischief: a million of them is only a nation of citizens misled, by blind leaders, into conspiring to crucify their king, and to drown his true testimonies in the multitudinous brayings of their emptiness. Thus, if a variety be in reality of nature an essentially different sort of thing from a species, then to accumulate facts regarding variety, as if they had been relevant to the case of species, may be only to bury the truth regarding species beneath a mountain of plausible irrelevancy, which the populations may admire as a shining white pyramid of science. Again, an irrelevant fact is all the more mischievous if it be real, and seemingly to the purpose; as a white lie is more dangerous to truth than a black one. No one is misled by the famous demonstration,—The reason why summer days are long while winter ones are short is, that heat expands but cold contracts. But some appear to have been influenced in favour of the supposition, that one species is changed into an essentially different species, extending through generations of individuals, by the fact that an individual foetus in embryo passes through a series of changing aspects in a species remaining unchanged. And—though it seems incredible—some rational creatures have apparently been under some confused impression, that the origination of species is shown to be the same physical process as production of variety by the fact, that the directing intelligence, which is present in the one case, is absent from the other. This, I suppose, is the nearest thing that ever was in real life to the reasoning in the farce:—"Have you, have you—a mole on your left shoulder? No! Then you are my brother-r-rr." As to the origination of life from lifeless by sleight of human hand. This fact is like the Sea Serpent, now and then caught sight of, but somehow never satisfactorily caught, so as to remain in so id reality for judicial examination. When it is caught, then we may set ourselves to consider the question, whether the production of life by intelligence of man proves that there has been production of life by physical nature without intelligence.

In the meantime we may observe that on the ground of real ascertained facts of detail, there appears to be for evolutionism "no case" calling for serious consideration. But on the other hand, even on this ground, there is offered a disproof of evolutionism. I mean, supposing for argument's sake that the sort of thing is not unnatural or monstrous, and that there has been time enough for the evolutionary origination if it had been otherwise physically possible. It may be unreasonable to call for proof of a negative. But it is right to consider it if it be offered. And we cannot be said to have fairly considered the previous question, so as to have the case matured in our mind for a judgment, unless we consider that offered disproof on ground of detailed fact, so far as to be able to see whether it has any appearance of weight in logic or in law. If A. B. be accused of murdering C. D. then mayor of Dunedin, there may be a disproof, sufficient to stop the trial at the outset, on such grounds as the following:—First, at the time of the alleged murder in New Zealand A.B. was in London; second, Dunedin was not then in existence, so that it could not have a mayor; or, third, C.D. is now alive and well. The proposed disproof of evolutionism on ground of detailed facts corresponds to the production of the alleged victim in life and health. It is a proof of natural impossibility, through plain fact which could not have been if the hypothesis were true.

The fact is connected with the ascending progress of origination. That there has been an ascending order, in respect both of cosmical conditions and of individual bodies, has always been understood—as appears from the most ancient books representing a catholic human tradition of origination; and it is now fully established by palaeontological history. Although the order had been exactly what the hypothesis requires, it would not follow that evolutionism is true. For it might nevertheless be accounted for, without supposing evolution, as the result simply of unfolding execution of a creative plan, placing species in nature as we place them in a museum. And certain curious resemblances and analogies, connecting types of life otherwise most widely different or contrasted, might be accounted for in the same way, as resulting from that creative plan, adumbrations of the mind which knows the whole from the beginning—foot-prints of the Eternal on His creative way through time. On the other hand evolutionism cannot be true if the actual historical order be different from the hypothetical order; much more it cannot be true if the historical order be the reverse of that which the hypothesis requires.

A curiously, almost dramatically, interesting case in point has emerged within the last three years. [[unclear: R]Lecture, June 1883. Reported in *Nature*, June 21, 1883] The leading actor is Professor Huxley, ever charming in frankness, but on this occasion unfortunate as the zealous woodman who cuts down the branch on which he stands. Notwithstanding the evolutionary postulate, that the result of evolution shall never be large enough to be perceptible at any one time, we have seen that Mr. Huxley has a certain wistfulness for an actual case. And now he has seen next door to an actual case. He has seen it in the geologic history of two sorts of shell fish of the nautilus type: the lower sort, orthoceratite, having straight or straightish shells; the higher sort, cyrtoceras, having them spiral in ever higher degree. Of each sort there is a series? of species. The lower sort began with the lowest of the straights, and went on I evolving through long ages until it gradually came to be spiral, and still went on evolving up to the highest rank of spirality—*nautilus pompilius* of the present. Such

is the history which the brilliant professor laid before the world three years ago, staking his case upon it, offering it as the proof of evolutionism. It really is no proof, but has I turned into disproof. It is no proof; for the Professor's history could be accounted for, without evolution, simply by supposing that immediate creation of the species proceeded in that historical order. But it has turned into disproof; for inquiry has shown that the professor's history is imaginary, and the real historical order is to some extent the reverse of the order which his hypothesis demands, [Victoria Institute, *Journal of Transactions* April 7, 1881, lecture by S. K. G. Pattison, Esq., F.G.S., "The Evolution of the early Nautilus."] On the highest authority of experts in that especial branch of Palaeontological Ichthyology, it has been shown that the two sorts of shell-fish were not successive, and have never passed into one another; that in the earliest periods the spirals apparently were in greater force of numbers than the straights; that, so far as appears, the spirals are of rather higher antiquity than the straights; and that otherwise the spirals and straights have lived simultaneously, and progressed distinctly, as on parallel lines, almost from the very dawn of life in our world.

Here we note the value of facts in evidence. Though a million of real facts may, because irrelevant, be worth nothing, one fact, constituting demonstration clear as the sun—like the production in life of the man supposed to have been murdered—may be of evidential value equal to infinity. And so may be two or three facts, though they should separately be worth little more than nothing, if in combination they form a system of evidence circumstantial, or "pencil" of independent light rays converging on one point. The one fact which Huxley has been the occasion of exploiting would be absolutely fatal to evolutionism, showing that it cannot be true, as if a man had once been shot through the heart; so that any further array of facts in disproof may be like marching out regiments and armies of fire at a dead man. But it is perilous for non-experts (witness Huxley) to rely on one fact.

Many such facts are spoken of in the books; where the humble trilobites achieve posthumous renown on account of their pertinency as monumental evidence. The argument here is illustrated by Hugh Miller, starting from the *Asterolepis*, in his classic work, "Footprints of the Creator"—While (so it runs) evolutionism requires that fishes of high rank should be late in appearance, the geologic fact is, that fishes of a high rank came early in time. This argument is approved by Agassiz, in a prefatory memoir of Miller, and is repeated in a separate tract by the great naturalist himself—published, I think, after his death. Miller states generally that the appearance of types of life in an historical order the reverse of the hypothetical is so well known geologically, that no great palaeontologist has ever been an asserter of the development hypothesis.

A different order, though not so strikingly, may be as really conclusive as a reverse order. The hypothesis requires that the order should be unbroken continuous, like sliding on the smoothest conceivable ice. Geology shows (Dawson: *The Chain of Life*) that in fact there have been something like leaps and bounds, and still more, perceptible steps. Historically, the advancing movement of origination has been rhythmical even in its continuity, like the rising tide, with its waves relapsing as they advance, and here and there its great waves, e.g., the proverbial third or ninth. And within the great divisions there have been so many cycles as of great years, great spring-like outbursts of origination, followed by what, in respect of origin of new species, are comparatively only as summers, autumns, or even winters. If this be in the least degree like truth, evolutionism cannot be true.

At the close, acknowledging the courtesy with which the paper had been received and criticised, Dr. Macgregor said that the meaning of previous question "had been explained by him at the outset, and illustrated in the paper. It was in effect. What is evolution? And how, conceivably, may it be proved or disproved? With that question he had dealt. The statement that in opposing evolution he was [unclear: impe] simply by the feeling that it is opposed to religion, was mistaken. He had never believed that evolution, simply as origination of species from what has previously existed, is exclusive of creation; and he had carefully shown that in the paper as clearly as it has ever been shown. As to the question of fact, whether there has been any clear case of evolution of species known by man, he repeated—notwithstanding what was this evening said about some rabbits—that a few months ago Sir [unclear: Wyvi] Thomson, an evolutionist of world-wide reputation as a naturalist, had publicly said that there is not any clear case; and of course that was meant by air Huxley when he said the silly thing about our seeing a case, away back in the dark ages palaeozoic, if we had been there. We had this evening been informed that evolutionism is now the accepted theory among naturalists. There were about three men in the world entitled to make a statement of that sort on account of their confessed eminence as scientific naturalists and scholars. One of these was Virchow. He not long ago had spoken to this very point to the learned world of scientists in Germany, and his [unclear: allocut] had been translated at full length in the London *Times*, the point of his statement was against the representation that evolutionism is a received theory of science. The representation, he maintained, was a shameful misrepresentation; science was disgraced by it. The [unclear: hy] was only on its trial. He (Virchow) personally was predisposed in its favour, and had now for long been inquiring with keen interest into the relevant facts: but the further he went into the facts, the more he found the hypothesis repelled by the facts. And his allocution was a strong remonstrance against the injury and

dishonour done to science by the [*unclear: epre*] of this conjectural hypothesis as a received theory—a representation which he (V.) ascribed to schoolmasters and other imperfectly informed persons professing to teach science to the people.

Appendix.

On Initiation Through Baptism of Cloud.

TAKE the famous evolutionary phrase—*vox signata*—"spontaneous generation." This is said of the process of nature in the first introduction of life into our world. As a definition it is loose metaphor instead of scientific exactness. It shows a surface of smooth familiar meaning which really is a slide from seeming sense to no-sense, constituting a case in point of Campbell's question (*Philosophy of Rhetoric*), Why so frequently nonsense passes undetected? The adjective "spontaneous" here is not simply Latin for "spec's I grewed," ascribing the origination to a process of nature. It is also and especially intended as meaning, that the origination is *not* from any life previously existing. But this, in the same breath, is contradicted by the substantive "generation," which has no meaning except as descriptive of an origination that *is* from a previously existing life—parental. Here there is nonsensical incoherence of adjective to substantive. This comes clearly into view if we throw out the "generation," and say "spontaneous evolution." That in a proposition has a fairly tolerable meaning; but as a definition it is mere mist, sheer vapour-bath of tautology or truism; as if one had said,] spontaneous spontaneity, evolutionary evolution, a process of nature in which nature proceeds—cloudy baptism that would be meet initiation to worship of a calf in the wilderness, or veiled Isis of the Egyptians.

Further, the mist is effective mystification. The logical or verbal confusion has the rhetorical effect of delusion. It misleads from the solid way of truth by concealing or obscuring that *distinctive*, which is the one thing that in definition ought to be placed in clear light, as a guiding pillar of flame. A chain, which hitherto has been copper or zinc, henceforward is bronze. Inquiring after truth regarding origin of bronze chain, we have no way of truth but concentration of mind upon the distinctive, that peculiar process through which bronze comes to be now where there was only zinc or copper before. Baptism of cloud, throwing dust into the eyes of inquiry, leading the feet astray from the path of light, is made by verbiage drawing attention away to irrelevant commonplace, the general process of the prolongation of all chains by addition of link after link. Though "genera- tion" had not been impossible in this case, yet to speak of it here would have been misleading. It creates a confused impression that Nature's process, in the wondrous transition from lifeless to life, is merely a *something like* her familiar process in origination of life from previously existing life of parentage. And it effectively clouds from view the fact, which here is the vital point for expiscation, that the process must needs be essentially different from ordinary generation, and from every other thing in nature; as formation of new metal is essentially different from prolongation of old chain, and from everything else in art metallurgic. So of the other famous phrase of Evolutionism,—"Natural Selection." It is sometimes printed thus with capital initials, as if it had been the proper name of an evolutionary deity. In argument—not to say, reasoning—it some-times plays the part that would have become a word of power creative and divine. It is famous exceedingly, as a very Diana of the Ephesians. But it is in effect a double—faced Janus of the Romans, if not a double-tongued oracular Apollo of the Delphians. It is, moreover, a variable Proteus or chameleon, changing its aspects of meaning, even as emanating from the great original enunciator of it—who was not the original enunciator of it. And withal, both on the face of it, and in the heart of it, it is a simple foolish calf. For a controversy about the meaning of it means, that it has not a meaning "clear and distinct" as becometh science; while Darwin's variation in his exposition of it shews, that it had no firmly—defined significance in his mind. Here, too, loose metaphor usurps the place of exact definition; with a surface of smooth familiar sense there is a slide from seeming sense to no-sense; there is nonsensical incoherence of self-contradiction of substantive to adjective. And the effect of the logical confusion is practical delusion, leading the mind away from the true point in question by intrusion of what really has nothing to do with the question, of the truth or falsehood of evolutionism, in relation to which it has been made to play so great a part.

"Selection" has no meaning except as implying intention, directing intelligence, in the choice of means for fore-ordained end. That meaning is here pointed by the reference here implied to the case of producing a new variety of animal or plant, through directing intelligence of man adjusting the conditions for that purpose. But that meaning is here excluded, pointedly and with emphasis of contrast, by the adjective "natural." By this is meant here, pointedly and emphatically, that the origination of species is to be regarded as taking place by process of nature *alone, to the exclusion* of such directing intelligence as that exercised by man in adjusting the conditions for producing new species. The incoherence is thus in the very mind and heart of the speaker, as if the drift of his thought had been into such nonsense as, non-rational selection, intelligent mechanism, designing

free-agency of blind physical necessity. And the logical incoherence leads into practical mistake.

The baptism of cloud here begins with a confused impression that somehow the absence or presence of directing intelligence, adjusting the conditions for the process of nature, makes a difference in the intrinsic nature of the process of origination of species as compared with production of variety. That impression is a delusion. It is true that if it had not been for the adjustment by man's directing intelligence, the variety might not have been produced at all; as also it is true that the origination of species may not have been without adjustment of the conditions by *another* intelligence, like man's, distinct from physical nature, while working through her and her process. But the presence or absence of intelligence, as thus extrinsically occasioning the process, really has nothing to do with the process intrinsically, as it is in itself. In itself it is unchanging as nature, no matter what may be the extrinsic occasion,—e.g., design, or accident, or fate. The intrinsic occasion of the formation of zinc may, tautologically speaking, be "artificial selection," designed adjustment of conditions: say, by human artificer placing copper and zinc together in the furnace for his purpose; or say, if you will, by agency superhuman, angelic, or divine, perhaps in manifest miracle, fusing the two metals into one without fire. Or, nonsensically speaking, the occasion may be "natural selection," as if, undesigned adjustment of conditions: whether, as we say, accidentally, as by chance incidence of lighting flame on copper and zinc in fortuitous juxtaposition; or, fatalistically to our apprehension, by sheer irresistible necessity of nature. But in any case, and in all cases alike, the natural process, no matter what may be the varying occasions of it, is itself unchanging as nature: if employed at all, it is always the same physical process—simply fusion of copper and zinc. So in the present case. The difference referred to in the nonsensical phrase, "natural selection," really has nothing to do with the inward nature of the process in origination of species, as compared with the process in production of variety. The impression that it has, is a confused hallucination, to which the use of that phrase has conduced as a baptism of cloud. And this initial confusion leads to further delusion.

The thing in Darwin's view, in his use of the expression, was a distinction in respect of the *manner* in which nature, when originating species, makes her contribution of specific difference. Supposing that in fact she makes the contribution at all, that in physical nature there really is any such process, then there are two conceivable *modes* in which the natural evolution may take place. It may be either by, so to speak, direct evolution, or by indirect evolution—a distinction reminding us of that between immediate creation and mediate, only thus far putting dead nature in place of living God and Creator. In the indirect evolution nature contributes the specific difference through the medium of parentage with generation, or of previously existing specific nature with its process—working *on* the individual body previously existing to the effect of transmutation of old species into new. The previously existing specific nature is thus regarded as having always had in itself the true seed of the new species; only the seed has hitherto lain dormant and latent, as the mummy seed in the Egyptian pyramid, until now at last it breaks out into manifested life, perhaps under the influence of favourable conditions in the general system of the world around, as the mummy wheat is made to shew itself in life when it is taken out into air, and sunshine and rain, with the coffin which imprisoned it now crumbling into a fruitful soil to cherish it into futurity of life manifested. The other view of the evolution, as direct, which is the one contended for by Darwin, makes the contribution of specific difference to come simply from the system of nature, assuming the character of cosmical conditions, of fitness for working not simply *on* the previously existing individual body of a specific nature, but "in, along with, or through"—*in, cum, vel sub*—the parentage with generation, to the effect of a naturalistic transubstantiation of one species into another species. The parentage with generation is thus only as the soil and sunshine and rain are to the mummy wheat; or as the sparrow and her nest are to the cuckoo's egg.

The two views thus differ as to the *location* of the true seed, or efficient cause of the of the specific differentiation. The one view places it in the individual body of previously existing specific nature, making the surroundings of cosmical condition to be only the occasion of calling it into patent operation. The other view places it in the cosmical conditions of general nature around, operating upon the parentage with generation as a sort of naturalistic *hoc est corpus*, for which the corrupt vulgar English is *hocus pocus*. The two views can easily run into one another in the mind of men who do not see any real essential distinctness of species in nature. And Darwin's variation on Darwinism appears to have consisted in his latterly coming to recognise the individual body of previously existing specific nature as making *some* part of the contribution of specific difference, which at first he ascribed to the cosmical conditions exclusively.

But all this has really nothing to do with the question of the truth or falsehood of evolutionism. On the contrary, the two views alike proceed upon the supposition that evolutionism is true. They both imply that species are originated by evolutionary process of nature, that the contribution of specific difference is made by physical nature. And if that is assumed, then, so far as the truth of evolutionism is concerned, it matters not *how*, precisely, that contribution is made, whether directly from the general system of nature, or indirectly through a previously existing specific nature. But the result of raising great discussions here about the mode of evolution has been, the mistaken impression that somehow the *fact* of evolution has been shewn, while in

reality there is effective concealment of the question of fact as being the real one calling for an answer.

A very large part of what has made go j much noise in the world will thus take rank in history as a memorable sample of *fallacia plurium inlerrogationum*—seeking a verdict on one question through vehement declaration on another which is essentially different from it. So that here again there is initiation through baptism of cloud into delusive idolatry of a wilderness calf.

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Socialism at St. Stephen's 1869-1885.

4d

A Speech delivered in the House of Lords, with Preface by the Earl of Wemyss

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Preface.

LIBERTY AND PROPERTY DEFENCE LEAGUE. 4, Westminster Chambers, London, S.W.

August, 1885.

IN publishing a verbatim report of what I recently said in the House of Lords, when calling attention to the Socialistic Legislation of the last fifteen years, I take the opportunity of offering a few remarks on the criticisms on my speech made by Lord Salisbury, as the forms of the House did not admit of my replying to them at the time. Lord Salisbury "repudiated with energy the insinuation" he supposed me to have made, "that in advocating the doctrines he had advocated with reference to the housing of the working classes, he was abandoning any of the distinct principles of the party to which he belonged." A reference to my speech will show that I made no such insinuation. What I said, and say is, that the reasoning and action of Lord Salisbury in the matter of the housing of the poor, and the construction of the Regent's Canal City and Docks Railway, were contrary to sound principles, and calculated in the long run to injure those whom he sought to benefit. I further expressed a hope that the Conservatives would recall common sense and experience in the government of men from Jupiter and Saturn, to which they had been banished, and take their stand on the sound ground, as regards the limits of State-interference, so clearly laid down by Lord Macaulay

See quotation in speech.

—ground which the Liberals have of late years abandoned. As to Lord Salisbury's resting his defence of the Housing of the Working Classes Bill upon the fact that the duty of sustaining the most necessitous class of the country by the public funds, has for three centuries formed part of the law of the land, I would observe:—First, that no one disputes the socialistic character of the Act of the 43rd of Elizabeth—"the Poor Law"; and that the knowledge, that no one can legally be starved, or left to perish, so long as there is any property to rate for the support of the poor, is an argument not for the unwise extension of the pauperising principle of the poor law, but for its guarded and stringent application, with a view to the encouragement of thrift, industry and self-reliance. Secondly:—That the abuses consequent upon the lax administration of the poor law, led to its reform some forty or fifty years ago; and that it is to the writings of Adam Smith, Bentham, Ricardo, McCulloch, Mill, Fawcett, &c., that the statesman of 1885, should look for guidance and argument, rather than to the principles of the 43rd. Elizabeth.

I would add a few words to guard myself and the members of the Liberty and Property Defence League, against mis- construction, and possible misrepresentation. In the list of measures more or less socialistic, passed since 1869, and previously, that I have referred to in my speech, some will be found to which, as to their *object*, no reasonable opponents of State-socialism would take exception. Under this head come Factory, Mines Regulation, and Merchant Shipping Acts, the intention of which is to give, *if possible*, physical protection to the weak, *i.e.*, women and children; and to give security, *as far as* practicable, to life and limb. So, likewise, it might be admitted that within certain limits it may be desirable, *simply as a matter of police*, and for the protection of the sober many against the nuisance of the drunken few, that beer-houses should be specially regulated, and drunkards who misconduct themselves in the street made subject to penalty. Traders, again, who profess to sell unadulterated articles, according to standard weight or measure, ought equally to be called upon to make full restitution when found guilty of fraud. Other examples of permissible State-interference might possibly be cited, such as the forbidding of the letting of unsanitary houses, &c. But, while admitting this much, it must be borne in mind that experience has shown that the action of the State, in the vast majority of cases,

fails to secure the desired end. Thus, the attempt to regulate the working of mines, so as to ensure the safety of those to whose hard toil the world owes so much—an attempt in which I heartily co-operated—has been less successful than was anticipated in some quarters, and, in consequence, the demand is ever for more stringent protective provisions, and more inspection. The same applies to Merchant Shipping, and to Factory and Workshop Acts. Thus, experience tends more and more to show the futility of State regulations, even when made with the best intentions, and that it is rather by the independent action of the employed themselves, who are now left free to combine, as recommended by the Trade Unions Commission of which I was a member, and, through the power of their Unions, to make direct arrangements with their employers, that their personal safety and well-being can best be assured. But all attempts of the State to substitute its own universal and necessarily inelastic code of regulations, tend to destroy the capacity of each interest for spontaneous and ready adaptation to its own special and continually changing conditions, and to sap the qualities of self-reliance and originality which have been pre-eminently the characteristics of our race; while action such as that of the Board of Trade in dealing with the telephone and electric lighting has been found to check enterprise and the advance of science. As regards the consumer, it is on the trite maxim of *caveat emptor* that his interest most safely rests.

But among the measures passed of late years, and in the Bills before Parliament, we further find Acts and measures that come under a different category; Acts, the object of which is to empower the State to break and regulate money contracts, to interfere with the higgling of the market, and to enable one set of men thus at others' expense to better their pecuniary bargains. In other words, and in the plainest English, to enable Governments to "rob Peter to pay Paul"; Peter representing few, while Paul holds many votes at a general election. As yet it is property in land that has in the main been subject to this kind of "Barabbasian" legislation. But let not the owners of other descriptions of property imagine that they are safe from the "beneficent" action of the State robber. Already house property is threatened; and it should be made known to all owners of property of all kinds, that Mr. Hyndman and the genuine, honest British socialists, for whom I have a respect that I certainly cannot entertain for our political wire-pulling parliamentary State-socialists, hold that the landowner is the least offender; as out of the 266 billions of property of all kinds in Great Britain, he has only bagged 168 millions; and, further, that he has social duties to those dependent on him, which, to the best of his ability, he has endeavoured to discharge.

Now, all who have anything to lose, all who hope by thrift, or work of brain or hand, some day to have acquired something that will be worth the stealing, would do well to ponder these things before they run after State-socialism. And it would be well for them to remember that all this State-inter-ference, *even where honestly meant*, is after all a vain attempt to make water run up hill; for it would be as reasonable in physics to ignore the law of gravitation, as it is in social politics to set aside the generalised deductions of common sense from the every-day experiences of human life and action, as set forth in past history; in other words, to banish political economy to the outer planets. Yet this is what so many honest, earnest men, anxious to benefit their fellows, fail to see; and failure necessarily follows in their track.
Wemyss.

State Socialism

HOUSE OF LORDS, July 31st, 1885.

MY LORDS,—In calling attention to the socialistic character of the legislation of the last fifteen years, I must throw myself on your lordships' indulgence; and if, in order to enforce the subject and give weight to my words which they would not otherwise have, I quote at some length from authorities upon this question to which even your lordships must bow, I trust your lordships will bear with me.

My lords, I gave this notice, or an equivalent notice, in the autumn of last year; but I did not bring the matter forward, because it appeared to me as time went on that the socialistic character of our legislation was so apparent, and that from writings in the press and from public speeches, the spread and advance of socialism were so manifest, that I ought not needlessly to occupy your lordships' time by bringing the subject under your consideration. I felt, indeed, that I should be like unto a man holding up a lantern to the sun. But, a short time back, my noble friend, the Duke of Argyll, in calling attention to the circumstances under which the change of Government had taken place, made use of these words or words to the effect:—"That upon social questions there was little or no difference between the two parties in the State,"

My lords, I hold that to be the truth, and that this is the one great danger of the present time—the danger of a socialistic rivalry between the two great parties in the State. Now a word of warning with reference to this

matter was given by a distinguished statesman, a very prominent member of the other House of Parliament. I mean Mr. Fawcett, who unhappily is now no more. Mr. Fawcett, long ago, in one of his essays on social subjects, said—I had better read his words, for they are very forcible, and words which I think statesmen on both sides of the House would do well to take to heart:—

"Unlike the socialism of former days, those who at the present time are under the influence of the socialistic sentiment are beginning to place their chief reliance upon state-intervention. This growing tendency to rely upon the State is fraught with greater danger to England than to any foreign empire. The two great political sections that contend for place and power, have a constant temptation held out to them to bid against each other for popular support. Under the pressure of this temptation it may consequently happen that they will accept doctrines, against which, if their judgment were unbiassed, they would be the first to protest themselves. This peril will hang over the country."

Essays by Henry Fawcett

I believe then, that this is not only a peril which hangs over the country, but an evil from which we are now suffering.

In calling attention to this question, I am well aware of the vastness of the subject. I well recollect being present at a public dinner, where a distinguished literary man was called upon to return thanks for literature. He began his speech by asking—"What is literature?" I own that I had a sinking at heart when I heard a convivial speech, at a convivial meeting, begin with such a question; and I am afraid if I ask your lordships "What is socialism?" you will have the same sinking at heart that I then had. But I trust, so to treat this subject as to prove that your lordships' very natural alarm caused by my question is without foundation.

My lords, there are various kinds of socialism. There is the socialism of the communist, or what I might call the socialism of the street; for that kind of socialism has been fought out more than once in the streets of Paris, and may some day have to be fought out even in the streets of London. Then there is the socialism of the professor, or, as the Germans call it, the socialism of the chair; and there is also the socialism of the statesman.

The socialism of the communist may be treated very shortly. There are four very happy lines which I think accurately describe the communist:—

*"What is a Communist? One who has yearnings
For equal division of unequal earnings;
An idler, or bungler, or both; he is willing
To fork out his penny and pocket your shilling."*

That, I believe, to be a very fair description of a communist, with the exception that I greatly doubt his readiness to fork out his penny. But, nevertheless, I have a great respect for him. The communist knows what he means. He means business. His business is "the equal division of unequal earnings." There is no theory about him. He is a thoroughly practical man, and one respects thoroughly practical men; but remember, it is towards communism that all our sentimental socialism is surely and steadily tending.

I come next to the socialism of the professor—the socialism of the chair. Now, we live, in a time when, perhaps, more than in any other, men feel for the sufferings of their fellow-creatures. It is essentially an era of humanitarianism. Philosophers and professors in their writings, are casting aside the old school of political economy and *laissez-faire*, and advocate State-intervention as a cure for all evils. They look to the State to protect the weak against the strong, and to equalize the conditions of life. I believe, my lords, that all these attempts will end in signal failure, and that in the long run, it will be proved that the older school of political economy is on the whole sounder, aye, and more humane than that of the modern humanitarian school of philosophy. For all philosophy of the kind, whether right or wrong, which is evolved out of the heart and the inner consciousness of the writer, I have, for one, the utmost respect. But, my lords, there is another kind of professor, the professor of political economy who squares his principles with politics and party needs; who, when his party leader sends common sense and experience in the government of men to Jupiter or Saturn, finds admirable reasons in his writings why the old school must be thoroughly wrong, and why political economy should be banished to distant planets. I will say, with regard to professors of this type, what Lord Beaconsfield stated in another place, that Prince Bismarck had said to him:—"Beware of professors." And it is to your lordships that one should especially say, "Beware of these professors;" for if I mistake not, in the course of last autumn, one of them said that everyone of your lordships should be hanged. Nay more, I think he said that none of your lordships ought to have any existence at all, because your ancestors ought to have been hanged, and that if they were not, they had not met with their deserts. So much for the professors.

I pass on to the socialism of the statesman. Now, there are also two distinct types of socialistic statesmen. There is the truly genuine philanthropic statesman, who, seeing the evils with which the world is encumbered,

the suffering and distress, the oppression and cruelty by which we are surrounded, and acting on the impulses of a noble nature, makes war on these evils, and that, too, with all his energy and soul. Occasionally he succeeds, and in some cases he perhaps does good to his fellow-men; and if in the course of his warfare against evil, he indulges, doubtless, in exaggerated language, or has recourse to ill-considered action, yet, we cannot but honour and respect a man of this kind. We have, indeed, statutes on the Statute Book, which do honour to the good intentions of such men as, for instance, the Factory Act. But the evil of that act and all similar acts is this; that what is good in itself—in this instance the desire to protect young persons and children—is followed up by some one who tries to carry the principles of the act a great deal further; and we have now societies formed, whose object is to apply the principles of the Factory Act to adult labour, in every shop in London. And if there, why not carry them into your lordships' households and kitchens? I say we, nevertheless, cannot but respect the philanthropic statesman, who works on these lines. But there is another kind of philanthropic socialistic statesman—the political partizan. My lords, I can conceive such a man as this, at one time, a denouncer of State-interference, and of what is called "grandmotherly government"—an admirable expression, which he, perhaps, plagiarised—and at another time, I can understand this philanthropic party statesman, bringing in a Bill by which he is to prescribe the drinks, clothing, brushes, and number of ablutions that are to be applied under heavy penalties to full-grown male and female labourers engaged in certain occupations. I can understand this partizan statesman when addressing one constituency denouncing every man who would deprive the poor man of his beer; possibly at some convivial meeting of his constituents singing a well-known popular song, which imposes a heavy penalty on the eyes of those who would "rob a poor man of his beer"; and I can understand this same partizan when representing a different constituency, going in for local option, and the tyranny of majorities over minorities. Lastly, I can understand this same partizan statesman, when invited to apply the principle of that meanest of ministerial measures, the Hares and Rabbits Bill—I call it advisedly that meanest of ministerial measures—to existing leases, repudiating the proposal as an insult; and I can imagine him two years later, bringing in an Agricultural Holdings Bill, which broke every lease in England and in Scotland. For a philanthropic socialistic party statesman of this type, I own I entertain feelings of very limited respect.

My lords, I do not wish to trouble your lordships more than I have done with definitions and the theory of socialism. I thought the best way to bring it home to your lordships was to illustrate it in the way I have done. I have, however, now done with theory, and would come to the concrete, and invite your consideration of Bills that have been passed during the last fifteen years, all of which show, more or less, a socialistic tendency on the part of both parties, and especially on the part of the Radical party, in the State. Now, I have put in my notice that I would call attention to the tendency of legislation during the last fifteen years. I say the last fifteen years, because in the year 1870 we had the first Irish Land Bill, and in that Irish Land Bill you find the germ of socialism in the way of dealing with property which has since been followed up by so many similar measures; a germ which I venture to think has spread as rapidly, and is as fatal in legislation as the phylloxera in the vine, or the "*pèrt microbe*," as the French call the germ of the cholera poison. And when my noble friend, the Duke of Argyll—I regret that he is not here—makes eloquent speeches and writes able letters, denouncing the evil effects of the Irish Land Act of 1881, I wish to point out to him that in the Irish Land Bill of 1870 you find the germ of all subsequent land bills, and that by assenting to that Bill—for he was then a member of the Cabinet—he has hatched the chickens which since then have come to roost in the crofts of Mull and Tiree.

My lords, I will now point out what our recent legislation has been. It would be absurd to go into too many details, but I can classify some of the chief measures under different heads.

First, we have, as regards

Land and Houses:—

SEVEN ACTS, viz.:—

- Landlord and Tenant (Ireland) Act, 1870.
- Agricultural Holdings Act, 1875.
- Ground Game Act, 1880.
- Land Law (Ireland) Act, 1881.
- Arrears of Rent (Ireland) Act, 1882.
- Agricultural Holdings (England) Act, 1883.
- Agricultural Holdings (Scotland) Act, 1883.

EIGHT BILLS, SESSION 1885, viz.:—

- Compensation for Improvements (Ireland) Bill.
- Crofters Holdings (Scotland) Bill.
- Leasehold Building Land Enfranchisement Bill.
- Leaseholders (Facilities of Purchase of Fee Simple) Bill.
- Peasant Proprietary and Acquisition of Land by Occupiers Bill.

- Suspension of Evictions (Scotland) Bill.
- Land Purchase (Ireland) Bill.
- Land Tenure (Scotland) Bill.

Well, my lords, all of these measures assume the right of the State to regulate the management of or to confiscate real property—steps in the direction of substituting "land nationalization" for individual ownership.

We then come to the question of corporate property, and we find that corporate property, like individual property, is now equally handed over to the spoiler by the State. Thus we have affecting

Corporate Property:—

Livery Companies:—

TWO BILLS, SESSION 1885, viz.:—

- Corporate Property Security Bill.
- London Livery Companies Bill.

Water Companies:—

TWO BILLS, SESSION 1885, viz.:—

- Water Companies (Regulation of Powers) Bill.
- Water Works Clauses Act (1847) Amendment Bill.

This year there was a bill introduced called the Corporate Property Security Bill, which was a most comical bill. The object of the bill was nominally to secure corporate property. But for whom? Not for the owners, but for those who wished to get hold of it in another session. It provided the security which the butcher extends to his sheep, when he pens them preparatory to slaughter. These bills with regard to corporate property assume, contrary to all historical evidence, that what is absolutely *private* property is *public* property, and then proceed to subject it to State-management. As to the Water Companies; my noble friend Lord Bramwell, showed the other day how your lordships were about to confiscate to a great extent the property of Water Companies. These measures both run in the same direction. They are attempts to subject the chartered rights of private enterprise in water supply to municipal monopolies, by first reducing the value of the companies' property by harassing legislation.

Then we come to

Ships:—

NINE ACTS, viz.:—

- Passengers Act Amendment Act, 1870.
- Chain Cables and Anchors Act, 1871.
- Merchant Shipping Act, 1871.
- Emigrant Ships Act, 1872.
- Merchant Shipping Act, 1873.
- Chain Cables and Anchors Act, 1874.
- Merchant Shipping Act, 1876.
- Merchant Shipping (Carriage of Grain) Act, 1880.
- Merchant Shipping (Fishing Boats) Act, 1883.

All these are successive assertions by the Board of Trade of its right to regulate private enterprise and individual management in the mercantile marine; with the result of complete failure, as confessed by the Board of Trade in its memorandum of November, 1883. We have now a Royal Commission enquiring into this matter; and our shipowners have been so harassed, that at one time they seriously contemplated putting their shipping under the flag of Spain, or some other foreign country.

Then we find Acts dealing with

Mines:—

SIX ACTS, viz.:—

- Mines (Coal) Regulation Act, 1872.
- Metalliferous Mines Regulation Act, 1872.
- Explosives Act, 1875. Metalliferous Mines Act, 1875.
- Stratified Ironstone Mines Act, 1881.
- Slate Mines (Gunpowder) Act, 1882.

These acts constitute a State code for the regulation of the mining industry, with the effect of lessening the sense of personal responsibility among mine owners, and of promoting a fallacious confidence in government inspection; and as these Acts in the main, fail to effect their purpose, further legislation is asked for, more inspectors are demanded, and the Home Office, fearing unpopularity, listens to the demand. There is accordingly a perfect army of inspectors growing up in consequence of this kind of legislation.

Then there are Acts regulating

Railways:—

SIX ACTS, viz.:—

- Railways Regulation Act, 1871.
- Railways Regulation Act, 1873.
- Railways (Returns as to Continuous Brakes) Act, 1878
- Railways (Food and Water for Animals) Act, 1878.
- Railways Regulation Acts Continuance Act, 1879.
- Cheap Trains Act, 1883.

All these are encroachments by the Board of Trade upon the self-government of private enterprise in railways; successive steps in the direction of State railways.

In reference to trade and commerce, there are the following Acts, and Bills now before Parliament this Session, regulating

Manufactures, Trades, &c.:—

NINE ACTS, viz.:—

- Pawnbrokers' Act, 1872.
- Factory and Workshop Act, 1878.
- Employers' Liability Act, 1880.
- Alkali, &c., Works Regulation Act, 1881.
- Boiler Explosions Act, 1882.
- Electric Lighting Act, 1882.
- Parcel Post Act, 1882.
- Factories and Workshops (White Lead Works) Act, 1883.
- Canal Boats Act (1877) Amendment Act, 1884.

THERE BILLS, SESSION, 1885, viz.:—

- Factory Acts (Extension to Shops) Bill.
- Employers' Liability Act (1847) Amendment Bill.
- Moveable Dwellings Bill.

These measures may be summed up as being invasions by the State of the self-government of the various interests of the country, and curtailments of freedom of contract between employers and employed. I must, just in passing, allude to the Pawnbrokers' Act of 1872. That, my lords, was the thin edge of the wedge for reducing the business of the "poor man's banker" to a State monopoly like the *monts de piété* in France. Then you have the Parcel Post Act of 1882, whereby the State comes in and undertakes the function of trader, and enters into an unequal competition with private enterprise for carrying parcels. There are also regulations for bakers; in fact, there is hardly any industry that is not regulated in some way or other.

When we come to liquor, the following is the state of things. We find for the regulation of the trade in Liquor:—

TWENTY ACTS, viz.:—

- Wine and Beer Houses Act, 1870.
- Beer Houses (Ireland) Act, 1871.
- Licensing Act, 1872.
- Licensing Act, 1874.
- Licensing (Ireland) Act, 1874.
- Wine Licenses Act, 1874.
- Beer (Justices Certificates to Retail Table Beer) (Scotland) Act, 1876.
- Wine (Licenses to Retail) Act, 1876.
- Beer Houses (Ireland) Act, 1877.
- Beer Licenses (Ireland) Act, 1877.
- Intoxicating Liquors (Sale on Sunday) (Ireland) Act, 1878.
- Habitual Drunkard's Act, 1879.
- Beer Dealers' Retail Licenses Act, 1880.
- Beer (Brewing and Retailing) Act, 1880.
- Distillers, &c., Licensing Act, 1880.
- Spirit Hawking (Ireland) Act, 1880.
- Sunday Closing (Wales) Act, 1881.
- Beer (Brewing) Act, 1881.
- Passenger Vessel Licenses (Scotland) Act, 1882.
- Payment of Wages in Public Houses Prohibition Act, 1883.

SIX BILLS, SESSION, 1885, viz.:—

- Liquor Traffic (Local Veto) Scotland Bill.

- Sale of Intoxicating Liquors on Sunday Bill.
- Sale of Intoxicating Liquors on No. 2 Bill.
- Sale of Intoxicating Liquors on (Cornwall) Bill.
- Sale of Intoxicating Liquors on (Durham) Bill.
- Sale of Intoxicating Liquors on (Northumberland) Bill.

Now what are all these liquor measures? I was speaking just now as to the action of philanthropic and partizan statesmen with reference to liquor, and the tyranny of majorities over minorities, but these and all similar measures are nothing less than backward legislation. In physiology, there is what is called "retrograde metamorphosis;" while in sporting phraseology, there is a term, "running heel." This legislation, my lords, is "retrograde metamorphosis," "running heel," back to the time of the Plantagenets when the State vainly attempted to regulate prices, wages, and all things else. It is a return to the Tippling Acts of James I., which had to be abandoned because they so signally failed. These measures are all attempts on the part of the State to regulate the dealings and habits of buyers and sellers of alcoholic drinks—attempts to coerce the sober many on account of the drunken few. But, my lords, although we have recently read a letter calling upon the new constituencies to make local option the test question at the coming general election, yet I hope that the common sense of Englishmen, and their love of liberty, will assert themselves, and that if put to the test at a general election, local option will go to the wall.

Next, we have Acts and Bills dealing with the Dwellings of the Working Classes, etc.:—

SIXTEEN ACTS, viz.:—

- Local Government Board (Baths, Wash-houses, Labourers' Dwellings, Recreation Grounds, &c.) Act, 1871.
- Sanitary Law Amendment (Lodging Houses, Meat, Water, &c.) Act, 1874.
- Artizans' and Labourers' Dwellings Improvement Act, 1875.
- Public Health (Baths, Wash-houses, Labourers' Dwellings, Fire, Gas, Water, &c.) Act, 1875.
- Public Health (Baths, Wash-houses, Labourers' Dwellings, Fire, Funeral, Gas, Meat, Water, &c.) Ireland, Act, 1878.
- Artizans' and Labourers' Dwellings Improvement Act, 1879.
- Seed Supply (Ireland) Act, 1879.
- Labourers' Dwellings (Government Loans) Act, 1879.
- Artizans' and Labourers' Dwellings Act, 1879.
- Labourers' Dwellings (Government Loans) Act, 1881.
- Labourers' Dwellings (Ireland) Act, 1881.
- Baths and Wash-houses Acts Amendment Act, 1882.
- Artizans' Dwellings Act, 1882.
- Labourers' Cottages and Allotments (Ireland) Act, 1882.
- Public Health (Fruit Pickers' Lodgings) Act, 1882.
- Labourers' (Ireland) Act, 1883.

THERE BILLS, SESSION 1885, viz.:—

- Housing of the Working Classes (England) Bill.
- Labourers' (Ireland) Bill.
- Labourers' (Ireland) No. 2 Bill.

All of these embody the principle that it is the duty of the State to provide dwellings, private gardens, and other conveniences for the working classes, and assume its right to appropriate land for these purposes.

We have the following Acts and Bills pushing to an unlimited extent the principle of State-interference in the matter of

Education:—

NINE ACTS, viz.:—

- Elementary Education Act, 1870.
- Education (Industrial Schools) Act, 1872.
- Education (Scotland) Act, 1872.
- Education Act, 1873. Education Act, 1876.
- Education (Scotland) Act, 1878.
- Education (Industrial Schools) Act, 1879.
- Intermediate Education (Ireland) Act, 1882.
- Education (Scotland) Act, 1883.

FOUR BILLS, SESSION 1885, viz.:—

- Industrial Schools (Ireland) Bill.

- National Education (Ireland) Bill.
- Intermediate Education (Wales) Bill.
- National School Teachers' (Ireland) Bill.

All these measures are based on the assumption that it is the duty of the State to act *in loco parentis*; and they constitute a progressive code of State education, which, by being supplied at less than the market value is bringing about the extinction of voluntary systems and "free trade" in education, and their replacement by a universal State monopoly after the manner of the French Lycées. Many of them provide those things that ought to be left to the instincts and affections of parents.

Then there are Acts regarding

Recreation:—

FOUR ACTS, viz.:—

- Free Libraries Act, 1871.
- Free Libraries (Scotland) Act, 1871.
- Bank Holidays Act, 1871.
- Free Libraries (Ireland) Act, 1877.

Whereby the State having educated the people in common school-rooms, proceeds to provide them with common reading rooms, and afterwards turns them out at stated times into the street for common holidays.

Besides these, there are

Local Government Provisional Orders.

Local "Improvement" Acts and Bills.

These measures constitute a vast mass of local legislation, which is every session smuggled through Parliament, containing interferences in every conceivable particular with liberty and property. They afford an indication of the evil effects of the example set by State socialists to municipal socialists.

Now, my lords, I have said enough, I think, with reference to the tendency of the legislation of the last fifteen years. I have explained what the character of the legislation is. Now what is its economic effect?

I believe I may justly summarise it as follows:—liberty curtailed, property plundered, robbery rampant, land unsaleable, enterprise checked, capital flying away, and industry crippled. I believe all this legislation has checked enterprise and banished capital; and, in proof of the fact, that capital is flying from the country, and that people are investing money rather in foreign than English funds, I will mention a conversation I had with a wealthy Liberal Peer eighteen months ago. He said, "What do you think of the state of things?" I answered, "I think they are as bad as can be." He replied, "So do I," and then went on to say—"I thought land was safe; I find it is not. I comforted myself with the reflection that house property was at any rate secure. It turns out to be no more safe than land. There remains, I said to myself, at least the funds—Childers has abolished them! I will tell you what I have done—I have put all my money into the Dutch 2½ per cents." We have thus realised Lord Sherbrooke's saying in 1866, that "capital was a coy nymph, and had wings with which she would take flight abroad, if no longer safe in this country." Now what has been the result of the legislation during the last fifteen years, from 1870? You have taken from the landlord in Ireland, and given to the tenant, a capital sum of £300,000,000.

This sum is really an under-estimate of the capitalised value of compensation for disturbance, tenants' improvements, right of free sale of tenancies, and State-enforced reductions of rent.—W.

I have, indeed, heard the late Lord Privy Seal,

Lord Carlingford.

the executioner of the landed interest, pitifully prating on this subject, and saying, "True, we have taken from the Irish landlord one-fourth of his income, but we have thus made the remainder secure." Why, my lords, it is just as if I were to find a policeman in my plate-closet, handing out some of the spoons to a man with very short hair, a low forehead, and pronounced under jaw, and the policeman, on my asking what he was doing there, were to say to me, "This young man has a great fancy for all your spoons, and I am only giving him one-fourth of them to make the rest safe." Such is the kind of reasoning on which the landlords of Ireland have been despoiled of a quarter of their property; and the effect of all this kind of legislation is, that in the long run, those sought to be benefitted, are not benefitted at all, for you are practically killing the goose that lays golden eggs, by destroying confidence, and driving capital away from English enterprise. The general social results of such socialistic legislation may be summed up in "dynamite," "detectives," and "general demoralisation." Of the dynamite scare, we have recently had a curious instance at a very short distance from this. I recently asked the Lord Great Chamberlain to allow models for the new War Office and Admiralty, now in the Victoria Gallery, to be open to the inspection of architects and other persons interested. But the Lord Great Chamberlain dared not exhibit them, lest some one should thus obtain admission to the Houses of Parliament and blow them up. So much, then, for dynamite. How as to detectives? Why, every member of the late Cabinet went about with the shadow of a detective at his heels; and the late Home Secretary, besides his familiar, the detective, had daily

fifteen policemen told off for the protection of his house—five at a time, in three relays.

And, as to "general demoralisation," it is not confined to Irish tenants, or Scotch crofters; it is visible everywhere. Even some of the Scotch Lowland farmers are asking to have their leases broken, rents fixed by the State, fixity of tenure, and to be repaid all the money which they have expended on their holdings during the currency of their lease. Do not think, moreover, that demoralisation is confined to Scotland or to Ireland. It has even penetrated to Grosvenor Square, and to Belgravia. The other day a West-End friend entertained me with a denunciation of the monstrous injustice to which he was subject through his landlord, at the end of his lease, having the power to confiscate—as he expressed it—his town tenants' improvements. In other words, my lords, he might have said it was monstrous that he should have made a bad bargain for himself. Yes, my lords, I was not ill-advised, when two years ago I counselled two Whig dukes, who between them own a large portion of London, to keep their political weather eyes open, and to rest assured that the doctrines they applied to Ireland would very soon apply to houses in Grosvenor Square, Belgravia, and Covent Garden.

And why have we now a block of business in Parliament? Because the table has been for years encumbered with unnecessary bills, which no sooner become acts than they lead to and necessitate further legislation on the same lines. While on the continent people are thinking and vapouring about socialism, we in this country are adopting it in our legislation. Louise Michel, the French Communist, epitomised the matter very effectively when she said, "that whereas in France socialists stand in the dock, in England they sit in the House of Commons." She might have added, "and Communism in the Cabinet."

My lords, I have now shown, I think, with sufficient clearness, the direction in which we have been, and are travelling; but to fully appreciate the situation, we require a gauge of pace. Here it is. It is only twenty years since Lord Palmerston died, and he, be it remembered, said that "tenant right was landlord wrong." Again, Lord Sherbrooke, speaking in 1866, at the time of the "Cave," said, with reference to the politics of the time, that "Happily there was an oasis upon which all men, without distinction of party, could take their common stand, and that was the sound ground of political economy." Well, my lords, that oasis has turned out to be an Irish bog, possessed of its walking qualities, for it has already crossed the Irish sea and invaded the lands of England and Scotland.

Lastly, we have had communism in the form of Mr. Chamberlain in the late Cabinet. Mr. Chamberlain is reported recently to have said:—

"If you will go back to the origin of things, you will find that when our social arrangements first began to shape themselves, every man was born into the world with natural rights, with a right to a share in the great inheritance of the community, with a right to a part of the land of his birth. But all these rights have passed away. The common rights of ownership have disappeared. Some of them have been sold; some of them have been given away by people who had no right to dispose of them; some of them have been lost through apathy and ignorance; some have been stolen by fraud; and some have been acquired by violence. Private ownership has taken the place of these communal rights, and this system has become so interwoven with our habits and usages, it has been so sanctioned by law and protected by custom, that it might be very difficult, and, perhaps, impossible to reverse it. But then, I ask, what ransom will property pay for the security which it enjoys? What substitute will it find for the natural rights which have ceased to be recognised?"

Speech of the Right Hon. Joseph Chamberlain. M.P., at the Town Hall, Birmingham, January 5th, 1885.

Now, my lords, we have here what purports to be a discovery of natural rights, and I would, in opposition to this view, draw your lordships' attention to what Bentham said upon this subject in 1791:—

"Nature, say some of the interpreters of the pretended law of nature—nature gave to each man a right to everything; which is, in effect, but another way of saying—nature has given no such right to anybody; for in regard to most rights, it is as true that what is every man's right is no man's right, as that what is every man's business is no man's business. Nature gave—gave to every man a right to everything—be it so-true; and hence the necessity of human government and human laws, to give to every man his own right, without which no right whatsoever would amount to anything. Nature gave every man a right to everything before the existence of laws, and in default of laws . . . How stands the truth of things? That there are no such things as natural rights—no such things as rights anterior to the establishment of government—no such things as natural rights opposed to, in contradistinction to, legal; that the expression is merely figurative; that when used, in the moment you attempt to give it a literal meaning, it leads to error, and to that sort of error that leads to mischief—to the extremity of mischief. . . . Natural rights is simple nonsense; natural and imprescriptible rights, rhetorical nonsense, -nonsense upon stilts. But this rhetorical nonsense ends in the old strain of mischievous nonsense. . . . Right, the substantive right, is the child of law; from real laws comes real rights; but from imaginary laws, from laws of nature, fancied and invented by poets, rhetoricians, and dealers in moral and intellectual poisons, comes imaginary rights, a bastard brood of monsters, "gorgons and chimaeras dire." And thus it is, that from legal rights, the offspring of law and friends of peace, come anti-legal rights, the mortal enemies of law, the subverters of government and the assassins of security."

Contemporary criticism by Bentham on the "Declaration of the Rights of Man and the Citizen" decreed in the Constituent Assembly of France in 1771. Bentham's Works. Collected Edition. Vol. II. p. 497 et seq.

Which, then, do your lordships prefer—the old philosophy of Bentham, or the new philosophy of Birmingham? But I do wrong to call it new; in reality it is a very old philosophy. You will see it any day in the Zoological Gardens, where the monkeys having nuts are made war upon by those who have none; it is, at any rate, as old as Barabbas, and may be termed the "Barabbasian philosophy." It has, indeed, in all times and in all lands had many professors; but they have not all been successful in their vocation, for, happily for the human race, the majority of them find their way, here at least, to Broadmoor, Pentonville, and other similar establishments, where they are maintained at the public expense.

My lords, I have now traced this question down to the time when the late Government left office. How they found themselves in a minority I care not. I shall not speculate as to how it came about that the House of Commons that had stuck to them through all their hopeless vacillations in foreign policy, that waded along with them through oceans of purposeless bloodshed, that had connived at and condoned the death of Gordon, finally deserted them when it came to a tax on beer. Harassed interests have still, perhaps, power in the State, and we know that beer was once potent in turning out a Liberal Government. One large brewer, I have heard, would have lost £60,000, and another £40,000 a year, if the financial proposals of the late Liberal Government had been carried.

How long the present Government will remain in office, what the result of the general election will be, I do not pretend to say; but my own impression is, that the new agricultural voters will follow the blatant brazen agitator who makes the largest promises, pointing to what has been done in Ireland in the matter of land as earnest of their fulfilment. I know one county where the agricultural labourer is saying:—"No more parsons—no more landlords—no more farmers—the land is ours." And elsewhere candidates are saying to the labourer—"Do you want a new cottage and three or four acres of land? You shall have them." While the farmer is addressed thus: "I should like you to have security of tenure, the payment by the landlord of all your improvements, whether made with or without his consent; and something besides—this, no doubt, will be difficult to estimate, but it can be done. I further wish to see copartnership established between the landlord and tenant. I wish him to be a shareholder in the land." This, my lords, is no exaggeration of the speeches now being addressed to agricultural constituencies, and they may be summed up thus: "You gives your votes, and you takes your choice."

But be this as it may, looking at the state of things which has grown up under the late Government, both at home and abroad, I confess that I heard of their defeat with satisfaction; so much so, indeed, that I gave expression to my feelings in the words with which the late Cannon Kingsley, in the title of a very pleasant little book, described the realization of his life-long longing to visit the West Indian Islands. I, from the bottom of my soul, exclaimed "At Last!"

And now we have a new Government, what are we to expect from them? I feel that in the matter of foreign policy, my noble friend at the head of Her Majesty's Government will do much, be his time of office long or short, to tie up the broken threads of our traditional foreign policy, to the undoing of which it was the boast of the late Prime Minister that he had given his thoughts by day, and his dreams by night; and I hope that my noble friend will so tie these broken threads, that, be his successor who he may, he will not be able, even if he wished, again to break them; and we shall have the further security that the undoing of the policy of a predecessor has not been so successful as to encourage its repetition.

But what will the present Government do with reference to economic and social questions. A fortnight ago, I should have expressed hopes on this point, not fears; but we have had a taste of the quality of the Prime Minister lately; and, giving as I do, full credit to my noble friend's desire to benefit the poor, still, in his proposals and in the arguments by which he supported them, I see a danger of that socialistic race between the two parties in the State, foretold by Mr. Fawcett. The noble Marquis supported a bogus railway in Regent's Park, LORD SALISBURY: "Not bogus." LORD WEMYSS: Then I will drop the bogus and stick to my noble friend's argument. He suspended a standing order of your lordships' House, on the ground that employment was scarce in London; and if that argument means anything, it means *travaux publiques*. Again, my noble friend has defended his Housing of the Working-classes Bill on the ground, that it is the duty of the State to provide, or by selling property below its value, to help to provide houses for those in its employ. Where, let me ask, will he draw the line—will he house the Foreign Office clerks, and all others in Government employment, including the tide waiters and police? And, if not, why not? What otherwise does he propose, but the most glaring class legislation.

Now, my lords, I believe all this to be a mistake—a mistake, as regards those for whose supposed benefit sound principles are set aside, which in the long run, never answers.

A mistake as regards the Conservative party; for there are many in this country who hoped that the Conservative party on their return to power, would recall common sense and experience in the government of

men from Jupiter and Saturn. We trusted, that as regards the intervention of the State, they would have taken their stand upon the firm ground so clearly laid down by Lord Macaulay forty years ago in a passage I will now read:

"It is not by the intermeddling of the omnipotent and omniscient State, but by the prudence, energy, and foresight of its inhabitants, that England has been hitherto carried forward in civilization; and it is to the same energy, prudence and foresight that we shall look forward with comfort and good hope. Our rulers will best promote the improvement of the nation by strictly confining themselves to their own legitimate duties, by leaving capital to find its most lucrative course, commodities their fair price, industry and intelligence their natural reward, idleness and folly their natural punishment; by maintaining peace, by defending property, by diminishing the price of law, and by observing strict economy in every department of the State. Let the Government do this and the people will assuredly do the rest."

I believe, my lords, that this is far safer ground for the Conservative party to stand upon than that of socialistic administration. If the Conservative Government stand upon this ground, there is hope, good hope alike for true Conservatism and our nation. But if they enter upon a race of legislative tobogganing down the slippery socialistic slide, they must infallibly be distanced and beaten by their political opponents.

And let it not be supposed that there is not a strong feeling already aroused upon this subject. Why, the Liberty and Property Defence League has already in three years federated sixty-one Defence Associations for the protection of individual liberty and property. And, be it remembered, this desire is not confined to the well-to-do classes. Hear what Mr. Bradlaugh said upon this subject a year ago, when in speaking in the name of the working-men in St. James's Hall, on the occasion of a great socialistic tournament he had with Mr. Hyndman, he, to use a well-known phrase, "knocked him into a cocked hat":—

"The Socialists thought that the State could cure these evils; he thought that the State could not remedy them, but that they could only be cured slowly and gradually by the action of individuals . . . And who were those against whom they talked of using force? Why the great majority of our countrymen. It was not true that the majority of the working-class is on or near the verge of starvation. The number of depositors in savings' banks, members of benefit clubs and building societies, and holders of small plots of land, represent at least 10,000,000 of the population, and these would fight for the principle of private property."

Speech of Mr. Charles Bradlaugh, M.P., against Socialism, St. James's Hall, 1884

I have now only to thank your lordships, which I do from my heart, for the patience with which you have listened to my story; and, in conclusion, I would quote the words of one of the ablest and most independent writers on social questions, I mean Mr. Herbert Spencer, to show the tendency of all this legislation:—

"The incident is recalled to me on contemplating the ideas of the so-called 11 practical "politician, into whose mind there enters no thought of such a thing as political momentum, still less of apolitical momentum which, instead of diminishing or remaining constant, increases . . . He never asks whether the political momentum set up by his measure, in some cases decreasing, but in other cases greatly increasing, will or will not have the same general direction with other such momenta; and whether it may not join them in presently producing an aggregate energy working changes never thought of. Dwelling only on the effects of his particular stream of legislation, and not observing how other such streams already existing, and still other streams which will follow his initiative, pursue the same average course, it never occurs to him that they may presently unite into a voluminous flood utterly changing the face of things The numerous socialistic changes made by Act of Parliament, joined with the numerous others presently to be made, will by-and-by be all merged in State-socialism-swallowed in the vast wave which they have little by little raised."

Having thus pointed the moral of my tale, I am satisfied to leave the matter in your lordships' hands. I will only add, that General Gordon, in that admirable journal of his * "The Man versus the State," by Herbert Spencer. Page 23. *et seq.* which is the real, true, monument to the man, says—"It is not, remember, the Government that made the British nation." No, my lords, it is not the Government that has made the British nation, but it is the Government that, as I have shown, is in a fair way to unmake it, by strangling the spirit of independence, and the self-reliance of the people, and by destroying the moral fibre of our race in the anaconda coils of State socialism.

Self-help versus State-help.

Liberty & Property Defence League.

For resisting Over legislation, for maintaining Freedom of Contract, and for advocating Individualism as opposed to Socialism, entirely irrespective of Party Politics.

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THE League opposes all attempts to introduce the State as competitor or regulator into the various departments of social activity and industry, which would otherwise be spontaneously and adequately conducted by private enterprise.

Questions of the structure or constitution of the State and those of foreign policy do not come within the scope of the League. It is exclusively concerned with the internal functions or duties of the State.

During the last 15 years all interests in the country have successively suffered at the hands of the State an increasing loss of their self-government. These apparently disconnected invasions of individual freedom of action by the central authority are in reality so many instances of a general movement towards State-Socialism, the deadening effect of which on all branches of industry and originality the working-classes will be the first to feel.

Each interest conducting its self-defence without any reference to the others has on every occasion, hitherto failed to oppose successfully the full force of this movement concentrated in turn against itself by the permanent officials and the government in power for the time being.

The League resists every particular case of this common evil, by securing the co-operation of all persons individually opposed to the principles of State-Socialism in all or *any one* of its instances, and by focussing into a system of mutual defence the forces of the "Defence Associations or Societies" of the various interests of the country.

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The chairman (or his nominee) of every society, company or corporate body thus in federation with the League, is an *ex-officio* member of the Council of the League, and receives notice to attend all its meetings. The corporate action of the League in every case of overlegislation where any interest is affected, is regulated by the decision of the ordinary members of Council, acting in conjunction with its *ex-officio* members.

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Liberty & Property Defence League.

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A Lecture delivered to Working Men,

By M. J. Lyons.

Published at the Central Offices of the Liberty & Property Defence League, 4, WESTMINSTER CHAMBERS, LONDON, S.W.

Radicalism and Ransom.

(REPRINTED FROM THE *Clerkenwell Press*), July 22nd, 1885.

A LECTURE, with the above alliterative title, was delivered by Mr. M. J. Lyons, of the Liberty and Property Defence League, in the large Lecture Hall of the North London Working Men's Club, one of the largest, if not the largest, club in this district of the metropolis. The spacious hall was well filled, and the lecture was listened to throughout with the most rapt attention by this exceptionally intelligent and respectable assembly of working men. A brief discussion followed at the close of the lecture, but as the points raised were on minor issues and did not affect the main argument, we confine ourselves to the following report of the lecturer's address, omitting, also, the frequent bursts of applause with which the telling points, and they were not few, were hailed.

Mr. Chairman and Gentlemen,—I was met on the threshold of this lecture by a difficulty which at first seemed to me well-nigh insurmountable, viz.: the difficulty of a definition. Modern Radicalism is a creed so Protean in shape, so chameleon-like in hue, that I was placed in a similar state of perplexity to that of the poor English peasant who had lived to see all his old associations uprooted, and the firm ground on which he had

fixed himself take life and move off into unknown seas. The few thoughts he had were all entangled in the revolving wheels of change, and his last words were these: "What wi' faith, and what wi' works, and what wi' the engines a-buzzin and a-fuzzin, and what wi' one thing, and what wi' another, I'm clean astonied and fairly bet." Twenty years ago I fondly believed I knew what Radicalism meant. I imagined that it meant, not merely the cutting down the Upas tree of ascendancy or privilege; but actually, as well as etymologically, a tearing up by the roots of all the baneful growths which hampered and embarrassed men in their march through life. I took as my guide the writings of Bentham, the elder Mill, the philosophical radicals of the Manchester school, the speeches and writings of Cobden, Bright, and Molesworth.

But since their time a race has arisen, calling themselves Radicals, whose objects I find it difficult, nay impossible, to reconcile with the doctrines of the eminent men whose names I have just given. *Those* looked upon liberty as the panacea for all social ills, and strenuously, vehemently protested against grandmotherly, protective and restrictive legislation. Their one demand was "Let us alone;" and they had their triumphs; the great victory of 1846, the subsequent simplification of the tariff, the freedom of trade-unions, the removal of burdens on the press, and numberless other acts, enlarging the area of liberty. These (*i.e.*, the modern Radicals) have ornamented or disfigured the statute book by a series of acts which restrict freedom of contract, and are all framed with the benevolent intention of protecting men and women against the punitive results of their own folly.

"There is nothing new under the sun," said the philosopher; and whatever exception may be taken to this as a general statement, it is clearly applicable in this case. Writing fifty years ago Macaulay said:—"They conceive that the business of the magistrate is not merely to see that the persons and property of the people are secure from attack, but that he ought to be a jack-of-all-trades, architect, engineer, schoolmaster, merchant, theologian—a Lady Bountiful in every parish, a Paul Pry in every household, spying, eavesdropping, relieving, admonishing, spending our money for us, and choosing our opinions for us. Their principle is that no one can do anything for himself as well as his rulers, be they who they may, can do it for him; and that a government approaches nearer and nearer to perfection in proportion as it interferes more and more with the action of individuals."

I would now ask:—Is this an unfair or over-drawn picture of the policy of the Radical party of to-day? No candid man who has made himself at all acquainted with the huge congeries of legislation, effected or projected, can deny that although Macaulay had in his mind the Tory of *his* day, the Radical of to-day might have sat for the picture, photographic in its fidelity. And it is this curious *rapprochement* of the two parties which constitutes the strangest political phenomenon of our time. And yet it would appear, at least so Mr. Herbert Spencer thinks, to admit of philosophic explanation. His theory is that all animals, man not excepted, have a tendency to "throw back," as breeders call it; "a reversion of type," as naturalists call it; in man it is designated "atavism." To give an instance:—the numerous varieties of rabbits obtained by artificial selection would, if unattended to, it is known, speedily revert to the wild type still existent in England. And what is true in the animal world, has its analogue in the political. State aid, State management, State regulation, State control, State guidance, were for hundreds of years the peculiar appanage of the court and court party, of whom the Tories were and are the descendants in direct line. The party known successively by the names Whig, Liberal, and Radical, after having been for ages the champions of freedom, the apostles of liberty, have begun to retrace their steps, and to substitute for the tyranny of an individual or a class the tyranny of the majority. There is scarcely one of the restrictive, sumptuary and other laws enacted by the Plantaganet and Tudor kings, which cannot be paralleled in the recent legislative history of the Radical party. As for me, if I am to be tyrannised over, to be governed that is, I should immensely prefer one tyrant to six hundred and fifty. The reason is obvious. A single tyrant can be removed, six hundred and odd cannot. The hand of a weak woman, Charlotte Corday, ridded a horrified world of Marat; there was no possibility of crushing the Convention in a similar manner. A monarch may be deposed, or a dictator banished. It was, for instance, comparatively easy to cut off the head of a Stuart king when his rule became intolerable. But it will require a force not yet developed and perhaps itself too terrible to be invoked except as a last resort, to cut off the hydra head of a vast bureaucracy whose thousand eyes and hands are in every place at every moment, and which, as in France it does at this day, defies the very power which created it.

There is no more vicious political superstition than this childish belief in the power of Parliament to do whatever it wills. This positively pathetic reliance on the omnipotence of Parliament was not shared in by the robust Cobden when he demanded that all government control should be removed. Mr. Bright opposed the Factory Acts; so did Harriet Martineau; and at one time dissenters objected to State education; now they are its most active supporters, and clamour, not only for free education, but free food, and I doubt not in a very short time free clothing. The working man must not now take his wages in goods nor in a public-house; the sailor cannot be trusted to ascertain whether a ship is or is not seaworthy; the housewife is not supposed to be able to detect sand in the sugar, or alum in the bread; the farmer is not to be a free agent, he cannot sell or dispose of

his right to shoot ground game; girls must not eat their dinners in a warm workshop, though their homes may be miles distant, and the day bitterly cold; and Irish tenants, ultimately perhaps English tenants, are safe-guarded against their own needs or their own extravagance.

The men of the Manchester school were believers in a more manly faith. They argued, that left to themselves the people either were or would become too intelligent to purchase adulterated goods, or to occupy insanitary dwellings. They argued that the evil of unwholesome buildings would cure itself under the influence of the natural economic law of competition. But no, the army of State socialists, miscalled Radicals, were too numerous, and the soldiers of Freedom were doomed to see outwork after outwork carried, and in possession of the enemy, who, unimpeded in his onward march, uses each vantage point as a base for fresh attacks. "The whole tendency," says a writer in the *Edinburgh Review*, "of the extreme party, both in foreign countries and at home, is socialistic, and their object is to subvert and subdue those independent powers which check and counterpoise each other, and to create in the State a common master of the votes, the property, and the lives of the community."

And what is most ominous, is the rivalry which obtains between the two great parties, each vying with the other when they do not actually coalesce, rendering it anything but a pleasant task for the friends of freedom to look into the next few years. They see around them forces at work, silent, apparently disconnected and independent, the one of the other, but all tending in the same direction, the destruction of individuality. When these scattered guerilla bands are united under one master mind as leader, the crisis is not far distant. I have no fear as to the ultimate result, though it may and can only be reached through suffering and sorrow. The pessimism of this creed may seem to some worthy of mockery; but to any such I would say, look around and note the signs of the times. What but evil can come of the unholy alliance of Mr. Broadhurst and Lord Randolph Churchill, united on what they call the enfranchisement of leaseholds in towns? Sir Richard Cross and Sir Charles Dilke we find uniting in the socialist effort to provide, at the cost of the nation, dwellings for the poor. Mr. Jesse Collings claims votes for labourers who have had medical relief, and Sir Michael Hicks-Beach trumps his trick by bringing in a bill of his own. Lord Salisbury and Mr. Chamberlain dispute as to whom is due the credit of initiating a system of local government.

No good can come from this partnership, a partnership of men whose every act seems to be directed in opposition to the maxim, axiom rather, that centralisation educates a nation to political incapacity, and who seem to be unaware that this perpetual coddling is accomplishing a slow and silent work of social disorganisation, winding round society like the shirt of Nessus, consuming its forces and kindling in its veins a devouring fire. If, as has been said, the price of liberty is eternal vigilance, then it is to be feared that for this generation at least history has been written in vain: or if not, is history then a mere barren record, or is it not rather a chart on which are plainly marked the shoals, the rocks, and the quicksands on which former "tall admirals" have been wrecked? This craze for restrictive legislation shows no signs of abatement. This tide is still on the flood; and the fact seems to be altogether overlooked that by the multiplication of laws you necessarily multiply offences, though these offences may be only of a technical kind, and that you thus necessarily also multiply the agents whose duty it is to see that these laws are obeyed, and to bring up for punishment those who infringe them. It tends also to increase the criminal classes by creating new offences and breeding a spirit of despondency and sullenness in the people, and a want of respect for the law. Further, it blocks the path of all proper and constitutional progress, it alarms the right-minded as well as the timid, and it impairs, if it does not destroy, the prosperity of the whole community.

It would be perhaps an impertinence to inquire how far or how much this rage for legislation is stimulated by the knowledge that zeal may be rewarded by office. If the multiplication of officials only proceed at its present rate of increase, the time is not far distant when the regulators shall be as numerous as the regulated; and the Millennium will only be reached when every man shall be provided with his special inspector, though there must be necessarily a want of finish about the arrangement, unless indeed, they mutually inspect each other. Society has to be equally on its guard against the insidious advances of cool, calculating selfishness, and the blind thoughtlessness of passionate enthusiasts. But of the two classes the former is most to be dreaded.

A brief enumeration of recent socialist measures will satisfy the most thoughtless of the great, the portentous revolution which is being silently accomplished in our very midst, almost without notice. We have got so accustomed to them that our feelings, our perceptions, are blunted. The Industrial Dwellings Act is but in its infancy, but it will grow rapidly. Mr. Arch's Compulsory Cultivation Bill has not yet become law; but with the new electorate, who have a firm faith that the Liberal Government is pledged to give every man "three acres of land, and the grass of a cow," what wonders may not be achieved? State ownership of railways is more than talked about; the Democratic Federation claim to have settled even the minor details. Then there are the numerous industries connected with the railways; all these will have to be taken over by the Government when the railways are purchased or confiscated—the latter for preference. The Government is already exclusive letter-carrier, has the telegraph in its possession, and is in a fair way to become exclusive carrier of goods. It

builds harbours, docks, and breakwaters; it builds ships, casts cannon, makes ammunition, clothing, boots, &c.; and it requires no strong imagination to picture the time when the State shall own all the houses, land, factories, steamships, in a word, to use the comprehensive expression of the Democratic Federation, "all the instruments of production."

If you now place each of these propositions singly before the typical Radical, there is not one which he does not think would be better managed by Government than by private persons, sole or corporate. If this be so, wherein does he differ from a Socialist? This will, I trust, have in some measure accounted for the perplexity to which I pleaded guilty at the beginning of this lecture, a perplexity which increases the more I study the subject. I will therefore conclude this, the first part of my address, by quoting a passage, the authorship of which I have for the moment forgotten: "Those who would interfere by Acts of Parliament are deaf to the grand harmony of nature, which no one ever interrupts with impunity."

If there is one thing more than another calculated to impress the careful student of history—the man who, not satisfied with the mere barren record of the births, loves, marriages, wars, and deaths of kings and rulers, pursues his researches into the social and economic condition of the nation—it is the marvellous power of adaptability to altered conditions which the English people have exhibited preeminently in the present century. With the boundaries of their country sharply defined, incapable, as in America, of indefinite expansion, the population has yet increased at a rate of which no mere bald array of figures will give us any but a shadowy notion; and speaking generally, the means of subsistence have increased, if not more rapidly, at least *pari-passu*, with this increment. Let me endeavour to put before you in a popular and striking form the wonderful results of this self-adjustment. In the last ten years this country has added to the population, exclusive of those who emigrated in that period, a number greater than the increase of the population for the period extending from the Norman Conquest to the beginning of the eighteenth century; or, to put it in another form, we are now adding to our population every year more than was added every century during the period alluded to.

The marvel is, that the evil of over-crowding, which I deplore as much as anyone, is not more intense than it is. For the purposes of my argument this almost fabulous increase of a population—better fed, better clad, and better housed than any preceding generation—may be compared to a rush for gold to new diggings. The hardy miners do not waste time in useless supplications to Jupiter or his incarnation, the Government; but manfully make light of the inevitable hardships at the first, and strenuously set themselves to work to provide accommodation. The simile will be all the closer when we remember that there is not only this increase throughout the whole country, but that the difficulty of making provision for it is intensified and exacerbated by that which can only be described as a "rush" towards the great towns from the rural districts. And yet private enterprise—which quietly, unostentatiously, with no flourish of trumpets, adds every year to this already overgrown metropolis, accommodation for a population equal to that of Bristol—does its work, if not perfectly, at least indifferently well. That slums exist, cannot and ought not to be laid to the charge of the present generation. Sanitary science was not only in its infancy, indeed it may be said it was not born at the time of the erection of most of these dwellings, called slums; and men are no more to be blamed for their erection, than for travelling by mail coach before the introduction and expansion of railways between 1830 and 1850. But forgetting all this, Messrs. Chamberlain and Dilke, to whom must now be added Lord Salisbury, have recently been moved to righteous indignation by the "Bitter Cry of Outcast London;" and are emulous, one with the other, to assist this natural growth by artificial means. But of this more later on.

For the present, I am most concerned with the first-named of the trio; and his famous if not notorious doctrine of "Ransom." Let me give the passage *in extenso*. The speech, you will remember, was delivered at Birmingham on January 5th, of this year, and is as follows: "If you will go back," says Mr. Chamberlain, "to the earlier history of our social system, you will find that when our social arrangements first began to shape themselves, every man was born into the world with natural rights, with a right to a share in the great inheritance of the community, with a right to a part of the land of his birth; but all these rights have passed away. The common rights of ownership have disappeared; some of these have been sold; some of them have been given away by people who had no right to dispose of them; some of them have been lost through apathy and ignorance; some have been destroyed by fraud; and some have been acquired by violence. But then I ask *what ransom will property pay for the security which it enjoys?* What substitute will it find for the natural rights which have ceased to be recognised? Society is banded together in order to protect itself against the instinct of those of its members who would make very short work of private ownership if they were left alone. That is all very well; but I maintain that society owes to these men something more than toleration in return for the restriction which it places upon their liberty of action."

Mr. Chamberlain is an able man and a shrewd, and one is lost in wonderment for what object these wild and whirling words were given wing. Was it to promote the prosperity of England, or the rule of the Birmingham caucus, or the ambition of Mr. Joseph Chamberlain? Let us examine the Ransom theory first,

bearing in mind the fact, that at Ipswich he altered the word "ransom" to "insurance;" but it is the first word which has become, and will remain historic; and it is with that I propose to deal here this morning.

Nature brings not back the mastodon, nor do sensible men dream of restoring the Heptarchy; but if Mr. Chamberlain's words have meaning, they point to a return to the tribal system, when wild in woods the noble savage ran; when, also, the principal clothes of the same respected progenitor were a ring through the nose, and a patch of blue paint on the forehead. Private ownership of land seems to be anathema maranatha in Mr. Chamberlain's eyes. It may be only a coincidence; but I have heard it stated that this gentleman's wealth is not invested in land. Be this as it may, all history proves that no progress is possible without private ownership, and that in proportion as the title to land is secure, in the same proportion is all property secure, and the prosperity of the country assured. Every school boy knows that in the infancy of every country the natural occupation of man is that of hunting; next the pastoral condition obtains; and finally he settles down, as population increases, to a life of agriculture, and its concomitant manufactures. But as soon as ever agriculture commenced, private ownership of land began, for this most excellent of all reasons, that no person would take the trouble to cultivate, drain, protect from the inroads of wild beasts a tract of land of which he was not to reap the fruits. If a man will not work neither shall he eat; but if he does work, he likes to be certain of the result of his labour, and this can only be secured by private ownership. Indeed so universally true is this rule, that civilisation has never in any country advanced beyond the rudimentary stage till private ownership in land began to be recognised by law or custom. Look round the world to-day; among the aborigines of Australia, the native tribes of North America, the Abyssinians, the Zulus, the Turcomans; private property in land does not obtain, and everywhere in these countries do we find a degraded, brutalised, and savage population. And yet this appears to be the golden age to which Mr. Chamberlain looks back with fond lingering regret; although he does allude, in passing, to the difficulty, perhaps impossibility, of reversing the present order of things.

All our social ills, poverty, crime, ignorance, in so far as they exist, would seem inferentially, according to Mr. Chamberlain, to arise from private ownership in land. The exact opposite is the truth; human misery and degradation are more intense where private property in land is unknown, and the sum of human happiness greatest where it is most recognised and respected. It may be urged that Mr. Chamberlain does not nakedly, and in terms, urge a return to the tribal system; but if his words have any meaning at all, they either point to this conclusion or to a resumption by the State of the ownership of the soil. The universal consensus of civilised man ought surely to have as much weight in our councils as the threadbare theories of expediency politicians. In only one country, so far as I am aware, has the experiment been tried, and the result is far from reassuring. In India the State has always owned the land; even under the rule of the Company this was so, the State being the universal provider. But I can scarcely think the advocates for its introduction will care to quote the example of India, one of the poorest, if not the poorest country in the world. In America, a country in which the boldest experiments on humanity have been tried, so far from the State being desirous of retaining the soil of the country in its possession, it has all along been anxious to rid itself of its ownership with all possible haste, conferring its gifts of land alike on foreigner as well as native.

Thus we see that as barbarous nations progress towards civilization, the absolute right to private property in land becomes correspondingly recognised; while when a civilised state, like the Americans, become suddenly seized of an immense and fertile territory, they forthwith proceed to parcel it out to individuals, obeying in each case an instinct so universal that it may be regarded as a law of our nature.

But, says Mr. Chamberlain, much of the land of this country has been acquired by fraud, much by force, or by gifts from those who had themselves no right to it. True. And, it may be added, that the process is still going on in South Africa, New Zealand, Australia, the Fiji Islands; and our American cousins have all but dispossessed the original owners or occupiers. Although we may, as humanitarians deplore the cruelty and suffering which these displacements wrought, yet the student of history cannot but admit that they are inseparable accidents of the process by which a weak race is supplanted by a more robust, energetic one, whenever or wherever they come in contact. But to argue that because the process was not conducted in more kid-glove fashion the land ought to be restored to its original possessors is to trifle with our patience. The gentlemen of the Land Restoration League seldom go back beyond the Conquest; but they and Mr. Chamberlain seem inclined to invalidate the title to all lands acquired since. In ordinary commercial affairs men have found it necessary to introduce a statute of limitations. Should not, *à fortiori*, the statute apply in the case on which the stability of all industries depends? "If Time destroys the evidence of title, the laws have wisely and humanely made length of possession a substitute for that which has been destroyed. He comes with his scythe in one hand to mow down the muniments of our rights; but in the other hand the law-giver has placed an hour-glass by which he metes out incessantly those portions of duration which render needless the evidence he has swept away." Not more than six years ago the period of limitation was shortened from twenty years to twelve, and now we are told that centuries of undisputed possession will not suffice.

Mr. Chamberlain, rumour has it, is a wealthy man-and I am sure, I hope Dame Rumour does not

exaggerate; but his wealth is not expressed in land. In whatever form invested it is the stored-up savings of the results of labour. I assert that the productiveness of the soil, which gives agricultural land its value, is also the stored-up savings of the results of labour, the result of ages of painstaking cultivation. If we could get at the prairie value of the land, it would form but an infinitesimal part of the whole value, and the national treasury would not be very much the richer if that were confiscated. Indeed, when discussing the amount of burden which the land ought to bear, this prairie value seems in strict justice to be all to which the State is entitled, in the present state of our knowledge, our unknown and insoluble quantity.

"All rent is robbery," says the Socialist. Is it? Let us take an illustration. Dissatisfied with the condition of things in this country, where population presses closely on, if it does not overtake the means of subsistence, we determine to seek fresh fields and pastures new; and disposing of our household goods and gods, we emigrate. Separating ourselves from all the associations which made life tolerable if not enjoyable; turning our backs upon "the ashes of our fathers, the temples of our gods," we, with our wife and children, plunge into the trackless forests of the far west, and there in the wilderness, after years of patient unremitting toil, we succeed in rearing ourselves a habitation, rude, it may be, but comfortable; and the land over which, previous to our coming, "wild in woods the naked savage ran," has been won from the wilderness and brought to a condition in which, if you tickle it with a plough, it laughs with a harvest. In the meantime, our children, the young birds, have left the nest; have taken to themselves mates and are building nests for their own broods in similar fashion. Only the parent birds are left now, alas, grown old and feeble and incapable of superintending, much less working, the farm. But the tried and trusty "help," who has assisted me through many trying seasons, is still strong and vigorous. To him I say that I am about to spend the remainder of my days quietly; and I suggest to him that I could not desire to see the old place in better hands than his. He knows that invested in that land is the labour of a lifetime, and it never occurs to him that he is likely to obtain it as a free gift. He knows that its market value now is, say £3,000; and he also knows that as he has only saved £500: it is beyond his reach. The situation would be tantalising, did I not point out to him that I do not want the whole of the purchase-money down. I shall be satisfied with the *interest*. *Interest* on £3,000, at the rate of five per cent., will leave him £350 for working expenses. He jumps at my proposal and forthwith *rent* is created. I become that enemy of the human race, a landlord, according to Messrs. Chamberlain and Co., and my quondam servant blooms into a tenant. Where is now the injustice? Does any one imagine that I should ever have emigrated, and spent the best years of my life in laborious toil, if at the end I were not free to dispose of and enjoy the fruits of my labour?

This is no fancy picture. We see the process going on; and this is just the process by which our, and all civilised countries were settled centuries ago. Well might Lord Salisbury retort that although the word "Ransom" was new in English politics, it was not unknown among the picturesque personages who requisition travellers in the mountain passes of Greece and the Abruzzi.

But the land is not the only form of property from which, as it appears, "Ransom" is to be exacted. The nation, it seems, is to be asked to provide industrial dwellings for the poor at less than cost price. A Royal Commission has collected, I cannot say collated, evidence bearing on the housing of the poor, and has presented its report in a form which irresistibly reminds us of Mr. Samuel Weller, who, we are told, "folded his newspaper with neatness, so as to bring the police reports under his eye." The Royal Commission appears to have entered on its duties with a view, not to find out the truth, but to give prominence to all facts in favour of, to suppress all facts militating against, their preconceived theory. Much hearsay, for instance, was accepted as evidence; though we know, on the authority of that memorable case, *Bardwell v. Pickwick*, that "what the soldier said" is not evidence at all. This parish of Clerkenwell, where I have resided for the last four years, has been specially singled out for animadversion. I am not in any way connected with the government of the parish, and I may, therefore, claim to have my opinion considered, and treated as unbiassed. I have visited or resided in nearly every considerable town in the three kingdoms, and I unhesitatingly declare that Clerkenwell is better paved, lighted, watered, scavenged, than the vast majority of those towns. But what will be the inevitable result of the socialist legislation proposed in one House by Lord Salisbury—in the other by Sir Charles Dilke. They propose that the sites of the two prisons should be made available for the erection of dwellings for the poor, wherein sanitary rooms can be rented at less than market value. This proposal has struck dismay into the breasts of the struggling artisans and shopkeepers of the neighbourhood. There will be either a process of selection or there will not. If there be, and tenants be chosen, as in the Peabody and other buildings, for their comparative respectability, the benevolent intention will fail in its object, and the very poor be still unprovided for. If they are taken haphazard as they present themselves, then it needs no prophet to foresee that there will be an inrush of the camp followers of the great industrial army whose means are never a week in advance of their needs, and who, at the first check will fall as an additional burden on the already overlaid ratepayer?

Yes. This is the further "Ransom" which men are now called upon to pay for the crime of being and continuing respectable. These conclusions lie so apparently on the surface that I can only credit the advocates of this scheme with sincerity when it can be proved that they are deficient in intelligence.

In conclusion let me say that if history proves anything, it is the folly of attempting to resist the operation of economic laws by legislative enactments, and in this age of progress and enlightenment it is truly pitiable to see so many old world fallacies revived—they were not dead, it seems, but hybernating—and not only believed in by the unthinking masses but fostered and encouraged by men in high place, who ought to and do know better, and who should be made to walk the plank of civilised society, which they have so shamefully disgraced, into the penal solitude they so richly deserve.

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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 cost 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; bimetallism 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 "Bimetallism," 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 bimetallists 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 similar 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 bear 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, thrived 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 craves 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 individual

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 power 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 it 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 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 clearinghouse, some of our banks are now constantly exporting coin while others are importing it, which entails a great and quite 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 [*unclear: 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 bearer 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 [*unclear: cou*] 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 barter 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 [unclear: 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 mist-rust 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 [unclear: unpomhat] 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 [unclear: credit] of any British colony is far better than that of any ring of private individuals is [unclear: provided] 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 cheeseparing 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 gold fields 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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Land Systems of the Australasian Colonies.

Land Systems of the Australasian Colonies.

Land System in Operation in Victoria.

(By A.J. SKENE, Esq., M.A., Surveyor-General of that Colony.)

The use and occupation of the public estate of the colony of Victoria is regulated by two legislative enactments, viz.:—"The Malice Pastoral Leases Act 1883" and "The Land Act 1884."

MALLEE PASTORAL LEASES ACT 1883.

The Mallee Pastoral Leases Act came into operation on the 1st December, 1883, and deals exclusively with an area of eighteen thousand square miles, situated in the North-Western District of Victoria.

The occupation of this portion of territory is acquired under leases, all of which will simultaneously expire twenty years after the commencement of the Act, and, on the expiration of this term, the land so leased, and all improvements thereon, revert absolutely to Her Majesty, her heirs, and successors.

The leases to be issued are classed under two divisions—the one having reference to Mallee allotments the other to Mallee blocks.

Mallee allotments range in area from one to thirty-two square miles each; they abut directly on or are adjacent to lands held either under lease or in fee-simple under the provisions of previous Land Acts.

The annual rent reserved on such allotments ranges from ten shillings to forty shillings per square mile, according to the natural grazing capability of the country included in such allotments.

Mallee blocks range in area from $10\frac{3}{4}$ square miles to 583 square miles, and are situated immediately to the north of the Mallee allotments, extending northward up to the banks of the River Murray.

The annual rent payable in respect of these blocks is calculated on the basis of 2d. for each sheep or 1s. for every head of cattle actually depastured on the block during the first five years, 4d. for each sheep or 2s. for each head of cattle during the succeeding five years, and 6d. for each sheep or 3s. for every head of cattle during the remainder of the term of the lease; but in no case is the annual rent of a block to be rated at less than

2s. 6d. per square mile.

Every Mallee block is subdivided into two moieties, the one of which, after being occupied by the lessee for a term of five years, reverts to the Crown, the other remaining in the occupation of the lessee for the full term of twenty years from the commencement of the Act.

The moieties so reverting to the Crown at the termination of the five years shall be dealt with as Parliament directs, and in default of such direction may be again leased as Mallee blocks or Mallee allotments, provided the term for which such land is so demised shall expire not later than twenty years after the commencement of this Act.

The right to a lease of any Mallee block is offered for by auction, and is acquired by the person who bids the highest sum by way of premium. If there be no bidder at auction, the right to a lease is granted to the first person who may thereafter lodge an application for the same and pay the annual rent assessed on the same.

The conditions under which Mallee land shall be held under lease are as follow:—

- The rent shall be paid in half-yearly moieties.
- The lessee shall not cultivate, assign, or sublet or subdivide his leasehold without the consent of the Board of Land and Works.
- The lessee shall at once commence to destroy, and shall within three years from granting of the lease have destroyed, to the satisfaction of the Board of Land and Works, all vermin thereon; and thereafter keep the leasehold free of vermin to the satisfaction of the Board.
- All houses, fences, wells, reservoirs, tanks, dams, and all improvements of a permanent character shall be kept in good condition and repair during the continuance of the lease.
- Any portion of land comprised in a Mallee lease, not being the site of the homestead (which is restricted to 640 acres), may be resumed by Her Majesty for public purposes, and, on paying compensation for improvements effected by lessee, may resume for mining purposes and re-enter upon any land forming part of land leased.
- Her Majesty may resume, after three years' notice in *Government Gazette*, possession of any land demised by the lease, upon payment to lessee for his interest in such lease, together with the value of all permanent improvements thereon.

If houses, fences, wells, reservoirs, tanks, dams, or other permanent improvements are, with the sanction of the Board, erected on the moiety of a leasehold held for the term of five years only, the lessee shall, on the termination of the occupation of such moiety, be entitled to compensation therefor not to exceed the amount actually expended.

No land forming part of the Mallee country demised under the provision of this Act shall be alienated in fee-simple.

Upon the resumption of any portion of the leasehold, or upon the termination of the period of the lease, the lessee shall be paid the value of all wells, reservoirs, tanks, or dams of a permanent character constructed by him during currency of lease, and calculated to increase the carrying capability of the leasehold.

The interest of a lessee in the value of any buildings or fencing erected by him is gradually extinguished as the termination of the lease is approached, except in the case of improvements being effected with the previous consent of the Board during the last five years of the lease, in which case full valuation for the same will be allowed.

Every transfer of a lease shall be registered at the office of the Board of Land and Works.

To ensure the destruction of vermin within the Mallee country, the Governor in Council may declare all or any portion thereof to be a Vermin District, whereupon the owners, lessees, and occupiers of land within such district shall elect local committees. Such local committees shall take measures to carry out the destruction of vermin within their several districts, and with that object may recommend for the approval of the Governor an annual rate or assessment to be paid by the owners, lessees, or occupiers in respect of each square mile of land, and also in respect of the sheep and cattle depasturing thereon, within such districts; but the payment of such rate or assessment does not relieve the lessees or occupiers from any obligation imposed on them by this Act to destroy vermin upon the land leased or occupied by them, and to keep the same free from vermin.

LAND ACT 1884.

This Act came into operation on the 20th December, 1884, and applies to all the public estate of the colony outside of the operation of "The Mallee Pastoral Leases Act 1883."

Under this Act the public estate is divided into 8 classes:—

- Pastoral lands.
- Agricultural and grazing lands.
- Auriferous lands.

- Lands which may be sold by auction.
- Swamp lands.
- State forest reserves.
- Timber reserves.
- Water reserves.

These classes, and the scheme of subdivision in the two first, are shown on separate county maps by distinctive colours and symbols.

These maps may be obtained at Lands Office, Melbourne, or any of the District Survey Offices throughout the colony, at the price of 2s. 6d. per copy.

Pastoral Lands.

These lands are divided into allotments varying in area from 5,000 acres to 40,000, with a capability of from 1,000 to 4,000 sheep or 150 to 500 head of cattle, the annual rent thereon being calculated on the basis of one shilling per head of sheep or five shillings per head of cattle.

The term of any lease under which such land may be occupied shall expire not later than fourteen years after the commencement of the Act.

When the rents of a pastoral allotment have been fixed, notice is given in the *Government Gazette* of a date on and after which applications to lease will be received and dealt with. If on that day or any subsequent day only one application be lodged in respect of a particular allotment, the applicant becomes entitled to a lease at the gazetted rental. If two or more applications be lodged, the right to obtain a lease is, after thirty days' *Gazette* notice, offered to public competition at auction, at which the person who bids the highest sum by way of premium becomes entitled to the lease.

The conditions of lease are as follow:—

- The annual rent is payable in advance in half-yearly moieties.
- The lessee shall not assign, sublet, or subdivide without the consent of the Board of Land and Works.
- The lessee will at once, and to the satisfaction of the Board, commence and continue to destroy, and shall, within three years after granting of lease, destroy the vermin on the leasehold.
- The lessee shall keep in good condition and repair all substantial and permanent improvements whether constructed by such lessee or not.
- The lessee shall not, during currency of lease, ring or destroy or (except for the purpose of fencing or building on the land demised) cut down any timber upon such land unless with the sanction of the Board.
- Her Majesty, &c., may resume possession at any time of any of the land demised required for public purposes or for purposes of public convenience.
- Governor in Council has power to grant licences to enter on the land demised in lease, and cut, dig, take away any live or dead timber, coal, or other mineral.
- Her Majesty may resume as sites for townships or villages, or for mining purposes, and re-enter any lands forming part of leasehold, on paying full value of substantial and permanent improvements effected by lessee on the resumed land.
- Her Majesty may resume, after three years' notice in writing, any portion of leasehold upon payment to lessee for his interest in the lease, together with value of substantial and permanent improvements effected on the portion resumed.
- The lands demised under any pastoral allotment lease are held subject to a condition that the holder of a miner's right or of a mining lease shall have the right and be allowed to enter upon such pastoral allotment, and to search for gold and mine thereon, and erect and occupy mining plant or machinery, without making compensation to the lessee for surface or other damage.

Upon expiry of the term of the lease, the lessee, his executors, &c., shall be paid by an incoming tenant the value of all fences, wells, reservoirs, tanks, and dams erected or constructed by the lessee and calculated to increase the grazing capability of the land; but the sum to be paid in respect of such improvements shall not exceed that actually expended by the lessee thereon, and in no case exceed the sum of 2s. 6d. per acre of such land.

The lessee of a pastoral allotment at any time during the currency of the lease may select a portion of such allotment, not exceeding 320 acres in extent, as a homestead, in one block, and on payment of 20s. per acre may obtain a grant of the same.

With this exception, no pastoral land shall be alienated in fee-simple under the provisions of this Act.

Agricultural and Grazing Lands.

Grazing areas may vary in size, but shall not in any case exceed 1,000 acres, and not more than one grazing

area shall be granted to or held by any one and the same person.

The term of all leases of grazing areas shall expire not later than fourteen years after the commencement of the Act.

The annual rent to be reserved in every lease of a grazing area shall be not less than 2d. and not more than 4d. per acre, and shall be payable in advance by half-yearly moieties.

Applications are to be lodged at the Land Office of the district in which the land is situated. A Local Land Board, in cases where more than one implication is made for the same land, investigates the applications and reports to the Minister.

Any person of the age of 18 years, not being a selector under any previous Land Act or Acts, is entitled to take up as a grazing area, and may, after issue of the lease, select thereout an agricultural allotment to an extent not exceeding 320 acres, which shall thereupon be excised from the lease. This privilege of so selecting an agricultural allotment out of a grazing area, however, is not permitted to a married woman who has not obtained a judicial separation.

Any selector under previous Land Act or Acts may take up a grazing area the acreage of which added to that previously selected by him shall not exceed 1,000 acres, and if he have not already selected the maximum of 320 acres allowed under previous Land Acts may, out of the grazing area leased by him, make up the deficiency in the selection hitherto obtained by him at any time, and hold the same under conditions of selection so long as the entire area so selected shall not exceed 320 acres.

In the covenants of a lease of a grazing area it is provided—

- That the lessee shall not assign, sublet, or subdivide without express consent.
- That the lessee shall destroy vermin.
- That all improvements shall be maintained in good condition and repair.
- That les see shall not ring or destroy, or, except for purposes of fencing or building on the leasehold, cut down any timber thereon without express consent of Board.
- That the lessee shall, at least within three years after date of lease, enclose the land demised with a fence and keep same in repair.
- Her Majesty, her heirs, &c., may resume possession of any portion on payment to lessee for his interest in lease, together with value of substantial and permanent improvements effected by him on the land resumed.
- Lessees shall have no better tenure in regard to the right of miners to enter such leased land in search of gold than was possessed by pastoral tenants under "The Land Act 1869."
- Her Majesty, &c., shall have a right to resume, after giving three years' notice in writing, possession of any land demised upon payment to lessee of his interest in the lease, together with the value of all substantial and permanent improvements erected by the lessee on lands so resumed.
- The lands demised under any grazing area lease are held, subject to a condition that the holder of a miner's right or of a mining lease shall have the right and be allowed to enter upon such grazing area, and to search for gold and mine thereon and erect and occupy mining plant or machinery, without making compensation to the lessee for surface or other damage.

Upon the expiry of the term of a lease the lessee, his executors, &c., shall be paid by an incoming tenant the value of fences, wells, reservoirs, tanks, and dams erected or constructed on the leasehold, provided the amount so paid does not exceed the sum actually expended thereon, but in no case shall exceed the sum of 10s. per acre over the land comprised in such leasehold.

A licence to occupy an *agricultural allotment* is subject to the following limitations and conditions:—

The area to be held under licence may in no case exceed 320 acres. No licence shall be issued to any person who has selected under any previous Land-Act or Acts the maximum of 320 acres, or who has taken up a preemptive right to that extent, or is under 18 years of age, or who is a married woman, not having obtained a decree of judicial separation.

The conditions of such licence are as follow:—

- That the annual rent of 1s. per acre shall be paid in advance in half-yearly moieties.
- That the licensee shall not assign, transfer, or sub-let the agricultural allotment or any part thereof.
- That the licensee shall at once commence to destroy, and shall, within two years, have destroyed to the satisfaction of the Board, the vermin upon the licensed land, and that he shall keep the land free of vermin during the currency of the licence.
- That the licensee shall, if not sooner called upon, under the provisions of "The Fences Statute 1874," within six years enclose the land with a fence and keep the same in repair.
- That the licensee shall, within twelve months after issue of licence, and thence-forward during continuance of licence, occupy the allotment; that within six years the licensee shall erect on his holding substantial and permanent improvements to the value of 20s. per acre included in the allotment.

If the above conditions are fulfilled by the licensee, he shall be entitled to obtain a grant of the land so licensed to him on payment of 14s. per acre, or may obtain a lease for a term of 14 years at a yearly rental of 1s., payable in half-yearly moieties, and on the complete payment of 14s., reserved under lease, shall be entitled to a grant.

The Governor may also issue a "non-residence licence," to improve an agricultural allotment, for a period of six years, at a fee of 2s. per acre per annum, to any person entitled to become a licensee of an agricultural allotment under this Act who has applied for such licence and paid a half-year's fee in advance.

Under such a licence the land shall be enclosed within six years, and permanent and substantial improvements effected to the extent of 20s. per acre before the end of the third year of the currency of the licence, and before the end of the sixth year of the value of 20s. additional, on which the licensee may obtain a lease, the condition of which shall be the payment of 2s. per acre per annum for a term of 14 years—the entire sum payable in respect of the purchase-money of an allotment held under a "non-residential licence" being 40s. per acre.

Except as provided above, no lands included in the agricultural and grazing class shall be alienated in fee simple.

Auriferous Lands.

Such land may be held under licences issued for a period not exceeding one year, under which the licensees may reside on or cultivate any land coloured as auriferous on the county maps, and not situated within any city, town, or borough. Any such licence shall not cover more than 20 acres; and not more than one licence shall be granted to or held by any one and the same person.

No land coloured as auriferous on the county maps shall be alienated in fee-simple.

Annual licences for purely grazing purposes may be issued for the occupation of auriferous land that may not be required for mining purposes. Such licences are renewable annually for a period not exceeding five years. Such licence shall not be for a greater area than 1,000 acres, and no person shall so hold more than 1,000 acres of such auriferous land.

The annual rent per acre to be reserved in every such licence shall be fixed by valuers appointed by the Board of Land and Works.

Lands which may be Sold by Auction.

The country lands that may be sold by auction are shown by a distinguishing colour on the county maps, but before any such lands are offered for sale a schedule of the lands proposed to be sold shall be laid before both Houses of Parliament.

The Crown lands within any city, town, or borough proclaimed before the passing of this Act, and any land proclaimed by the Governor in Council as a township, shall be sold by auction.

Notice of every such sale by auction shall be given in the *Government Gazette* at least 30 days before the date at which such sale shall take place.

The conditions of any sale by auction are that the purchaser shall pay the survey charge at the time of sale and a deposit in cash of 25 per cent, of the whole price, and that the residue of the price shall be payable by twelve equal quarterly instalments, bearing interest at the rate of 6 per cent, per annum, computed with respect to each instalment for the period elapsed between the time of sale and the time of the payment of such instalment.

From and after 1st July, 1885, all moneys arising from the sale of Crown lands by auction shall be credited to a trust account, for the purpose of making provision for the construction of any railways that may hereafter be authorized by Act of Parliament.

There shall be inserted in every Crown grant of lands alienated in fee simple, and in every licence or lease of land demised with the right of acquiring the fee-simple thereof, a condition that such lands are granted or demised subject to the right of the holder of a miner's right or of a mining lease to erect and occupy mining plant or machinery in the same manner as if such land were Crown land, provided that compensation be paid for surface damage, and the payment thereof shall be a condition precedent to such right of entry.

Swamp Lands.

These lands, as shown on the county lithograph plans, shall not be alienated in fee simple; but may be drained and reclaimed by prison or other labour, and when so reclaimed the Governor in Council may grant leases of such swamp lands so drained and reclaimed, in allotments not exceeding 160 acres, for a term of 21 years; particulars of every such lease to be laid before Parliament within one month of the execution thereof.

State Forests.

The lands comprised within State forests are shown on the county lithograph maps by a distinguishing symbol, and shall not be alienated for any freehold estate, but licences may be issued for grazing or residence thereon or to cut timber in any State forest, or any part thereof, subject to the payment of such licence fee and on such other conditions as may be approved by the Governor in Council.

Timber Reserves.

These reserves, shown on the county lithographed plans by a distinguishing symbol, shall not be alienated in fee simple; but from time to time, as they may become denuded of timber and the same is notified in the *Government Gazette*, such lands so denuded may be added to the pastoral lands or agricultural and grazing lands, and dealt with under the provisions of this Act applicable to such lands.

Grazing licences or licences to cut timber on any timber reserve may be issued subject to the payment of such licence fee and under such conditions as the Governor in Council may approve.

Water Reserves.

No lands shown on the county lithograph maps as water reserves shall be alienated in fee simple.

LEASES AND LICENCES FOR OTHER THAN PASTORAL, GRAZING, OR AGRICULTURAL PURPOSES.

Leases of any Crown lands not exceeding (except in the cases of leases for obtaining guano or other manure) three acres for a term not exceeding 21 years from the date thereof, at a yearly rental not less than £5, may be granted for any of the following purposes, provided that, in cases where it is proposed to issue a lease for a longer term than seven years, the application for the same shall be notified in four consecutive numbers of the *Government Gazette*, at least one month before the issue of such lease:—

- Obtaining and removing guano.
- Obtaining and removing stone or earth.
- Sites for inns, stores, &c., in thinly populated districts.
- Bathing houses, bridges, ferries, and punt houses.
- Tanneries, factories, saw or paper mills, stores, warehouses, or dwellings.
- Sites for quays, landing places, or for deposit of materials.
- Working mineral springs.
- Sites for ship or boat building or repairing, and marine and general engineering works.
- For manufacture of salt.
- Sites for construction of canals or docks, provided the conditions of such a lease have been laid on the table of both Houses of Parliament for at least four consecutive weeks prior to the issue of the same.

Before any lease can be obtained for any of the purposes aforesaid within the boundaries of any city, town, or borough, the right to such lease shall be offered for sale by auction.

The person who offers the highest rent shall be entitled to the lease.

Licences may be issued to enter upon any Crown lands not under licence or lease as an *agricultural allotment* for the following purposes:—

- To cut, dig, and take away any live or dead timber, gravel, stone, &c.
- To occupy sites for fishermen's residences and drying grounds.
- To occupy sites for fellmongering works, slaughter-houses, brick or lime kilns.
- To erect pumps.
- To collect ballast.
- To occupy areas not exceeding three acres for gardening purposes.
- For any of the purposes for which leases may be granted for other than pastoral, grazing, or agricultural purposes.

Every such licence to bear date of the day on which it is issued, and may continue in force for a period not exceeding 12 months; and payments shall be made of such amount of fee as may be fixed by regulation.

COMMONAGE.

All commons heretofore or hereafter to be proclaimed are, subject to the provisions of this Act, to be dealt with in the same manner as other portions of the areas in which they are included on the coloured lithographed

county maps.

The managers of commons are appointed by the Governor in Council. They have power to distrain any cattle trespassing on the common under their management, and are to be taken to be occupiers of the common within the meaning of any Impounding Act, and shall be deemed to be the owners within the meaning of "The Rabbit Suppression Act 1880," or any Act amending the same; but nothing shall prevent the exercise of the powers conferred by this Act with respect to the leasing or licensing of any land comprised in any common.

GRAZING LICENCES.

A grazing licence may be issued to any applicant to enter with cattle, sheep, or other animals upon any park lands, reserves, or other Crown lands not forming part of any common or held under lease or licence, and therewith to depasture the same; but such licence shall not prevent any person from obtaining a lease of portion of the same as a grazing area. Such licences can be obtained only after tenders have been duly invited for the occupation of the land.

Land System of New South Wales.

(By C. N. J. OLIVER, Esq., Under-Secretary for Lands in that Colony.)

The recent enactment known as "The Crown Lands Act of 1884" (48 Vic. No. 18), which came into operation on 1st January, 1885, is a repeal of previous land legislation, and inaugurates a change in the method of dealing with the public estate.

Among the prominent features introduced are—(a) The territorial division of the colony into the Eastern, Central, and Western divisions, for the dealing with lands differently influenced by climate, settlement, and other causes; (b) the division of the several pastoral runs each into two fairly equal portions, of which the one is resumed by the Crown for subsequent alienation, leasehold, or reserve, the other remaining in the leasehold occupation of the pastoralist, under fixity of tenure for a term of years; (c) the creation of new classes of leasehold (explained in detail *post*); (d) the conservation of the landed security of the colony by a limitation of the aggregate area of Crown lands permitted to be annually sold by auction; (e) the abolition of the lessees' right to purchase by virtue of improvements; (f) the decentralization of the machinery for the working of the Act; together with (g) regulations of a stringent character intended to ensure the *bona fides* of those seeking the advantages of the law.

From the short period which has elapsed since the date of the commencement of the Act, it would be futile to endeavour to show any important statistical result of its actual working.

The condition of the public estate as on the 1st January, 1885, may be stated approximately as follows:—

The total area of the colony being 195,882,000 acres, is divided thus—

The area alienated at that date may be estimated, in round numbers, as 37,000,000 acres; the relative proportion of alienated to gross area being—in the Eastern division, about one-third; in the Central, between one-third and one-fourth; and in the Western division, only a little more than one-fortieth.

In connection with these figures, it should be observed that the Eastern division has a greater and more regular rainfall, a denser population, and greater accessibility to market than either the Central or Western divisions, and land is consequently more in demand in the former, although railway construction is causing the Central division to become an important field for agriculture; while, except in special areas, the Western division remains the chief grazing tract of the colony.

Proceeding to view the Act in detail, we may first refer to its general administrative provisions.

Administration.

For this purpose the colony is divided into a number of land districts, to which are allotted land agents, the duties of each of whom may extend over one district, or several adjoining districts, as may be directed. There are at present ninety-five such districts, with eighty-nine land offices, at each of which latter a land agent presides. Many important stages in the land system are conducted through these officers.

The policy of decentralization has brought into existence, by the new law, local courts, Known as Local Land Boards, each comprised of not more than three nor less than two members; the chairman being a salaried officer, and the members, who are locally selected, being entitled to fees.

Each Board is ministerial or judicial according to the nature of the proceeding to be dealt with. Several matters which have been commenced, but not concluded, under the repealed law, and some things which will require investigation under the existing law, may be referred to a Board for appraisalment, inquiry, or report. In these cases the Board acts ministerially merely, and makes a report or recommendation to the Minister. In nearly all cases arising under the present law a Board acts judicially. Its proceedings are conducted analogously

to those of a court of petty sessions; parties to causes before it may be heard by counsel, attorney, or agent; and, failing appeal to the Minister (in whom the appellate jurisdiction is vested, but who may in certain cases refer back to the court of first instance, and who may, if he desire, state a case for the Supreme Court), its decisions are final and binding upon the parties, with power vested in its hands to compel execution of its judgments. It may hear complaints, examine into caveats, direct reports, and demand evidence; and while its powers are for the most part set in motion by promovents, it retains an inquisitorial authority for the detection of illicit acts.

The Local Land Boards have their several districts, but, for convenience, the chairman is not necessarily the presiding member of one Board alone; and the head-office, which forms his head-quarters, is that of the various Boards over which he presides; thus in scattered parts of the colony avoiding unnecessary distribution of the machinery of the system.

There are now ninety-five Local Land Boards, with sixteen head-offices. For the impartial conduct of business, it is enacted that any member of such Board, sitting or acting in any case in which he is directly or indirectly interested, shall be liable to a penalty not exceeding £500. District surveyors and other officers are provided, whose advice and assistance are essential to the Boards.

THE DIVISION OF RUNS.

It is computed that, at the 31st December, 1884, there were within the colony 4,313 leased runs, yielding an annual rental in round figures of £268,500, forming about 1,600 "stations," and estimated to contain the bulk of the unalienated public estate, after allowing for reserves, about 100 lapsed leases, leases current for minor areas, and the water-covered acreage.

The land policy of former years had allowed the intending selector to establish a statutory claim to a limited area by entry and residence (certain forms of application, &c., being complied with) upon any unimproved part of the run occupied by the Crown lessee, which was under lease to him, and not specially reserved from sale.

The existing law requires the various run-holders (who have, as a body, conformed with the Act) to furnish plans of their holdings within 120 days from its commencement, showing a fairly even division of each, the Minister finally deciding, after amendment, if necessary, which half shall be resumed to the Crown, and for which remaining half a new lease should be granted to the present occupant on a firmer basis, as explained under "Occupation," *post*. In order to facilitate the division, where freeholds exist in situations rendering division a matter of difficulty, provision has been made for exchange or surrender to the Crown with compensation. Upon the determination of the division, the resumed portion may be occupied by the original lessee under occupation license (see *post*), until withdrawn by the granting of any lease or the sale of any land, the various methods of which latter may be dealt with under—

ALIENATION

Land may be acquired—

- By conditional purchase;
- By additional conditional purchase;
- By improvement purchases in gold-fields;
- By conditional purchase without residence;
- By the preferent right of purchase attached to conditional leases;
- By auction sales; and
- By special sales without competition.

Conditional Purchase.

In the Eastern division (which may be generally described as extending westerly from the coast line, with a maximum breadth of about 170 and a minimum of about 120 miles therefrom, running from the Victorian border in a north-easterly direction so far as geographical centres will allow), the conditional purchase is incepted by the intending selector lodging his application with the land agent on any "land office day"—a day notified for the purpose—for the area he desires to acquire, which in this division may not be less than 40 nor more than 640 acres. If the land be unmeasured, he must mark it and properly identify it. Should improvements exist thereon, the fact must be stated. Land structurally improved, other than by fencing to the extent of £1 per acre and upwards, in special cases, is exempt from conditional sale, but the selector can amend his application to exclude the improvements if he desire. If the land selected contain improvements of a less value than £1 per acre, the Local Land Board appraises their value, and payment, if the Crown be owner thereof, is made by the purchaser to the Government by annual instalments of a quarter of the appraised value; if the improvements are private property, the owner and purchaser arrange the terms of payment, the Board intervening in cases where

the parties do not agree. But if the removal of the improvements be not likely to permanently injure the land, there is nothing to prevent the owner removing them within three months from the confirmation of the selection. Where improvements have been effected since the 1st July, 1876, on land reserved from sale, upon the revocation of the reserve or withdrawal of the land from lease, the improvements become the property of the Crown, and if alienated will be dealt with as herein described.

Upon tender of application, the applicant deposits a sum of 2s. per acre for every acre applied for, together with a declaration of good faith and intention, with questions to be answered somewhat similar to the forms employed in the United States and in Victoria, but of rather less inquisitorial character. There is besides a stringent confiscatory clause to secure the integrity of these declarations, supported by provisions voiding any collusive agreements between persons inducing others to contract for the procuring of land for the benefit of others than themselves, and rendering person: so inducing liable to prosecution for misdemeanor.

The application for the conditional purchase being considered in open court by the Board, the surveyor's report being satisfactory, and no caveat or objection lodged, the applicant receives a certificate of confirmation, which is official recognition of his status as a conditional purchaser.

But this certificate cannot be issued until all caveats, objections, or appeals be disposed of. The purchaser then enters upon a five years' term of residence, within the first two years of which he must fence the area with a fence of the prescribed character at least four feet in height. (There is a latitude which may be exercised by the Board in this particular, both as to time and the natural features, upon application.) At the end of the third year from the confirmation referred to, or three months thereafter, the selector is required to declare that he has so far complied with the conditions essential, and to pay an instalment of 1s. per acre, to be annually continued until the balance of 17s. per acre, with 4 per cent, interest added, be liquidated. A further declaration is required at the end of five years (or three months after) that he has fulfilled the whole of the conditions, expect payment of balance; and the Board, after due enquiry, and no obstacles intervening, issues to him a certificate of fulfilment of conditions, known as the certificate of conformity. Every provision is made to ensure the proper attention to caveats or objections, and for appeal by aggrieved persons to the Minister; but having obtained this certificate, which is a transferable document if lodged with the transfer, the holder is competent to transfer his estate, with the contingent liability as to payment of balance, &c. (see "Transfer," *post*). Additional conditional purchases may be transferred with the original purchase, but cannot be separated until all the conditions have been fulfilled. The purchaser may, if he desire it, at this period pay off the remainder of his indebtedness to the Crown, and secure a deed of grant upon tender of the stipulated small fees; and he may equally, if he prefer, extend the time of purchase to a term of 30 years from the payment of the first instalment of 1s. per acre (inclusive), the period being so lengthened by the collection at each annual payment of the interest chargeable. In default of the fulfilment of the residence and fencing conditions (which may at any time be the subject of an investigation by the Board), the purchase may be declared forfeited, and the land revert to the Crown, together with any additional conditional purchase or conditional lease acquired in virtue thereof. After the issue of the certificate of conformity, the payment of instalments in each purchase must be maintained, or each holding is equally liable to forfeiture.

These, then, are briefly the leading details attending alienation by conditional purchase in the Eastern division.

In the Central division the system is so far identical, with this exception that the area which may be taken in the original conditional purchase has a larger maximum, viz., 2,560 acres.

The Central division may be shortly referred to as having for its eastern boundary the western boundary of the Eastern division, and for its western boundary a line bearing about north-north-easterly from about the Lachlan-Murray junction to the Queensland border, with a mean width of about 117 miles, and watered by the Murray, Murrumbidgee, Lachlan, Macquarie, Namoi, and other rivers and tributaries.

The Western Division—which is bounded on the east by the Central Division, on the south by the Victorian border, on the west by the South Australian, and on the north by the Queensland border, and is chiefly watered by the Darling, Warrego, Barwon, and Lachlan rivers and tributaries—is unalienable by conditional purchase except within special areas.

Special areas may be proclaimed as set apart in any of the three divisions. In such areas not more than 160 acres may be conditionally purchased, the price (not less than 30s. per acre), deposits, and instalments, being notified in the proclamation.

The holder of a conditional purchase of less than 160 acres in a special area in any division may similarly, by additional purchase, bring it to that equivalent.

The combined purchase may be dealt with as one holding, and the selector may reside on the first selection to qualify both, and may fence the area as if there were no dividing line between the purchases. If he adopt the latter course, he may make the declaration of fulfilment of conditions required for the additional purchase at any time; but if he desire to extend a holding which is already 640 acres, and acquired under former acts, by

addition under the present Statute, he must reside on either the original or the additional purchase for a further term of five years in order to qualify the latter. In all other respects conditional purchases under the repealed Acts may, equally with those under the existing law, form the qualification for the application for the additional area. The declarations and the payments to be made, as also the method and times of payment, are similar to those for the original purchases under the present Act, except in the matter of interest, which is reduced from 5 per cent, to 4 per cent.; but in cases where the prescribed declarations have been made for the additional purchase at earlier dates than the three and five year periods, the condition of payment of instalments apply as if the declarations had been made in the regular course, and the deed of grant will ultimately issue, if no-objections exist, in the same manner as for the original purchase; similar provisions for forfeiture applying in the event of similar laches, with the additional circumstance that the forfeiture of the additional purchase is involved in the forfeiture of the original, if they continue one holding.

Conditional Purchase without Residence.

This is a concession by which an area of not less than 40 nor more than 320 acres may be acquired, with certain restrictions, without residence. The applicant must be of the age of 21 years or upwards, and not at any time previously have been a conditional purchaser. The purchase-money is payable in like manner as for the ordinary conditional purchase, but is double the amount. The purchaser must properly fence the land within twelve months after survey—a certain latitude being allowed in exceptional circumstances—and must produce to the Local Land Board, after an interval of five years from survey, 'evidence that he expended not less than £1 per acre in improvements besides fencing. Upon producing such evidence he receives a certificate of conformity, and may then, and not till then, transfer, alienate, or mortgage his interest. The estate may, however, devolve "by operation of law" at any time, upon payment of the instalments due. If the purchaser, in his original application, had not taken the full area of 320 acres, he may acquire the unselected balance by additional purchase. Once, however, having availed himself of this method of selection to the maximum area, he is debarred from making any other conditional purchase whatever.

Purchases in Gold-fields.

Special provision is made to enable residents on gold-fields to obtain the land upon which they have erected their residences or places of business. This they may do at a price to be fixed by the Local Land Board, not being less than £8 per acre for town lands, nor than £2 10s. for suburban or other lands, nor than £2 10s. for any area less than one acre.

The improvements to qualify the purchase need not be of greater value than these minimum rates. One person cannot purchase more than quarter of an acre of town land, nor over an acre of suburban or other land, nor can he make two purchases within three miles of each other. The purchaser must pay the full price within three months of notice, or be liable to a 10 per cent, penalty; and if he fail to pay the full price and penalty within six months, his right to purchase lapses. Lands in proclaimed gold-fields, within reserved areas, cannot be conditionally purchased, nor can lands lawfully occupied for mining purposes under any Mining Act; and further, all alienations of land under this Act are subject to the proviso that gold may be searched for thereon by persons properly licensed, and if the land be found auriferous the sale may be cancelled, wholly or in part, and the area become Crown lands, to be dealt with under the Statutes relating to mining in New South Wales. Any improvements which may be on the land at the time of such cancellation are to be compensated for to the owner, at their normal value, without reference to any enhancement from the discovery of the precious metal.

Conditional Leasehold.

This form of tenure first appears in the Statute-book as part of the present Act, and may be described as a contingent leasehold privilege attaching to a conditional purchase, with a preferent right of conditional purchase in some cases, without residence after five years' tenure, or, sinking the preferent right, with an extension of the lease for a further five years, with residence.

By the system of pre-emptive leases in the land policy now repealed, a grazing right was accorded to the conditional purchaser of three times the area of his selection, which right was at any time liable to be reduced, or even cancelled, by alienation to other selectors. The system of conditional leases, on the other hand, gives a much more secure tenure. These leases are only obtainable in the Eastern and Central divisions, and may be granted to any applicant for a conditional or additional conditional purchase, or any holder of a conditional-purchase under any of the repealed Acts (special areas excepted); the area being limited to three times that of the purchase, the area of the purchase and lease together not to aggregate more than 1,280 acres in the Eastern, and 2,560 in the Central divisions; a smaller area—not less than 40 acres—being allotted if there be not more available.

The application may be confirmed or disallowed as in the case of conditional purchase, and if confirmed, the Local Land Board, with the approval, of the Minister, fixes the rent payable, which cannot be less than 2d. per acre. The holder may, if he choose, reside on the leasehold to satisfy the residence condition of the conditional purchase in virtue of which the leasehold is held, but must give notice to the Board of his intention to do so; further, he must fence the land in a similar manner, as far as practicable, to that stipulated in the case of conditional purchases, but one exterior fence will suffice for purchase and lease.

The preferent right to purchase the whole or part of the leasehold matures at the end of five years from the confirmation of the application, and should he so elect, the leaseholder may thereby become the conditional purchaser thereof, in the following manner:—He first lodges his application with the Local Land Board for a certificate of fulfilment of conditions of the leasehold, which, if granted, is *prim âfacie* evidence of his right to purchase the leasehold in whole or in part. If he prefer to purchase a part only, such part must adjoin the prior purchase. Furnished with this certificate, he lodges his application with the land agent for the preferent purchase, paying a deposit of 2s. per acre, which application is dealt with by the Board in open court; and failing caveat or objections, he ultimately, having paid the balance of the instalments as in the case of other conditional purchases, obtains the freehold.

Provision has been made for the conversion of pre-emptive leases under the repealed Acts (for which application was necessary within ninety days from 1st January, 1885) into conditional leases under this Act, which has been largely availed of.

Residence on these converted leases is not essential, but the preferent right to purchase does not attach thereto.

Auction Sales.

The aggregate area allowed to be sold by auction, for the whole colony, in any one year, is 200,000 acres. Two to three months' notice is always given of any sale, and the minimum upset prices are fixed for town lands at £8; suburban lands, £2 10s.; and other lands, £1 5s. per acre. But a higher upset may be determined upon, and the value of any improvements be added thereto; and if the improvements were made in misapprehension, their value may be remitted to the improver. Twenty-five per cent, of the purchase-money must be paid at time of sale, and the balance within three months, or the deposit may be forfeited and the sale declared void. The maximum area which may be sold under the empowering section, is in the case of town lands, one-half acre; suburban, 20; and country lands, 640 acres.

Special Sales without Competition.

This is a provision for enabling the public in certain cases to obtain the freehold of water frontage to their properties, which had been previously reserved from sale; to reclaim land beyond high-water mark in continuity of their freeholds; to secure slips of land inconvenient for conditional sale; and to procure the closing and inclusion in their purchased area of unnecessary roads previously excluded therefrom.

In the latter case, if the original purchase be conditional, the payments may be made as for a conditional purchase.

The price for the reclaimed land is based upon one-half the net market value, less cost of reclamation, as appraised by the Board; the prices for the intervening small areas are determined by the Minister or by the Board, but to be not less than the minimum upset price for the class of land if sold by auction; and the water frontage area must also be paid for in like manner. All costs, charges, survey fees, and purchase moneys must be paid within three months after approval of purchase, under penalty of lapsing thereof.

OCCUPATION.

The aggregate area of country which was in the occupation of pastoral lessees from the Crown as at 31st December, 1884, may be roughly calculated at 194,500 square miles, or about 124½ millions of acres, exclusive of reserves, and of this area an important proportion was situated in what is now the Western division.

The division of runs under the present Act has already been explained. One portion is dealt with as pastoral leaseholds, and the lessee can also hold the resumed portion under occupation license until alienated, reserved, or otherwise leased or dealt with.

The pastoral leases under the present statute, in the Western division, are for the term of fifteen years, commencing at the determination of the existing lease; or, if the same person is the holder of more than one lease, at the mean date of determination of the whole;

The rent is determined by the Minister, after appraisalment by the Board, with a minimum of 1d. per acre for the first, increased for the second five years by one-fourth, and for the remainder of term the lease may have

to run, by one-half. At the end of the third period an extension of the lease may be obtained on further appraisal, for a further term of five years, bearing a rental not less than that charged for the last period of the former currency. By giving two years' notice before the expiration of such third period, the Government may extinguish the lessee's right to any such further extension. At the termination, however, of any five years' period, the lessee, by giving three months' notice, may surrender his lease. There are enabling powers for the withdrawal from lease of lands required for public purposes, and for the cancellation of reserves and incorporation of the area embraced, therein into the leasehold. Neither a minor nor married woman can hold leases, unless the former is seized of such leasehold by inheritance, or the latter in separate estate.

Subdivision may be made of a pastoral lease upon application, subject to ministerial approval. Upon expiration, forfeiture, or surrender of any pastoral lease, the area may be either resumed or re-let, in the above or some other manner,

The principles governing the issue of pastoral leases in the Central division are similar; except that in this division the term is ten years, with right of extension for a further term of five years at a rental based on appraisal, the lease commencing from the date of notification of the division of the run, and the minimum rent being 1½d. per acre for the first five years, and increased by 25 per cent, for the remainder of the term.

In the Eastern division the minimum rent is 1d. per acre for the whole term of lease, which is five years; but there is an equal right of extension for a further five years at an appraised rent.

Should any rent be not paid within the prescribed time, or within three months' thereafter, plus 5 per cent., or six months plus 10 per cent., the lease is liable to forfeiture, which does not however extinguish the lessee's debt to the Crown in respect thereof.

OCCUPATION LICENCE.

The holder of a pastoral lease, at the time of making his application therefor, could also apply for a licence to occupy the resumed area until disposed of, paying at the same time a deposit of £2 per square mile in advance, until appraisal by the Local Land Board with that amount as a minimum licence fee.

The amount of licence fee as determined must be paid within sixty days of notification thereof in the *Gazette*, under penalty of loss of renewal, these licences being annual from the 1st of January in each year.

Failing application for the use of the land by the pastoral lessee, the licence may be disposed of by auction or tender.

Proportionate refund of license fee is made for area withdrawn from occupation licence, as well as compensation for improvements thereon, subject to appraisal by the Board and Ministerial approval; proportionate reduction in future fee *pro rata* is also made in similar circumstances.

HOMESTEAD LEASES.

This is the second of the new forms of leasehold tenure referred to at the commencement of this paper, and is only applicable to the Western division. It is a description of holding eminently suited to the small grazier, a class of persons hitherto not provided for; the maximum area procurable being 10,240, and the minimum 5,760 acres. The term of lease is fifteen years, and there is a right of extension for a further period of five years. The area selected as a homestead leasehold must be within a resumed area or vacant lands. The deposit required to be lodged with the application is 1d. per acre, in anticipation of the appraisal, and payment is also required for any improvements upon the land. The conditional requirements are (1) the fencing of the outside boundaries of the leasehold within two years from entry thereon (which latter must be within ninety days from the notification of approval of the issue of lease in the *Gazette*), subject to a certain latitude, by consent of the Board, on cause shown; and (2) residence for at least six months during each of the first five years of the lease.

A pastoral lessee, during currency of the tenure, cannot himself, or by others, hold a homestead lease; and *vice versa*, a homestead lessee cannot become a pastoral lessee during the currency of his homestead lease; nor can more than one homestead lease be held by the same person, under penalty, in each case, of forfeiture of the whole of his leasehold interest, for which purpose every part owner of a lease is reckoned as a principal; but exception is made where the registered holder is so registered for his security as mortgagee of one, or more than one, of either or both. A homestead lease may be transferred after the fulfilment of the residence conditions.

ANNUAL LEASES

Are granted for areas not exceeding 1,920 acres, and are disposed of by auction or tender, the minimum upset annual rental being £2 per 040 acres or lesser area, or, if there be no bidding, may be let at the upset. Due notice is given of such auction sales or of the dates when tenders may be lodged. These leases are open to renewal, and 25 per cent, may thereupon be added to the former rental, but annual leasehold does not exempt

the land so leased from sale, or special or conditional lease.

Annual auction lease held under the former Acts (in the Eastern and Central division) are convertible into the above class of tenure, but if a higher rental has been paid than the minimum above quoted, no reduction can be made.

SPECIAL LEASES

Are granted on equitable terms for the clearing of scrub lands, in which case, should the operations to that end have been satisfactorily initiated and pursued, concession is granted of an exemption from rent in certain cases for a limited period; and the holder of a pastoral or homestead lease may apply to convert the scrub part of his holding, if over 640 acres, into a holding of this description, but the area of the scrub lease may not exceed 10,240 acres. Special leases are also granted for purposes of irrigation, dams, tanks, bridges, sawmills, tramways, and other uses; and lands under water are also so obtainable. The lessee of lands where coal exists and is being worked pays a royalty of 6d. per ton, and is required to assist the Government inspector or other proper officer at all times to gauge the output, &c.

RESERVES.

There is power to make reservations for the use of travelling stock and other public purposes.

It is estimated that no less than 35,000,000 acres at least are now under reserve in the interests of the public, including mining. There is provision in the Act for the dedication of land to the public, with or without trustees, and the reservation of lands along railway lines, and for towns, villages, commons, &c.-in fact for any public purpose within the meaning of the Act. For purposes of communication, land may be resumed for roads.

TRANSFERS.

Proper forms are provided for this purpose, suited to the class of tenure. The cost is 10s. besides stamp duty (if any), and the instructions on the forms are so explicit that any non-professional person can prepare and complete them for registration. In the case of conditional purchases, the original and any additional may be transferred together after completion of residence, but not separately until all the conditions applicable to the whole (except payment of balance) have been fulfilled. Nor can a conditional lease be transferred except together with its qualifying conditional purchase. The registration of transfers under this Act, in the office of the Registrar-General, gives an important legal effect thereto.

RING-BARKING, TIMBER, AND STATE FOREST REGULATIONS.

Lessees are not permitted to ring-bark trees on their leases, except by permission and on payment of a fee of £2 for each 1,920 acres or lesser area. In order to conserve the timber and forests of the colony, provision is made for the reservation of areas as State forests, subdivisible into blocks either entirely reserved from destruction or thrown open for cutting by licensed persons only, at certain rentals, or on payment of certain prescribed fees. The limitations as to class of timber, girth, height, &c., are fully laid down, and further provision is also made for the detection and punishment of persons guilty of any infringement of the regulations, for which purpose forest rangers and other officers are appointed.

There are the necessary clauses giving legal force to acts properly performed under the statute, for conserving the rights of the Crown, and securing the proper disposal of the public estate.

It may be mentioned that the object of the foregoing paper has been to briefly epitomize the leading features of the land system of New South Wales. Care has been taken to keep close to facts, and avoid everything likely to confuse or mislead the reader.

Land System of Queensland.

(By W. C. HUMK, Esq., Under Secretary for Public Lands in that Colony.)

The several Acts of Parliament under which alienation of the Crown lands was secured have been repealed by "The Crown Lands Act of 1884," and the sale by auction of country Crown lands is abolished.

The administration of the Act is entrusted mainly to a "Land Board" specially constituted for the purpose, who from time to time hold public courts throughout the colony, at which all matters relating to inquiry, appeal, decision, costs, &c., are determined; and any person aggrieved by a decision of the Board has a right to appeal to the Supreme Court

For the purposes of this Act the colony is divided into two parts by an irregular line, starting about latitude

28° S., longitude 142° E., on the borders of New South Wales and South Australia; thence northerly in a north-easterly direction to within thirty miles of the coast, at 16° south latitude; and thence continuing round the whole peninsula., at a distance of about thirty miles from the sea, till it strikes the west boundary at thirty miles from the Gulf of Carpentaria, as described in Schedule 1 of the Act. That part between such line and the sea-coast is available, under the provisions of the Act, for agricultural and pastoral settlement. At the same time, a lessee beyond the limits just described may, if he think proper, come under the operation of the Act, and take advantage of the benefits derived therefrom.

Pastoral lessees, within the Schedule, who have brought their runs under the Act, receive a new lease for ten or fifteen years for a portion of their runs, estimated by the Board, according to rules laid down in the Act, at rents varying between 10s. and 90s. per square mile of available country.

In cases where lessees are holders of two or more conterminous runs, the entire holding is considered as consolidated, and treated as one block; and where the portion resumed by the Government is not required for immediate settlement, the pastoral lessee may continue to depasture his stock thereon (until the lands are disposed of). The rent payable for such grazing right is determined by the Land Board, but must not exceed that previously paid under the surrender pastoral lease. This rental will be subject to reductions if any of the country is required for selection. Unavailable country, on the resumed half for which a grazing right is granted, will also be allowed for as on the leased half.

AGRICULTURAL AND GRAZING FARMS.

In an "agricultural area" the maximum which may be selected by one person is 1,280 acres, but the Land Board have power to limit such maximum in any one district to a smaller area, not being less than 320 acres. This does not prevent any person from selecting up to the maximum area in other districts.

In "grazing areas" the maximum may vary from 20,000 to 2,560 acres, as may be determined by the Board.

The annual rental payable to the Crown for such lands is made public by proclamation. The minimum price for land in an agricultural area is 3d., and in a grazing area per acre per annum.

After an application to select has been confirmed by the Land Board, a licence to occupy is issued. A grazing farm must be fenced in within three years; and in the case of an agricultural farm, the selector must, within five years, either enclose the land with a fence or expend an amount equal to such fencing in improvements. The selector is then in a position to claim a certificate of fulfilment of conditions; such being notified to the Board, a lease issues, in the case of an agricultural farm for fifty years, and in the case of a grazing farm for thirty years. The rent payable for the first ten years is that stated in the proclamation declaring the land open to selection. Subsequent rents for each period of five years after the first ten years shall be determined by the Board.

The lessee must occupy the land continuously during the term of the lease, either personally or by bailiff.

Leases may be mortgaged, under-let in whole or part, or transferred.

Selectors under existing Acts may bring their holdings under this Act, receiving fresh leases and being allowed for the rents already paid, which, in most cases, will be found ample to prepay rents under the present Act for some years in advance.

In agricultural areas, the fee-simple may be acquired after ten years' personal occupation at the purchase price proclaimed in the proclamation.

Special provision, is also made in certain cases for acquiring freeholds not exceeding 160 acres at 2s. 6d. per acre after personal occupation for five years. (This is commonly called Homestead Selection.)

OCCUPATION LICENCES.

Occupation licences may be granted from year to year for any Crown lands not subject to a right of depasturing; such licence expires on the 31st December of the year in which it is granted, unless renewed, and the rental will be published when the land is proclaimed open to licence. It will be open to selection, and any area selected as a grazing farm or agricultural farm will be allowed for. No protection will be granted for any improvements erected during the licence to occupy.

Provision is also made for special grants, leases, reserves, and for compensation. All Crown grants issued under this Act contain reservations of all gold in or under the land comprised therein.

Land System of South Australia.

(By G. S. WRIGHT, Esq., Secretary for Crown Lands in that Colony.)

In South Australia the public estate is divided into country lands and town and
Land system

suburban lands.

For country lands the minimum price is £1 per acre, this price being increased in the Price of country lands.

case of "reclaimed lands," or lands improved by means of Government expenditure on drains or other public works; and in the case of "improved lands," or lands on which improvements have been made by purchasers on credit, or Crown lessees.

PASTORAL OCCUPATION.

Lands not already held can be leased for pastoral purposes, without right of purchase, Pastoral leases.

the yearly rent paid being 2d. per head for each sheep and 1s. per head of cattle, depastured; with the proviso that such yearly rent is in no case to be less than 2s. 6d. per square mile.

ALIENATION BY SELECTION.

No Crown lands are allowed to be selected until after they have been surveyed and declared open for sale. When land is declared open for selection, the sections are offered for sale by auction,

Mode of selection.

in the order fixed by the Surveyor-General, at an upset price of £1 per acre, the competition being, in the first instance, confined to persons who declare their intention of residing upon the land they buy. Lands which have been open to selection by personal residents, but not sold for a period of three months, may be taken up under the condition of substituted residence. The highest bidder is entitled to the section bid for and also to select adjoining lands, the whole area not to amount to more than 1,000 acres of country or improved lands, lie is then declared the purchaser, and has at once to pay 10 per cent, of the purchase money, with the value of the improvements, if any, added. Successive lots are offered in this manner until all the bidders under personal residence are satisfied. Lands which have been offered and remain unselected are open for sale at £1 per acre, with the cost of improvements added. In the case of simultaneous applications, the person declaring his intention to reside on the land has the first choice; and if all the applicants either do or do not intend to reside, the right of choice is decided by lot.

Within thirty-five days of the purchase, the purchaser has to sign an agreement

Conditions attached to credit purchases.

to the effect that after nine months he will reside on the land, or, if he has not declared to do so, that he will keep there a substitute, and that he will continue to do this during nine months of every year until the purchase money is paid; that he will make substantial improvements before the end of the second year to the extent of 5s. per acre; before the end of the third year, to the extent of 7s. 6d. per acre; and before the end of the fourth year, to the extent of 10s. per acre; such improvements to consist of all or any of the following:-Erecting buildings, sinking wells, constructing tanks, and fencing, draining, and clearing the land; that he will bring into cultivation, during the first year, at least one-tenth of the land; and during each subsequent year, until the purchase money is paid, that he will have under cultivation at least one-fifth of the land; but if osiers, olives, mulberries, vines, apples, pears, oranges, figs, almonds, carob trees, potatoes, onions, beetroot, mangold-wurtzel, hops, apricots, peaches, walnuts, sweet chestnuts, filberts or cobnuts, raspberries, gooseberries, currants, cherries, or plums are grown, one acre under any of these counts for six acres under ordinary cultivation.

All amounts paid by the purchaser on credit are regarded as purchase money. One-tenth

Payments on credit purchases.

of the purchase money has to be paid at the time of purchase; within fourteen days of the beginning of the third year another one-tenth of the purchase money has to be paid (being for one year in arrear and one year in advance); within fourteen days of the fifth and each subsequent year up to and including the twentieth, one-twentieth of the purchase money has to be paid; and if he has complied with the conditions, he is entitled to a Crown grant. Selectors can, however, complete their purchases after carrying out all the conditions of agreement for ten years only.

Persons who, having bid for land, refuse or neglect to make the necessary payments,

Penalty for not taking land bid for.

or sign the requisite declarations, render themselves liable to a penalty of £25.

Lands sold on credit are not allowed to be transferred, unless with the approval of

Transfer of lands sold on credit.

the Commissioner of Crown Lands, and the permission is only given in cases where the purchaser dies or

the transferor is unable to occupy the land from illness, physical capacity, or necessary absence from the colony, or, being a woman, marries. The transferee is in all cases bound by the same conditions as the original purchaser.

Country lands offered at auction for cash and not sold, and which remain after-wards

Leases for ten years.

unsold for five years, may be offered on lease for ten years, in blocks of not more than 1,280 acres, at an annual rent of not less than 6d. per acre, with a right of purchase at the expiration of the lease at £1 per acre. No conditions beyond paying the rent when due are attached to these leases.

Leases for twenty-one years.

Country lands, in certain districts named in the Land Act, or afterwards to be proclaimed, which have remained unsold for one month after being offered at auction may be offered for lease for twenty-one years, in blocks of two square miles, at an annual rent of not less than 10s. per square mile, with a right of purchase at any time during the last eleven years of the term, at £1 per acre. These lands are open to leasing to personal residents only for a period of three months, after which they are open to lease without any residence condition. In the former case, residence within [unclear: *te*] miles of the land leased is deemed residence thereon, and all payments constitute purchase money.

About two million acres of land in the south-eastern portion of the colony are classified as "drainage lands," "first-class lands," and "second-class lands, and these are reserved for leasing to personal residents only. Any one person may [unclear: *hold*] 1,000 acres of either drainage or first-class land, and 3,000 acres of second-class land. Residence for nine months in the year on either drainage or first-class land is deemed residence on second-class land. Drainage lands are leased for seven years, with a right of renewal for seven years at a valuation. First and second-class lands are leased for fourteen years, with a right of renewal for fourteen years at a valuation. Leases are offered at auction. Conditions—to reside and fence.

Leases to be offered at auction.

The right to leases of country lands, under these provisions, is to be offered for sale by auction. If there are no bidders, the right may be had by any person applying.

Conditions of leases.

The rent of such leases is to be paid yearly in advance, and the lessee must. [unclear: *ea*] year, clear not less than a fortieth of the land, until one-half of the same is fit for agricultural purposes, as far as the nature of the land permits.

Extent allowed to be leased.

No person is allowed to hold or have any interest in more than 3,200 acres in [unclear: *all*] leased under these provisions.

ALIENATION BY AUCTION.

Town and suburban lands.

Town and suburban lands are sold by auction for cash, and not upon [unclear: *cred*] Twenty per cent, of the purchase money is paid upon the fall of the hammer, and the balance in one month. Any country lands which have been open for selection for two years can be offered at auction for cash.

MINING OCCUPATION.

Mining leases.

Lands are let for mining for minerals and metals, other than gold, in blocks [unclear: *as*] greater than 040 acres, for periods not exceeding ninety-nine years, at the annual [unclear: *rent*] of 1s. per acre, and a further sum of 6d. in the pound sterling on the net profits of [unclear: *the*] mine. Leases discoverers of coal, guano, petroleum, or other valuable deposits [unclear: *may*] be granted by the Governor on such terms as he may see fit.

Land System of Western Australia.

(By the Hon. JOHN FORREST, C.M.G., Commissioner of Crown Lands in that Colony.)

The head of the department of lands is the Commissioner of Crown Lands, who [unclear: *also*] is Surveyor-General of the colony. The land revenue from all sources, during [unclear: *1888*] amounted to £90,471.

The colony is divided into five land districts, viz., Central, Central-Eastern, South Eastern, North, and Kimberley.

In the Central or Home district, land is alienated to the first applicant at 10s. acre, in lots of any size not less

than 40 acres, except for garden purposes, [unclear: when] little as 10 acres can be bought, or on special occupation, with certain [unclear: improvement] by annual instalments for 10 years of 1s. an acre. When the improvements, which consist of fencing the whole and cropping one quarter, are completed, and 10s. an [unclear: a] is paid, a Crown grant issues; but until the improvements are completed the [unclear: an] instalment of 1s. per acre must be continued, even after the full 10s. has been [unclear: fair] The minimum size of blocks under special occupation is 100 acres; there is no maxima Free selection before survey is permitted. Crown lands are leased for pasture in [unclear: the] Central district in blocks of not less than 10,000 acres, to the first applicant, at £ [unclear: per] 1,000 acres, and on annual licence for areas not less than 1,000 acres at the same [unclear: rate] The termination of all leases in this district takes place at the end of 1887.

In the Central-Eastern, South-Eastern, and North districts land is sold in [unclear: blocks] not less than 400 acres, at 5s. an acre, and is leased for pasture at 5s. per 1,000 [unclear: ace] for the first half, and 10s. per 1,000 for the second half of the lease, in blocks [unclear: of] less than 20,000 acres. All such leases terminate at the end of 1893. A lessee may any time during the first seven years of his lease select from his run any land, not less than 1,000 acres in extent, which he desires to hold under an unconditional pre-emptive right, at an annual rental of £5 per 1,000 acres. All such unconditional pre-emptive rights may be redeemed in fee on the following terms:—In the North district, if within the first seven years of the lease, by payment of 5s., and during the remainder of the term, of 10s. for each acre redeemed. In the Central-Eastern and South-' Eastern districts, if within the first seven years of the lease, by payment of 2s. 6d., and during the remainder of the term, of 5s. for each acre redeemed.

In the Kimberley district land is sold at 10s. an acre to the first applicant, in blocks of not less than 200 acres, and leased for pasture at 10s. per 1,000 acres, in blocks of not less than 50,000 acres on frontages, and 20,000 where there is no frontage. Leases in this district terminate also at the end of 1893. A stocking clause provides that one head of large stock or ten head of sheep for every 1,000 acres held by a lessee shall be kept in the district after the first four years of the lease, or double rent paid until such time as the required number of stock are within the district. In the event of the required number of stock not being in the district at the end of seven years, the lease will be forfeited.

Leases and licences can be transferred with the approval of the Commissioner of Crown Lands, and on payment of a fee of 10s.

New regulations will be proclaimed before 1887 for the Central district, and before 1893 for all other districts.

Lessees are entitled to receive from the purchasers of land within their leaseholds the actual value of any improvements they have made on the land purchased.

Town lands are sold by public auction, the upset price being fixed by the Government.

Timber.—Licences to cut timber are issued at 5s. a month for each man employed. Special licences, at £20 per annum for each 640 acres, are also issued. To encourage timber companies on a large scale, special concessions are given.

Minerals.—Leases for areas not less than 20 acres are granted for seven years, on certain conditions, at a rental of 5s. an acre, and the land can be purchased by the lessee at £3 an acre, provided certain machinery has been erected and that the mine has been properly worked.

LAND TRANSFER ACT.

This Act, sometimes known as the "Torrens Act," has been in force several years, and is of great importance as affording an easy and cheap means of dealing with land. All Crown grants are issued under its provisions.

KIMBERLEY DISTRICT.

This new district comprises that portion of the colony lying to the north of 19° 30' south latitude. Its area is about 134,000 square miles, of which 62,084 square miles are leased from the Crown, and the remainder (about 71,916 square miles) is open to selection at 10s. per 1,000 acres per annum.

Free selection to purchase, subject to approval, is allowed; and land in any quantity over 200 acres can be bought at 10s. per acre.

A town site named "Derby" has been surveyed on the eastern shore of King Sound, and a Government station (with a magistrate) has been formed there. When the last returns were sent in there were 46,839 sheep, 960 cattle, and 287 horses on the Fitzroy and Lennard rivers, near Derby, besides a large number of cattle on the Upper Ord river that have been driven across from Queensland. The country on the Ord river is now being surveyed, and will no doubt be speedily settled; and Cambridge Gulf, the natural outlet of this portion of the

district, will probably become a place of some importance. This magnificent harbour has recently been visited by Staff-Commander Coghlan, R.N., and his interesting and valuable report has been printed and can be obtained on application to the Survey Office, Perth.

Running streams are numerous in the northern portions of this district, and splendid alluvial plains exist in the valleys of the rivers, which it is hoped may be suitable for tropical culture.

A very great deal of attention has been drawn to it from the eastern colonies, and extensive areas are held on lease by outside capitalists.

Horses, cattle, and sheep thrive well, and it is believed by all those best qualified to judge that it will be a large wool-producing country.

The Government have already expended £10,000 in surveying the district and examining its geology, and there appears to be a good prospect of a payable gold-field being discovered. In his report on the geology of the district, Mr. Hardman, the Government Geologist, states:—" I am glad to be able to report that I have discovered a large area of country which I believe will prove to be auriferous to a payable degree. This country is traversed by the Margaret, Mary, Elvire, Panton, and Ord rivers, and comprises an area of at least 2,000 square miles, so far as observed, but it doubtless continues over a much greater extent of country. The formation is principally Lower Silurian slate and schist of various kinds, traversed by an enormous number of quartz reefs. In some localities many of these occur in the space of a few hundred yards, and it was quite usual to notice 25 or 30 large reefs while riding over a mile of ground, without taking into account the smaller reefs or veins. The quartz constituting these reefs is of a very promising character. It is a dull yellowish and grey quartz, very cellular and vuggy, containing quantities of black and other oxides of iron, together with casts of, and often crystals of iron pyrites. From most of the surface quartz the enclosed minerals have been washed away, however, although their traces are still apparent. Minute specks of gold have been noticed in a few cases, and I have very little doubt that many of these reefs, when properly examined and tested, will prove to be auriferous. These quartz reefs have a general bearing of N. 10 E. to N.E. Many run due north and south. Some of them can be traced for several miles. It is most probable that these quartziferous rocks are a spur or continuation of the gold bearing metamorphic rocks of the Northern Territory of South Australia, now being worked with some success. The river valleys and flats are in many places covered with deposits, sometimes very extensive, of quartz gravel and drift, the quartz being derived from denudation of the reefs referred to above. I have prospected these gravels over many miles of country, and I have rarely failed to obtain good colours of gold—in many localities of a very encouraging character. Very often good colours were obtained in every pan washed in different trials in the same locality. I have thus found gold to be distributed over about 140 miles along the Elvire, Panton, and Ord rivers, &c., as well as on the Mary and Margaret rivers, where the indication? I were very good, and the appearance of the country most favorable. In several instances I obtained good colours of gold at considerable distances from the quartz bearing rocks from which the gold could only have been derived. This, to my mind, seems to indicate that there must be large quantities of gold in the quartz-bearing rocks and in the drifts immediately overlying them. The gold-yielding country is well watered by numerous rivers, creeks, and gullies, which, even in the driest part of the year, are never wholly without water. And although during the dry season water is scarce, there would be no difficulty in conserving water anywhere in sufficient quantity for all mining purposes.

"On the whole, the indications I have met with point, as I believe, to the great probability of payable gold being obtained in this part of Kimberley, and are, I consider, sufficient to justify the expenditure, either by the Government or private individuals, of a reasonable sum of money in fitting out a party to thoroughly test the country, and I should strongly recommend such an undertaking. I would also suggest the advisability of parties going up for this purpose providing themselves with some simple apparatus for crushing and washing some of the reef-quartz, as in one very rudely conducted experiment of this kind I obtained a small quantity of gold."

Land System of Tasmania.

(Revised to date by C. P. SPRENT, Esq., Deputy Surveyor-General of (hat Colony.)

Land system.

In Tasmania, the waste lands of the Crown are divided into three classes, viz., town, agricultural, and pastoral.

Agricultural lands.

Agricultural lands must either be situated within certain areas proclaimed as agricultural divisions, or must be such as the Commissioner of Crown Lands deems to be suitable for cultivation; or which, after having been surveyed, are described in any official notice as "Agricultural Lands."

Alienation by Selection.

Price and mode of payment.

Agricultural lands may be selected in lots not exceeding 320 acres in extent, at the price of £1 per acre; the amount, with 33½ per cent, added for credit, being paid by instalments extending over fourteen years upon the following scale:—

And so in proportion for any greater or smaller area than 100 acres.

The land may be selected before survey, but must be surveyed afterwards,

Selection before survey.

the selector paying cost of survey, which is fixed by scale.

The selector must, under the penalty of forfeiture of his allotment, either in person

Residence necessary.

or by his tenant or servant, within one year of the date of his selection, reside thereon, and continue to do so until the full amount of his purchase money is paid.

Until the time the purchase is completed, only one lot is allowed to be held by an

One lot only to be selected.

individual, except one or more such lots should, besides descend to him in inheritance or be acquired by marriage.

As soon as 500 acres, in not less than ten adjoining or closely contiguous lots, have

Construction of roads.

been selected for purchase and occupied by the selectors, their tenants or servants, an amount equal to one-half the purchase money, exclusive of the addition for credit, is raised by the Government on debentures chargeable on the Land Fund, and the amount so raised is expended on roads in the vicinity of the selected lands, and one-half the purchase money of such lands is set apart for the redemption of the debentures.

Minors not being legally able to enter into contract for the purchase of land, are not

Family selections.

eligible to make selections. There is, however, no objection raised to selections being made by members of the same family, provided they are eligible. Married women also may select.

The balance of the purchase money of any lands selected, or taken up on credit, may

Balance may be paid off.

be paid off at any time, a rebate equivalent to the sum added by way of credit premium being allowed upon the amount.

No portion of land of which the price is less than £15 sterling is allowed to be purchased

Price of credit lands must exceed £15.

on credit.

No purchaser of land on credit is allowed to transfer his interest in such land unless

Transfer of interest.

the balance of the purchase money is paid, or he obtain special permission from the Commissioner to transfer his interest.

Alienation by Auction.

Town lands are sold only by auction, the upset price being fixed by the Crown

Town lands.

Lands Commissioner, according to their position and supposed value.

Agricultural lands may also be sold by auction in lots of not less than 320 acres each.

Agricultural lands.

The upset price is fixed according to the nature and quality of the soil, but must be in no case less than £1 per acre.

Pastoral lands embrace all lands not included in the foregoing classes. They are

Pastoral lands.

disposed of by auction, the lowest upset price being a sum equal to twelve years' rental, provided such price is not less than 5s. per acre.

In the case of lands of all classes sold by auction, the cost of survey and of the grant

Cost of survey and Crown grant.

deed is added to the upset price.

With the exception of town lands situated within five miles of the city of Hobart

Lands passed at auction.

or town of Launceston, all Crown lands which have been offered at auction, and not sold, may be taken up at the upset price. Such lands may be paid for in cash or on credit. If the former, one-fifth of the price must be

paid at the time of sale, and the residue within one month. If on credit, a sum equal to one-third of the purchase money is added for the allowance of credit, and the purchaser pays one-eighth of the whole amount at the time of sale, and the residue in thirteen equal annual instalments.

PASTORAL OCCUPATION.

Rent of runs.

Crown lands not required for sale are let for pastoral purposes on licences for periods not exceeding fourteen years, old runs being subject to a fixed rent, according to the carrying capabilities of the land, of not less than 4d. nor more than 9d. per sheep, and not less than 2s. nor more than 4s. her head of cattle. The annual rental of new and forfeited runs is submitted at auction, the highest bidder being entitled to the run.

Land System of New Zealand.

(By H. J. H. ELIOTT, Esq., Under-Secretary for Public Lands in that colony.)

Land system.

In New Zealand the manner of acquiring Crown lands is either by auction or application. If by auction, the land must have been previously surveyed and marked off on the ground into definite areas, designated sections. The upset price is either so much per acre or so much per section. Rural lands not disposed of at auction are opened for application after thirty days' notice. If by application, or free selection, as it is frequently termed, the land need not have been previously surveyed; but after survey there is an adjustment, either by supplementary payment or refund, according as the surveyed area is found to be in excess or defect of the area stated in the application. This system of application is only in force in the district of Canterbury, in the Middle Island.

ALIENATION BY AUCTION.

Town and suburban lands.

Town and suburban lands are sold by auction. The former are usually surveyed in quarter-acre sections, the minimum upset price of which is £7 10s. per section; the latter in sections of 2 or 3 up to 10 or 15 acres, with a minimum upset price of £3 per acre.

ALIENATION BY APPLICATION OR SELECTION.

Village lands

Village lands, if surveyed into sections under 1 acre each, are offered on application at not less than £0 per section, except in inland districts not opened up by railways, where the price may be £2 10s. per section. In the event of two or more persons applying on the same day for the same section, such section is submitted at auction, the right of bidding being, however, confined to the persons who have applied. But if village lands are surveyed into sections of a greater area than 1 acre each, but not more than 50 acres, they are designated "small farm allotments," and in the case of more than one applicant for the same section its occupancy is determined by lot. The minimum price of such allotments is—in districts opened up, 20s.; in districts not opened up, 10s., per acre; or they may be had on lease, with or without a purchasing clause.

Rural lands.

Rural lands comprise all other Crown lands, whether agricultural, pastoral, or forest. The price varies in different districts, and ranges from the mere cost of survey, under the homestead system in Auckland and Westland, up to 40s. per acre, as in the system of selection before survey in Canterbury.

Mode of payment for land.

The mode of payment for suburban and rural lands is either immediate or deferred. Under the immediate system, the purchaser has completed the transaction on full payment of the purchase money, and no further obligation rests on him, nor is there any restriction as to the extent of land he may acquire.

DEFERRED PAYMENTS.

Deferred payments.

In the deferred payment system, the payments are spread over a number of years, payments, during which the purchaser must fulfil certain conditions, or, failing to do so, for [unclear: fei] any payments lie may have made. Under this system, if suburban land, an allotment must not exceed 20 acres; if rural agricultural land, 320 acres. The price per acre of suburban land is £4 10s., and of rural or pastoral land not less than 20s. Suburban and rural agricultural lands are open to, implication, and only go to auction if two or more persons apply for the

same allotment, in which case the binding is confined to the applicants. No person is allowed to take up an allotment of more than one class. The deferred payments are made in equal instalments every six months over which the I period extends; in the case of suburban lands this is five years, in that of rural lands ten years.

Residence compulsory.

Residence on the land by the purchaser is compulsory in all cases of its being taken I compulsory, up under the system of deferred payments, unless where the land is wholly or mostly If covered with forest, in which case the Governor may declare residence optional. In suburban land, residence must begin within six months of the issue of licence, and continue for four years; in rural land, the period is six years.

The holder under the deferred payment system of suburban lands must bring into Improvements.

cultivation not less than a tenth of the allotment the first year, one-fifth the second year, and within four years have three-fourths cultivated, the whole fenced, and have made substantial improvements to the value of £10 per acre. In the case of rural lands, the holder must bring into cultivation not less than one-twentieth the first year, one-tenth the second year, and within six years must have cultivated one-fifth, and effected permanent improvements to the value of £1 per acre.

CAPITALIZATION.

Any selector who has complied with the conditions of his purchase for a period of three years may apply to have the value of the unpaid instalments capitalized at the present value of an annuity of the same amount as the payments required to be made by the selector and payable for the same period. Interest shall thereafter be paid at the rate of 5 per cent, per annum by the selector instead of the half-yearly instalments. The interest is payable on the 1st January and 1st July in each year. After the capitalized value has been ascertained any selector may immediately pay off the whole, or he may, on the 1st January or 1st July, pay any portion of such capitalized value in sums of not less than £10, and thereafter the interest payable shall be proportionately reduced. At any time between six and fourteen years of the date of his licence the selector shall be entitled to his Crown grant, if he has paid the whole of the capitalized value, with interest at the due dates.

AGRICULTURAL LEASING.

Land within proclaimed gold-fields is let under agricultural leases, under conditions
Agricultural leases on gold-fields.

of improvement without residence. The yearly rent is 2s. Gd. per acre, and the conditions being fulfilled, and there being no objections, the land may be bought during the currency of the lease at the upset price. After the third year an exchange lease" may be granted, which will enable the purchase to be completed by the payment of 21s. per acre in fourteen equal half-yearly instalments, or the balance at any time in full; or the freehold may be acquired by the payment of the rent for 17 years.

HOMESTEAD SYSTEM.

The homestead system is [*unclear*: imforce] in the Auckland and Westland districts of New
Homestead system.

Zealand. Under it the settler makes no payment for the land, the only cost to him being the expense of survey. The conditions are-five years' residence, the erection of a house, and the cultivation of one-third of the selection if open land, and one-fifth if forest land; on the fulfilment of which the Crown grant is issued. In the Auckland district each person of the age of 18 years, or upwards, may select from 50 to 75 acres, according to the quality of the land; and a person under 18 years of age, from 20 to 30 acres. Pro video that no family or household may take up more than 200 acres of first-class, or 300 acres of second-class land. In Westland the conditions are the same, except that 50, 20, and 200 acres art the limits, irrespective of the quality of the land.

Original holders of pastoral licences are entitled to the pre-emption of 320 acres in
Pre-emptive rights.
one block for a homestead.

PERPETUAL LEASING.

Any person who does not own the freehold of, or who does not hold a licence or lease
Leasing with perpetual rights of renewal

from the Crown for, an area which, together with the area included in his application for a perpetual lease, does not exceed 640 acres, can apply for a lease.

Leases are submitted to public competition at an upset rental equal to 5 per cent, on Auction and price.

the capital value of the land.

The term of each lease is 30 years; renewal at periods of 21 years.

Term.

Surrenders are permitted with the consent of the Land Board.

Surrenders.

The same as in the case of deferred payment lands.

Residence and improvement.

Any lessee holding a lease outside a gold-field shall have the right of purchase if he

Rights to acquire freehold.

shall have fulfilled all the conditions of [unclear: vement] within the period of six years at the price fixed at the time when the lease is granted, being not less than the capital value on which rent has been paid, at rental rate of 5 per cent. Advantage must be taken of the right to acquire the freehold within eleven years of the date of the lease.

Three years before the end of the term of the lease valuations are made by arbitration

Renewals.

of the then value of the fee-simple of the land and of all [substantial improvements]. The lessee then elects whether he will accept a fresh lease for a further term of 21 years, at a rental of 5 per cent, on the gross value of the land after deducting the value of the improvements.

If the lessee will not accept a fresh lease on the new valuation, the lease is submitted to auction, and if another takes the place of the lessee he has to pay the value of the improvements to the outgoing lessee.

SMALL FARM SETTLEMENTS.

Number forming an association and areas which may be taken up.

Any number of persons-not less than 25-being not less than 18 years of age, may form an association to take up not less than 1,000 nor more than 11,000 acres of Crown land, to be subdivided into areas not exceeding 150 acres, provided that the total number of persons to be located in a block shall not be less than one for every 100 acres of its total area. Sites for a township and necessary reserves will be laid off

Reserves.

within each block. Two shillings and sixpence an acre is to be paid by each association

Survey.

towards the cost of survey [unclear: an] roading, if undertaken by the Government, payment to be made in four instalments of 7½d. each; or any association may employ its own authorized surveyor.

Price and mode of payment.

The price of the land is to be as arranged, being in any case not less than £1 an acre. One-tenth of the total price is to be paid by each association before allotting the sections in a block. This payment is in satisfaction of two first half-yearly instalments, after which payments are to be made, every six months in advance at the rate of one-

One-third returned for local roads.

twentieth of the price of the land. One-third of the payments are from time to time returned for paid to the local body of the district, to be expended on roads in the block.

Residence

Residence, either personally or by a "registered substitute," is required for six years, but residence on bush land need not commence until within two years from the date of the allotment of sections.

Improvements.

"Substantial improvements" are required to be executed by each settler to the extent required by deferred payment settlers, as described above. Each association may make its own rules, which must be approved by the Minister of Lands.

PASTORAL RUNS

Mode of disposal. Extent. May be resumed for settlement. Homestead Saving for improvements. Leases may be for 21 years. Disqualification for holding pastoral leases.

are disposed of by auction, at an upset rental, not later than twelve months before the expiration of existing leases. Generally no larger extent is offered in one lot than is sufficient to carry all the year round 5,000 sheep or 1,000 head of cattle. If any of the land in a run is required for settlement it can be resumed on twelve months'

notice without compensation. Any licensee can select 150 acres for a homestead, which cannot be resumed during the currency of his lease. If a licensee does not acquire his run when it is again submitted to auction, he is entitled to compensation for his improvements, not exceeding in amount three times the amount of the average annual rental paid under the existing lease, the compensation to be paid by the incoming licensee. Leases may be for a period of 21 years. No person who holds land capable of carrying 20,000 sheep or 4,000 head of cattle can take up a pastoral lease. This does not affect mortgages if a sale is effected within three years from the date of taking possession.

CONDITION OF PUBLIC ESTATE, MARCH, 1884.

Land remaining unsold.

The total area of New Zealand exceeds 01,000,000 acres. Of this, up to March, 1884, 17,500,000 had been sold or disposed of in education and other public reserves; 14,500,000 belonged to the aborigines, or to Europeans who had purchased from them; and 32,000,000 acres still remained for disposal by the Government. Of the latter, 14,000,000 were open grass or fern country, 9,000,000 forest, and 9,000,000 of barren mountain tops, lakes, and worthless country.

NOTE—Since the above was written, the terms and conditions of land settlement in New Zealand have been considerably modified by the Land Act 1885. A full account of the provisions of this Act will, if possible, be obtained for publication in the next issue of the *Victorian Year-Book*.

By Authority: JOHN FERRES, Government Printer, Melbourne.

The Conditions of Success in Emigration,

With the

Approximate Cost of Living

In Relation to

Wages in The British Colonies and India.

A Paper

Read at the Conference at the Colonial and Indian Exhibition,

On the 14th Of July, 1886,

By Professor Leone Levi, F.S.A., F.S.S.,

Etc., Etc., Etc.

The Baroness Burdett Coutts in the Chair.

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§ 1.—Colonial Resources.

No country has invested her resources to greater advantage than Britain has invested hers, in planting and peopling her splendid Colonies and Dependencies. For India and Canada Britain fought many a battle, and paid a high sum. But Australia cost scarcely any amount, except, if we may so say, the money value of the men and women sent thither to work. From 1853 to 1885 upwards of one million emigrants went to Australia from the United Kingdom. At £100 each they represent a capital of one hundred millions. But the golden trophy at the Exhibition shows that within that period Victoria alone has produced £216,000,000 in sterling gold. And how shall we estimate the money value of the enormous resources, *in esse* or *in posse*, developed already, or as yet only partially developed, represented in this magnificent Exhibition? Sovereigns have been wont to invite one another, and especially those whom they most dreaded, to witness their military or naval forces at grand reviews or parades. Her Majesty the Queen invites the world to witness the imposing resources of her Empire, happily destined not to destroy, but to feed, clothe, and comfort the sons and daughters of toil all the world over.

The British Colonial Empire has been constructed, not under instruction or guidance of authority, not on the initiation or dictation of the State, but by the spontaneous action of the people, who, as by instinct, sought the countries best suited for their labour and wants, or most likely to open for them a new field for trade and commerce. And experience shows how vastly superior is a colonial system, free and untrammelled, over one close and fettered. So long as India was the monopoly of a commercial company the commercial relations between England and India were of the most limited nature. Immediately the monopoly ended the trade with India immensely increased. Happily, all the other colonies were made free from the very first to all comers, and they are to this day the land of promise to every strong arm and stout heart willing and ready to land on their shores. The conditions of a virgin soil like Australia and British North America, previously lying helpless for

want of workers, and a well-trodden and thickly-peopled state like India, are of course widely different, but both India and the Colonies manifest the strength of purpose, the skill and tact, which make the British race the colonisers *par excellence*.

§ 2.—Personal Qualities of Emigrants.

We must, however, not look backward, but forward, and the question before us is this: Given conditions of labour in this country by no means reassuring, given actual difficulties in getting work for a large and an ever-increasing number of workpeople, and wages at home scarcely equal to the actual cost of living, what may be the prospects of emigrating to this or to that colony? Quite apart from any chance of meeting any extraordinary good luck from gold discoveries or other wonderful occurrences, altogether beyond prevision, would a workman, or any one, really improve his condition by paying his fare and going? Many are the causes which induce emigration. A natural desire to improve oneself, or to provide better prospects for one's children, love of venture and restlessness of character, the invitation of friends already gone, or misfortunes, or wreck in character or industry, as well as the constant inducements offered by emigration societies and shipping companies, all stimulate moving. But certain sober questions must be answered affirmatively before the resolve can be safely made. Has the intending emigrant a sufficiently robust constitution to stand fatigue, hardships, and privations? Has he the strong will to overcome difficulties, and to defy, if need be, disasters or hindrances? Has he the self-mastery needed to combat any temptation in himself, either of vice or excesses? Has he shrewdness of intellect and good reasoning power to plan and design right? Is he ready to turn his hands to anything he can find to do, or to take any employment, however uncongenial? If the intending emigrant does really possess these qualities let him go. If not, let him stay.

§ 3—Cost of Living in the Colonies.

But then there is the question of ways and means. Here he knows what he can get, and what are his weekly expenses. Is there any mode of estimating what is the relation of wages to the cost of living in the colonies? Let us see. From any calculations of this character we must, of course, exclude the cost of all extravagances or wasteful habits, which may be indulged in anywhere. We must take into account the cost of only what is required to maintain a life of health and usefulness; though even within the limits of what are called the necessaries of life there is great difference in the appreciation of the same commodities, for what is regarded as bare living by one family may prove more than abundant to another. Nor can we forget that climate and temperature, as well as national habits, more or less determine what food, clothes, and house may be required. Thus, we all know that the patient and indefatigable Chinese labourer subsists on vegetable produce, and lives and works upon what an Englishman would starve; and that the Russian peasants, the greater part of the population of Greece almost the entire population of Japan, nearly all the lower classes in China, and the high-caste Hindoos in India, have each and all dietetic habits of the most meagre description, their food consisting of bread, fruit, and herbs, which are found quite adequate to their wants, and sufficient to sustain severe and constant toil at a very low cost. It would, in truth, be an error to imagine that the diet of a well-to-do English labourer, in England, is necessary for all labourers, and in all the colonies. Food, clothing, habitation, will always follow the habits of life, the personal constitution of the individual, and above all, the physical condition of the country.

But if we cannot get at the absolute cost of living of any family, in all the colonies, by any definite standard, we may arrive at their relative cost by taking the prices of certain leading commodities used by a working man's family in this country, and comparing what the same quantities of each will cost here and in the colonies. Supposing, for instance, that a working man's family, consisting of father, mother, and three children, will, in England, consume weekly say 28lb. bread, 4lb. of meat, 1lb. butter, ½lb. cheese, 3lb. sugar, and ½ lb. tea, what will be their cost in each colony? The cost of food doubtless is only a portion of the cost of living. There is clothing, there is house rent, there are fire and light. There are education, church, and charity. There are expenses of travelling and amusements, to say nothing of the doctor's bill and the tax-gatherer's call. Generally, however, the cost of food carries away full sixty per cent, of the personal expenditure of a family. Fortunately for our purpose, the statistical tables published by the Board of Trade relating to the colonial and other possessions of the United Kingdom, the latest number of which refers to 1881, give tables of wages and prices in all the colonies, and we have there, and also in more recent information kindly supplied by the Agents-General of the Colonies, in answer to a circular I have issued, very exact and complete data on the subject. We have, in fact, reliable materials to go upon. Grouping the different colonies according to their

geographical position, calculating as the personal expenditure the cost of the same quantities of articles of food by the prices there prevalent plus fifty per cent, for all other objects, taking as a standard of income the wages current for masons, carpenters, and blacksmiths, and assuming fifty-two weeks in the year for the expenditure, and fifty weeks in the year for the income, the results are as follows:—

APPROXIMATE AVERAGE COST OF LIVING IN THE BRITISH COLONIES ON THE BASIS OF THE ORDINARY AVERAGE CONSUMPTION OF A WORKING MAN'S FAMILY OF FIVE PERSONS IN ENGLAND, CALCULATED AT LOCAL PRICES.

England. (a) North American Colonies. (b) West Indian Colonies. (c) Australian Colonies. (d) Asiatic Colonies. Prices. Cost. (e) African Colonies. Prices Cost. Prices Cost. Prices Cost. Prices Cost. Prices. Cost. s. d. s. d. s. d. s. d. s. d. s. d. s. d. lbs. Bread . 28 - 6 14 0 - 3, 7 0 - 3½ 8 2 - 1¾ 4 1 - 2¾ 6 5 - 5½ 12 10 Meat . 4 - 8 2 8 - 2 6 - 5? 2 10—4½ 1 6 - 5 1 8 - 7¼ 2 8 Butter . 1 1 6 1 6 1 2 1 2 1 7 1 7 1 5 1 5 1 11 1 11 2 4 2 4 Cheese. 0½ - 0 - 4½ - 8 - 4 1 4 - 8 - 11 - 5½ 1 8 - 10 1 8 - 10½ Sugar . 3 - 4 1 0 - 3? - 11 - 5¼ 1 4 - 4¼ 1 1 - 3¼ 10 10 - 5 1/16 1 5 Tea, . 0½ 3 0 1 6 2 6 1 3 3 10 1 8 2 6 1 3 1 7 - 9 3 5 1 11 21 0½ 13 2 16 3 9 9½ 12 5 22 0½ 52 weeks' cost £54 £34 £43 £25 £32 £57 50 per cent, for other things } £27 £16 £21 £13 3 £16 £27 Total . . . £81 £50 £64 £38 £48 £84 4 Earnings for 50 weeks . at 32s. £80 54s. £135 24s. £61 54s. £136 10s. £2S 60s. £150 Cost of living £81 £50 £64 £38 £48 £84 Surplus. . £85 +£98 +£66 Deficiency. £1 £3 £23 (a) North American Colonies..Canada, Montreal. "Manitoba. (b) West Indian Colonies Jamaica, St. Lucia, St. Vincent, Barbados, Grenada, Tobago, Trinidad, British Guiana. (c) Australian Colonies South Australia, New South Wales, Victoria, Queensland, Western Australia, Tasmania, New Zealand, Fiji. (d) Asiatic Colonies Singapore, Hong Kong. (e) African Colonies Cape of Good Hope, Natal, Lagos.

- Ten per cent, for other articles of food and drink than those named, and forty per cent, for clothing, house rent, etc.
- Average of English Cheese is. 6d.; Colonial, 6d. per lb.
- The estimated cost of "other things" in the Australian Colonies appears insufficient to provide for house rent, especially in Sydney: but a cottage with three or four rooms is occupied by more than one earner.
- Builders' wages were quoted as follows, at per day:—

It will be seen from the table that the same quantities of articles of food which in England cost 21s. per week, or £54 per annum, in Australia would cost 9s. 9½d. a week, or £25 a year; in Canada, 13s. 2d. per week, or £34 a year; in the Asiatic Colonies, 12s. 5d. per week, or £32 a year; in the West Indian Colonies, 16s. 3d. per week, or £43 a year; and in the African Colonies, 22s. per week, or £57 a year. But what is more interesting is that when we add 50 per cent, for other items of expenditure, and place against the whole the income based on the wages of the best paid class of labourers, the Budget for the year shows a handsome surplus in Australia, Canada, and at the Cape or Natal, but an absolute deficiency everywhere else, which is tantamount to saying that many of the articles of food which are accounted as necessaries in England must be dispensed with in every colony except Australia, Canada, and the Cape. Only nature provides other articles of food more suited to the climate, and the whole course of life is different. The wages are high in Australia and Canada, but not so in other colonies where native labourers are numerous.

Errata.

In the Cost of Living given at page 6, the cost of Bread in England is put down at 6d. per lb., instead of 6d. the quartern loaf; the weekly cost being 3s. 6d., instead of 14s. Accordingly, the total weekly cost of the articles named is 10s. 6½d., or annually I £27 8s. 2½d., making a total, with other things, of £54 8s. 2½d., thus leaving a surplus income of £16.

§ 4.—Cost of Living and Wages in India.

Widely different, again, from all this is the condition of labour in British India. From official reports published in connection with the recent famine, regarding the daily life and circumstances of cultivators, and from a return of the average annual prices of food, grains, and salt, with the wages of skilled and unskilled labour, published in Calcutta, it appears that the average wages of an able-bodied agricultural labourer in India may be taken at six rupees per month, and the average wages of a common mason, carpenter, or blacksmith at fifteen rupees per month. At is. 6d. per rupee, such wages give little more than £6 and £13 per annum respectively.

AVERAGE MONTHLY DISTRICT WAGES OF SKILLED AND UNSKILLED LABOUR IN BRITISH INDIA, HALF-YEAR ENDING 31st dec., 1885.

Able-bodied Syce or Common Mason, Agricultural Labourer. Horse Keeper. Carpenter or Blacksmith. RS. A. P. RS. A. P. RS. A. P. Madris 5 0 0 5 8 0 13 9 6 Bombay II 0 0 .. 12 8 0 32 to 45 Calcutta 12 0 0 7 0 0 15 0 0 Surat 7 to 8—10 tO 12 S. 12 10 25 Cawnpore 3 to 4 0 0 xi., to x5 0 0 Lucknow 4 0 0 400 to 0 0 Delhi 55 t: 0 0 6 0 0 .. 13 5 0 Nagpur 6 0 0 12 0 0 Dacca 6 to 7 0 0 5 07 0 0 8 to 20 0 0 Indere 6 0 0 6 to 7 0 0 .. 15 0 0 Jeypore; 8 0 0 0 5 to 6 0 0 Stow 0 0 Mysore 6 0 0 15 0 0 Secunderabad 5 tO 7 0 0 5 to 7 0 0 13 tO /9 0 0 Rangoon 15 0 0 12 C 30 0 0 - 6'7 6'8 In Small, however, as is the income, it meets the expenditure of a labourer in India, which is equally small. For the ordinary food of a family consists of a certain quantity of great millet, or jowar, or rice, salt, and some ghi, the product of milk, with a little curry as a luxury, and the clothing consists mainly of cotton-cloth, sometimes supplemented by a blanket of wool, and leather shoes

Expenditure of a Family of Six, Four of Whom Grown up, in the Central Provinces.

FOOD RS. A. P. RS. A. P. Joars, 5 seers a day, = 7½ khandies 56 0 0 Wheat, 160 seers, =½ khandies 6 0 0 Pulses 1½ khandies 18 0 0 Salt 3 6 0 Oil 12 0 0 Onion 9 0 0 Gur 5 0 0 109 6 0 CLOTHING, ETC. 2 Saris Petticoat 4 0 0 3 Pagris 7 0 0 8 Dhoties Waistcloth 7 0 0 4 Blankets 3 0 0 Cholis 2 0 0 23 0 0 Rent 26 0 0 49 0 0 . The contrast between India and the Australian or Canadian colonies is very great. In Australia or Canada the wages are high and the cost of living is low. In India the wages are as low as the cost of living. The wages of labour are so far regulated by the cost of living that the minimum of wages cannot long remain below the cost of living, for when they are actually lower the workmen, or at least the most intelligent among them, will abandon the work, and thereby produce lesser competition among labourers and increase wages. But there is no limit to the increase of wages where the demand for labour is great and the profits of industry are abundant. Where high prices proceed from scarcity of produce, as in the event of a deficient harvest or as the result of protective duties, national wealth being diminished, wages are either immediately or eventually lower, not higher. Where high prices are experienced in conjunction with abounding wealth and prosperity, wages may be higher also. Where prices are low and labourers few wages are high; where prices are high and labourers numerous wages are low.

\$ 5.—Thrift.

If India and several British colonies offer but little scope for saving to British emigrants, Australia, Canada, and the Cape leave abundant margin for thrift and accumulation. A comparison of banking deposits in Australia, Canada, and the United Kingdom gives the following results. In 1881 the amount of deposits at the banks in the Australian colonies was £61,741,000, and at the savings banks £8,786,000, giving an aggregate of £70,527,000 in a population of 2,700,000, or a proportion of £26 per head. In Canada, the amount of deposits at the banks acting under charter in 1886 amounted to \$101,182,000, equal to 20,236,000; and at the savings banks \$44,672,000, or £8,934,000, making in all 28,970,000 in a population of 4,535,000, giving a proportion of £6 7s. 9d. per head. In the United Kingdom the deposits at banks may be taken at about £120,000,000, and those at the savings banks were in 1884 £87,000,000, making a total of £207,000,000 in a population of 35,000,000, giving a proportion of £5 18s. per head. Nowhere the amount of deposits represents the full amount

of saving, many being the forms of investments. Nevertheless, we have in these figures gratifying evidence that some portion, at any rate, of the gains in the colonies is neither wasted nor hoarded but preserved and economised. In all localities where fortunes are suddenly made without the sobering influences of time and disappointments the chances are that money easily got may as easily be wasted. It is all important, therefore, to extend as much as possible the means of thrift. A savings bank ought to be planted wherever an emigrant sets his tent.

No better evidence can, moreover, be given of the appreciation of emigration by the emigrants themselves, and of the scope afforded for accumulation, than the facts that those who have emigrated are constantly sending money home to pay for the passage of their relatives and friends. Within the six months from January to June 1886, money was sent from New South Wales to pay for the passage of 3,942 souls. The amount of money remitted by settlers in the United States and British North America to their friends in the United Kingdom, from 1848 to 1885 is given by the Board of Trade at not less than £31,018,557. And the amount of money remitted by settlers in Australia and other places from 1876 to 1885, amounted to £269,260.

§ 6.—Climate.

To the emigrant, next to the relation of wages to the cost of living is certainly the consideration of climate and health. The British Islands enjoy a temperate and, for the most part, an eminently healthy climate, their situation in the middle latitude of the temperate zone comparing most favourably with that of other regions of the globe. It is not likely, therefore, that the emigrant will prefer going to live under a tropical sun, as in the West African Settlements or the West Indies, or even in India, where, besides a high temperature, there are local circumstances of soil, mephitic marshes, periodical winds, and other atmospheric phenomena, which make the country very unhealthy to Europeans. But Australia is healthy, and the climate approximates generally that of Southern Europe, the light being brilliant and the sky almost cloudless. Canada has great variety of climates, from the Arctic to that of the most southern of the temperate zone, but the settled portion of Canada is pleasant and healthy. People may, indeed, live anywhere, if proper cares are taken to conform one's habits to the conditions of the country, avoiding especially any excess in the use of alcoholic drinks, but preference will always be given to countries as congenial as possible to our habits of life.

Climate, language, religion, laws, determine the choice of colonies. Of 100 emigrants from the United Kingdom, 75.86 go to North America, 18.98 to Australia, and 5.16 to other countries. Of 100 emigrants from Germany 95.83 go to North America, 3.24 to Central and South America, and 0.93 to other countries. Of 100 from Italy 75.22 go to Central and South America, 18.59 to North America, and 6.19 to other countries.

§ 7.—Facilities of Employment.

The great attraction, however, for an emigrant in leaving the mother country is the chance of ready employment. Generally speaking, what the emigrant proposes is either to get some land and cultivate it, or to work at the mines, or to engage in domestic service. It is not for the production of manufactures, or the cultivation of the fine arts, or literature, but to work the land and produce raw materials, or articles of food, that he leaves his home. What he must be prepared to do is to produce sugar and molasses, coffee and rum, in the West Indies; wool and meat in Australia; wool and wine at the Cape; coffee in Ceylon, wheat in Canada, and ever so many more articles in other colonies, or perchance go in search of gold in Australia, or of diamonds at the Cape of Good Hope. And in so doing he fulfils the highest economic mission of creating wealth where no wealth was created before. It has been suggested that for national purposes, if not on economic grounds, manufacturing industry ought to be fostered in the colonies, even at the expense of imposing heavy protective duties. And Canada and Victoria have so far acted on this principle that they have imposed high import duties in the hope that they will some day become great manufacturing centres. But is not this going against nature? Surely the colonies have a noble place assigned to them in the world's division of labour, when they have virgin soil in large quantities to bring into cultivation, and a boundless field for the employment of capital and labour. Throw all your mind on the production of what is indigenous to your soil, and do not trouble yourselves to produce articles for which your soil is not fitted or you yourselves have not the capacity.

§ 8.—Commerce Between the Colonies and the Mother Country.

To the commerce of the United Kingdom the growth of the British colonies and India is of immense value, for they provide the United Kingdom with many of the raw materials and articles of food of which she stands in need, and they are consumers of goods and produce of which Britain can dispose in abundance. In 1884 24.57 per cent, of the total value of imports of the United Kingdom came from British possessions, and 29.85 per cent, of the total value of exports from the United Kingdom went to the British possessions. But if, on the whole, about 27 per cent, of the trade of the United Kingdom is with British possessions, it follows that 73 per cent, of the same is with foreign countries.

Trade of the United Kingdom.

1884. Imports. £ Exports. £ From the British Colonies.. 95,813,000 24#57 To British Colonies. 88,304,000 29.85 " Foreign Countries .. 294,206,000 75.43 "Foreign Countries 207,664,000 70.15 £390,019,000 100.00 £295,968,000 100#00 TOTAL. Per Imports and Exports. £ cent British Colonies 184,117,000 26*84 Foreign Countries 501,870,000 73**6 Totals .. £685,987,000 100*00 It is scarcely true, therefore, to say that the British Empire is in any wise self-sustaining or can be independent of foreign States. It is, indeed, the sheerest folly to imagine that the United Kingdom can ever enter into a commercial federation with the colonies, establishing either fair trade or even free trade among themselves, on condition of levying protective duties against all foreign countries.

§—9. Relative Progress of British Colonies.

The following table shows the progress of imports and exports in some of the principal colonies and India per head of the population in 1860 and 1884, calculated on the population of 1860 and 1880. The amount in some cases far exceeds the experience of the United Kingdom, but the trade of India in relation to its enormous population is exceedingly small.

Trade of Some British Colonies in 1860 and 1884.

IMPORTS per head Present		EXPORTS per head Present		1860		1884		£ s. d.		£ s. d.																																																																																																																																																													
Increase	Decrease	£ s. d.	£ s. d.	Increase	Decrease	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.																																																																																																																																																												
24	6	3	71.73—	Victoria	27	16	10	22	5	6—	19.9	23	18	4	18	12	4—	22.17	South Australia	12	18	3	20	2	10	56.2—	14	0	0	23	13	1	68.9—	Queensland	21	4	0	29	19	0	41.27—	14	18	1	21	18	9	47.31—	New Zealand	15	12	8	15	12	9—	7	14	1	14	9	4	87.66—	Dominion of Canada	3	17	5	5	12	10	46.75—	3	11	5	4	8	10	23.94—	Jamaica	2	14	7	2	13	11—	1.81	2	15	7	2	11	1—	8.92	Trinidad	9	17	4	20	3	0	103.04—	8	10	2	18	2	1	112.94—	Cape of Good Hope	10	0	7	7	6	1—	27	8	0	0	5	17	4—	22.86	Natal	1	19	8	4	3	2	107.5—	0	18	6	2	7	0	147.88—	British Indies	0	5	8	0	6	10	20.58—	0	4	0	0	8	1	102.08—	United Kingdom	7	7	0	10	16	1	46.94—	5	13	9	8	4	5	43.85—

The decrease in the amount per head of the trade of the Cape of Good Hope arises from the increased population of territories annexed to Cape Colony proper.

§ 10.—The Economic Value of Colonies.

Much has been said of late on the assumed change of front on the part of public writers respecting the real value of colonies. No economist has ever doubted the immense advantage resulting from the superior productiveness of capital and labour when applied in a new country, and fresh soil, or the relief which the colonies have afforded, and still afford, to the pressure of population on the means of subsistence in the mother country

The number of emigrants from the United Kingdom of British or Irish origin, in proportion to population, was as follows:—

In the year 1884 the proportion of emigrants per 100,000 of the population from the following-countries was as follows:—

. It is fully admitted, moreover, on all hands, that much of the increase and prosperity of the colonies must

be ascribed to the order and security which they have enjoyed under a strong government. The only question is, how far is the protection afforded by the colonial bond still necessary for the security and independence of such colonies? and how far, in the event of any one of the colonies being able to maintain order, security, and independence for herself without such protection from the mother country, and declaring herself free, the trade of the United Kingdom with the same, or the inducement to emigration to such colony, would cease or diminish? The problem is happily not within the range of practical politics. And it is safe to say that common nationality, common language, and common institutions will always prove a strong magnet to draw to one another the scattered portions of the British race. Nevertheless, and for the same reasons, it is as clear that should any colony desire a relaxation of the colonial bond, and be able to start for herself, no harm will come from it, the experience of England as regards the United States, and more recently as regards the Ionian Islands,

The Exports of British Produce and Manufacture from 1860 to 1863 averaged £296,000 to Greece and £316,000 to the Ionian Islands. Total, £612,000 per annum. The Ionian Islands were ceded to Greece in 1863; and from 1864 to 1868 the Exports to Greece averaged £6907,000 per annum.

having abundantly proved that neither the commercial relations did suffer, nor the flow of emigration was arrested, after their declaration of independence, or after the special relations ceased to exist.

§ 11.—Colonising for Political Aims.

A fresh impetus has recently been given to colonial enterprise by the action of foreign States, and by England also. Within the last few years France has sought fresh territory in Tonquin, Germany has joined in a scramble for Africa, Italy has obtained a footing on the coast of the Red Sea, Belgium has undertaken to establish and civilise the Congo territory, whilst England has advanced to Burmah and made fresh annexations in North Borneo. It is well to remember that a simple acquisition of territory is of but little value unless its economic conditions are likewise favourable. British colonies, favourably situated by climatic conditions and economic resources, have prospered. Those otherwise placed are more a burden than a benefit. Foreign States should moreover, remember that the source of increase lies in the people much more than in the State. British colonies have prospered because the Anglo-Saxons are a prolific people, of insular, yet of a roaming disposition—a people, too, possessed of much tact, skill, and perseverance. The French colonies have not prospered because the French themselves have never shown disposition either to increase in numbers or to emigrate, and have neither the tact nor the skill to regulate their affairs less by abstract theories than by practical experience.

§ 12.—The Future of British Colonies.

It is about three hundred years since Sir Walter Raleigh, having obtained a charter of colonisation, dispatched a fleet laden with colonists to Virginia, and about two hundred years since William Penn obtained a grant of the extensive territory called Pennsylvania, which he wished to constitute "a free colony for all mankind." See what the United States of America, only about one hundred years old, are now, with their fifty millions of people; and who can tell how many millions will yet people Australia

The Government Statist of Victoria, Sir Henry Kelyn Hayter, C. M. G., in his last report, stated that the rate of increase of the population of Australia, combined with Tasmania and New Zealand, in the decennial period intervening between the two last Censuses, was 42 per cent, and that, supposing the same rate of increase to be maintained, the probable population Australasia, which in 1891 may reach 3,998,612, will in 1951 amount to 93,865,138.

and North America? Talk of physical evolution! What wonder of political and economic evolution do these colonies exhibit. We have seen the British emigrant settling himself in those vast regions, going where he could, and where he would, with no other guide than that of adventure, or other law than that of interest. We have seen him appropriating or buying field upon field, and acquiring for himself vast possessions. We have seen individuals multiplied into families, families coming closer to one another, and forming villages. We have seen villages converted into towns, and towns into States. And we have seen governments organised and supreme controlling the State, the village, the family, and the individual, and all the while civilisation advancing apace, and art, science, and industry co-working in the elevation and improvement of society. But the same process of evolution is still progressing before our eyes; and the States now in course of formation, heritors of all that has been achieved in older communities by ages of labour and wonders of thought and effort, are increasing and advancing by bounds and rebounds. A glorious future is indeed before them. May they wield it a right, and may they transmit their trust, still further extended and refined, to generations to come.

Report of the LAND NATIONALISATION SOCIETY.

1885-6.

Established to equitably restore to the Nation its Land, so that all may have equal facilities to use and enjoy the Land, and equally benefit by the revenue derived from it.

PRINTED FOR THE LAND NATIONALISATION SOCIETY, AND PUBLISHED BY THEM AT THE OFFICE, 57, Charing Cross, London, S.W.

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OFFICE: 57, Charing Cross, S.W.

June 29th, 1886.

It is with much regret we have to announce that since the Annual Meeting, our late Treasurer, Mr. A. C. SWINTON, has been compelled, by ill health and defective sight, to relinquish active duties for a while. He still remains a member of the Council with undiminished interest in the Society's work, and will, we hope, at not a distant date, resume his accustomed activity in the cause.

Fifth Annual Meeting of the Land Nationalisation Society,

HELD AT THE BOOMS OF THE ASSOCIATION FOR PROMOTING SOCIAL SCIENCE, 1, ADAM STREET, ADELPHI, JUNE 29TH, 1886.

A. R. WALLACE, LL.D., F.R.G.S., IN THE CHAIR.

President's Address.

MR. WALLACE began by remarking that there were several indications of the essential principles of Land Nationalisation having made progress in quarters where it had hitherto been received with little favour. He instanced Mr. Jesse Colling's Allotment and Small Holdings Bill, which, he was informed, was now modified so that local authorities were no longer empowered to sell the freehold of land to occupiers, but were in all

cases to retain a perpetual ground rent equivalent to about half its nominal value. This may be considered to ensure that the occupier shall always be owner of the tenant-right and pay a rental for the bare land at a low valuation.

Mr. Bradlaugh's Land Cultivation Bill adopted the principle that the State should take possession of all lands which had been allowed to go out of cultivation, paying the landlords the rental for 25 years as full compensation, and thereafter letting (not selling) the land to working cultivators

It is worthy of note in this connection that under the old Saxon law of England "the mere neglect to cultivate or inhabit the land involved its confiscation to the King's hand," and that this law was continued during feudal times is shown by the fact stated by Hume in his History of England, "that in the year 1634 Sir Anthony Roper was fined £4,000 for depopulation or turning arable land into pasture land, under the provisions of a law enacted in the reign of Henry VIII." It would be well if some of our legal authorities would ascertain whether this or similar laws cannot; be put in force against landlords who are now yearly turning thousands of acres of arable land into pasture, and thus depopulating the country.

The statements as to these laws are taken from a pamphlet, "Land Lessons, Irish Parliaments, and Constitutional Criticisms," by CLIO. JAMES DUFFY & SONS 1, Paternoster Row.

As an instance of the extraordinary carelessness with which people write upon the land question he might mention, that, in last month's issue of the *Nineteenth Century* there was an article by Lady Verney who quoted a French economic writer, M. Lafargue, as follows, as regards the peasant proprietors of France:—"There are ten millions of small proprietors in France who, with their families, consume as much as they produce; they eke out a scanty subsistence, and vegetate miserably, condemned by their voluntary isolation to a labour as severe as it is unproductive. The condition of agriculture brought about by our subdivision of the land, and *the distance from each other* of the *morsels* belonging to one owner, condemn a man to work such as animals and machines ought to execute; and not only reduces him to the level of a beast, but curses the soil with sterility..... *Three millions* of the small proprietors are on the pauper list of France."

Now it had never struck Lady Vernon or the editor of the *Nineteenth Century* that such a state of things was absolutely impossible. Ten millions of proprietors and their families would amount to 87,000,000, the total population of France being 86,900,000! The real number of peasant proprietors was about three millions.

Average 3.71 to a household-37 millions proprietors-rather more than *total Population!* 1 Total population, 36,900,000.

The actual peasant-proprietors of France are about $2\frac{1}{2}$ millions, and this is perhaps an over-estimate, because those having land in different communes will often be counted twice.

Mr. Wallace then suggested that what they required in the future would be to get some members of Parliament to put forward preliminary resolutions or motions, or to bring in bills something to this effect. The first should be a resolution that no land the property of the State should be ever sold or permanently alienated. Hitherto the practice had been just the reverse. Secondly, that all manorial rights should become the property of the State, holders being compensated on a fair basis. It would be a comparatively easy and small operation on the basis of the actual net proceeds. Thirdly, that all Crown, State, Municipal, or Corporation lands should be let out in small holdings on our principle—that is, at a quit-rent for the bare land, the tenant to purchase the improvements, and the quit-rent to be revised at long periods. If that was applied to the Crown lands, Municipal lands, and vast Corporation lands, especially in Ireland, it would at once throw open a large area of land on which the experiment of Land Nationalisation could be tried. Fourthly, the total abolition of the Game Laws, which not only create crime, but keep land out of cultivation, and set up a barrier against land reform. He would further suggest that a memorial, or petition, should be got up to the effect that, in any proposal for buying out the Irish landlords, the land should be retained by the State to let out at quit-rents on a permanent tenure. This would lay down the general principle that the State should never alienate the land of the country whenever it has been in any way obtained by the State.

Mr. Wallace then made some remarks on the mode of compensating landlords by means of terminable annuities, which he had first suggested, and which had been adopted by the Society. He had found by conversation with many intelligent persons not opposed to the principle of Land Nationalisation, that there was a great objection to this method as being opposed to popular ideas of giving full value for the land, and also of giving the landlords a marketable security which it was thought a terminable annuity would not be. His attention had just been called to this subject by reading Mr. Wicksteed's able book, "The Land for the People," in which that gentleman had suggested a mode of dealing with the landlords more acceptable perhaps to the bulk of the middle and upper classes than the mode their Society had advocated. Mr. Wicksteed proposed that the landlords should be paid in bonds, bearing $3\frac{1}{2}$ per cent, interest at 30 years' purchase of their ground rents, and he showed very clearly from the past history of the increased value of ground rents in this country that, from their steady increase in value, which there was no reason to believe would stop, these bonds could be bought up and altogether paid off in 40 years, supposing the increase went on as at present, namely, at the rate

of two per cent, per annum. That was a point of the greatest importance. If we gave 2-5 years' purchase it would be done still more easily, and if we took a little longer term, say 50 or 60 years, we might get year by year a large decrease of taxation; and you would have what you specially want, viz., the means of showing the people that, though you pay the Landlords the full market value of the land, the result would be that, owing to the continuous increase in the value of the land, they would be able, by paying off these bonds, to extinguish the debt altogether in a comparatively short period—say of two generations—and at the same time year by year reduce taxation, and at last, when the debt was all paid off, the whole of the ground rents would become the property of the State and serve in lieu of taxation altogether.

From the report of the last Agricultural Commission he found that considerable pains had been taken to ascertain the real cost of management of great estates and it was stated that it varied from 15 to 20 and sometimes 80 per cent. It was, therefore, not the actual rental of the land the landlords would require to be compensated for, but the net rental, viz.—the rental less this percentage. The State would receive the rents, less say 2 per cent, for collection, and the balance, after paying the landlord's interest, would be clear profit and go to reduce taxation. The system of terminable annuities was always objected to as giving a temporary instead of a permanent security. If by adopting Mr. Wicksteeds plan we could do away with this objection by giving the landlords consols and yet pay them off in 40 or 50 years we should get all the benefits of Land Nationalisation even more certainly and quickly than by the present scheme of the Society.

NOTE.—The following extracts from Mr. Charles Wicksteed's book. "The Land for the People" (Reeves, 188, Fleet Street, E.C.), will give further information respecting his method of expropriation:—

"First. Value the ground rental of the country (by ground rental I mean the rent of the land), without buildings or removable improvements."

"Second. Compensate the landowners by giving them Government bonds to the amount of 30 times the ground rent, bearing a fixed interest of 3½ per cent, per annum, which would be the amount of the ground rent."

For the re-assurance of those who may regard these terms as too liberal to the landholders, Mr. Wicksteed stated at the Society's Annual General Meeting that he by no means bound himself to the proportions here indicated. These marked the limits of national generosity. Any reduction in these terms would, of course, hasten the process of Land Nationalisation.

.... No money would pass, but the owner of the bonds could, of course, sell them to private individuals, just as he might have been able to sell his land before."

"Third. As the land was valued and the bonds were given to the landowners, the land so valued would fall under the control of Land Boards to be created, or of some local body already in existence. These bodies would collect the rents and pay the interest on the bonds through the Imperial exchequer."

"Fourth. Assuming that the rent would increase, devote any excess over the original amount of interest to the redemption of the bonds."

"Fifth. As the bonds are paid off, use the interest thus set free, not in redeeming the bonds but in relieving taxation, pp. 8, 9. (Mr. Wicksteed goes on to show that rents, taking town and country together), have always been increasing during the last 300 years, that they have increased with great rapidity during the last fifty years, and must continue to do so while population grows; that they will increase more rapidly than ever if our industries are liberated by the Nationalisation of Land. But assuming the increase of rents during the past 10 years to be the normal one in the future, then the Nation's liability, by his method, will be extinguished in 10 years, an immense reduction of general taxation going on the meanwhile. Assuming, however, that the increase be only half this, still the Nation's liability will cease in 71 years."

A remarkable coincidence in treatment of the question is shown by an important letter in last week's *Statist* in which Mr. H. Seymour Trower makes a very similar suggestion as regards Ireland. He says:—

"Mr. Giffen takes the judicial rent to be £8,000,000, equivalent, at 20 years' purchase, to a capital of £160,000,000. Why should not the Irish Government, when constituted, create the requisite amount of Irish three per cent. Consols, transfer the stock to the landlords in discharge of all claims, and make the agricultural soil of Ireland national property."

"The interest charge on £160,000,000 at 3 per cent, is £4,800,000. A rental of £8,000,000 leaves a big margin for redemption by sinking fund. One per cent, or £1,600,000, just half the surplus, would cancel the entire debt in less than fifty years. The debt redeemed, the rents would become a substantial unencumbered addition to the Irish revenue. I adduce Mr. Giffen's figures, without adopting them, merely to show how the scheme would work financially."

"For the landlords the terms suggested would be less favourable than those contained in Mr. Gladstone's Land Bill by just the difference in value between English and Irish credit."

"The tenure of land in Ireland is based on confiscation in the past. The landowners of to-day, although not responsible for that past, owe their inheritance to it. It is impossible they should altogether escape the Nemesis of wrongs upon which their entire claim for compensation ultimately rests.

Again, our new treasurer, Mr. Soper, in his tract on "Landlordism: What it is; What it does; and what should be done with it," makes an almost identical proposal by compensating landlords by means of bonds which will give them an income equal to their rentals, *less costs of management and losses from bad tenants and bad seasons.*

Mr. Wallace concluded with the following remarks:—

"Here we have a remarkable identity of plans proposed by three original thinkers. It is more in accordance with general public opinion than our plan, it will enlist in its favour a large body of the upper and the commercial classes who have an almost superstitious regard for what they consider to be a permanent and negotiable security; and as we can give them this and retain all the essential advantages of our plan, I certainly think it will be true wisdom and sound policy to adopt it. As the originator of this plan of terminable annuities I may be supposed to look upon it with some parental affection; but the success of Land Nationalization is more to me than any scheme, and as I feel that this success will be ensured by the adoption of State Land Bonds or Consols in lieu of terminable rentals to compensate landlords, I willingly sacrifice my weakly offspring for the public good, and I strongly recommend the Society to make this alteration in its programme."

Mr. Wallace then announced his proposed lecture tour to America and Australia, which would necessitate his absence at the next Annual Meeting—a matter of little importance to the Society, as there were several talented Vice-Presidents who would worthily occupy his place.

The Society earnestly desires to enlarge the area of its work, but the vigour of its action depends upon the financial means at its disposal. Special appeal is therefore made to all who realise that the extent of the Nation's trade depression and perilous pauperism is primarily due to the existing system of land tenure, Reformers are invited to give effect to their convictions either by personal effort in connection with the Society, or by such pecuniary aid as they can afford to give it.

Membership.

Concurrence with the Society's *principle* of Land Nationalisation, and Annual Subscription to its funds, are the conditions of membership. A Donation of £5 5s., or more, confers Life membership.

Remittances may be sent to the Treasurer, F. L. SOPER, Esq., 57, Charing Cross, London, W. Cheques to be crossed "London and County Bank, Covent Garden." P.O. Orders to be made payable at Bedford Street, W.C.

All who are interested (and who are not?) in Land Law Reform are cordially invited to become members of the Society, and to assist it in the formation of Branches. Copies of the Society's detailed Scheme Rules, and other Literature may be had on application.

The Council, as far as possible, supply Lecturers where friends find a Chairman and a Public Room, and are always glad to hear from those willing to co-operate in the movement.

"The first thing the Student has to do, is to get rid of the idea of absolute ownership. Such an idea is quite unknown in English law. No man in the law is the absolute owner of his lands. He can only hold an estate in them."

—WILLIAMS. (*Real Property*. 12th ed., p. 17.)

"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."

—JOHN STUART MILL. (*Political Economy*.)

Report.

Presented to the Members of the Society at its Fifth Annual Meeting.

From the sudden and unavoidable circumstances referred to at the last Annual Meeting, an officially audited Financial Statement could not then be presented. On the present occasion, therefore, Balance Sheets for the last two years are submitted, showing for 1884-5 gross receipts to the amount of £256 15s. 5½d., and for 1885-6 to the amount of £188 2s., with a Balance in the Treasurer's hands on the 31st of May of £58 14s. 7d. The able services that the Executive relied upon having rendered by Mr. A. McDonnell, as Hon. Secretary, wholly ceased more than thirteen months since through the pressure of his personal interests, which still prevent him from doing any work for the Society.

In consequence of the heavy expenditure incurred by the Society during the last General Election, and the unfavourable state of the times for financial support to any public work, the Executive accepted the resignation of the Assistant Secretary, Mr. R. B. Holt, last February, and since then all the Society's work has again been voluntarily carried on. In stating this the Executive record their sense of the earnestness and devotion of Mr. Holt in the cause of Land Nationalisation.

Lectures and Addresses.

Either by means of the Press, or by correspondence, and the circulation of literature—which have hitherto been the Society's three main modes of Educational action—no opportunity has been lost of appealing to every one who has, within the knowledge of the Executive, shown an open spirit to thorough Land Reform. But the concentration of public interest on Parliamentary subjects during the past twelve months, to a large extent diverted attention from the essential Land Reform movement; and, thereby, the number of Lectures delivered on behalf of the Society, although somewhat more than that of last year, has been less than it otherwise would have been. The necessitated absence abroad of Miss Helen Taylor has also further lessened the Society's work in this direction. Since the last Annual Meeting the number of Lectures delivered is twenty two, as follows:—Miss Helen Taylor, 1, at Clay Cross; the Rev. T. G. Dyke, 3, at Margate; A. Halstead, 1, at Harrogate; R. B. Holt, 4, at Maidstone, Camberwell, Southampton, and Croydon; H. Hutchinson, 1, at Burton on-Trent; W. Jameson, 10, at the Eleusis Club, Chelsea, at Camden Town, Hackney, Hammersmith, and various other clubs and societies; the liev. Dr. E. Pan Jones, in South Wales; T. W. Taunton, 1, at Manor Park, and C. W. Windust, 1, at South Bermondsey.

From Wales we have frequent and pressing enquiry, but until the General Election is over, a thorough campaign there is improbable. In February last Mr. Michael Davitt delivered several powerful addresses in favour of Land Nationalisation; three of the Society's officers also did what they could to further the cause there, as two of them are still doing. The Rev. Dr. E. Pan Jones, whose recent lecture is mentioned above, is also frequently addressing audiences on the subject, and as our Literature is being judiciously circulated (its translation into Welsh has been proposed), we fully hope to see prolific results in the Principality, where the fact that 540 landlords monopolise sixty per cent, of Welsh soil is being thoughtfully considered by those who are the users of it.

From the list of our Members and ablest Honorary Lecturers we have very regretfully to record the loss of Mr. Lloyd Jones, whose decease occurred on the 22nd ulto. As one of the foremost advocates of the co-operative movement, he was also one of the earliest and most energetic representatives of our cause.

Branches.

Believing that work could be more economically and rapidly done by appointing *District Hon. Secretaries* till sufficient strength existed in a locality for a vigorous Branch, the Executive have selected the best representatives they could find throughout the country, and some forty District Hon. Secretaries have been appointed, instead of fresh Branches. Several of these gentlemen have been doing effective secretarial work through the local Press and otherwise, and it is hoped that this mode of action may be largely extended.

Literature.

In view of the last General Election, early preparation was made to extend the influence of the Society's literature. A pamphlet, entitled "State Tenants *versus* Freeholders," was written by our President, showing the great political advantages to all, and especially to small Freeholders and the agricultural labourer, of Land Nationalisation over so called "Free Trade in Land." Two leaflets were also prepared. The first is entitled the "Six Points of the People's Land Charter," being a popular abridgment of the Society's programme. The second is a "Resolution," being a statement, with authorities appended, of the great fact that the absolute ownership of land by a subject, is now, and has always been, expressly denied by the law of the country.

These publications, together with those already on our list, have been widely circulated. Altogether, upwards of 310,000 leaflets and tracts have been distributed during the twelve months.

Parliamentary and Public Action.

The Resolution leaflet, already named, has, we believe, been of considerable service to the cause of Land Nationalisation during the General Election. It was sent to all Parliamentary Candidates, to 900 Clubs, and to 150 leading Newspapers. The "Saturday Review" devoted a column and a half to its condemnation; a cheering fact, which we venture to regard as prophetic of the acceptance of this resolution, ere long, by Parliament. Among other kindred societies, the Financial Reform Association has cordially endorsed it, and co-operated with us. The direct representation that our cause now has in Parliament, and also the probability of this strength being largely augmented by the majority of the Irish members, is a hopeful result of the Educational work hitherto done. It is therefore our confident hope—based not alone on these indications of the movement of public thought, but also on the ever increasing *necessity* for Land Nationalisation, which the continued

depression of trade discloses—that, at no distant date, the vital principle of Land Nationalisation may be fully debated in the House of Commons, and that, starting from the Constitutional fact which the Resolution declares, the present Stewards of British Land may be required to render an account of their Stewardship.

In our last year's report we noticed that landlords had formed a "National Land Co. Limited." Now we learn that there is an Association of Landlords for the voluntary extension of Allotments, under the presidency of the Duke of Westminster. It appears that 340 Landlords and 380 Clergymen are already quickened for "the amelioration of the condition of the labourers," as members of this association.

At the Fabian Society's Conference held on June 9th and the two following days, at the South Place Institute, a paper was read by Mr. Jameson, as delegate from this Society, on the "Utilization of Land." Our President also spoke in the discussion that followed, elucidating points in our programme which the enforced brevity of the paper read had caused to be untouched. The aim of this paper was to show that the ownership and monopoly of 75 per cent of the nation's land by 17,000 persons was the cardinal difficulty in the way of utilizing the soil, and that neither by the free transfer of land, nor by the taxation of land, could this difficulty be removed, and that these 17,000 persons must, as landlords, themselves be removed, in order to free the land effectually and permanently. The sympathies of the audience appeared to be generally with this view. The main objection taken to the Society's scheme was its tenderness to present landholders.

Land Nationalisation Abroad.

The robust activity of Land Nationalisation abroad—in America, and especially in Australia, if not so much in New Zealand—seems to satisfactorily increase. "Under date of December 4th, an Australian paper, adverse to the movement, states that over 4,000 people had lately migrated from South Australia and Victoria owing to depression of trade, and that still the distress seemed unabated. This paper also makes the significant statement that a mass meeting of 2,000 persons held in Adelaide Town Hall to consider the condition of things was chiefly composed of members of the South Australian Land Nationalisation Society. It seems, therefore, that the public, even in our thinly populated colonies, are beginning to realize in a practical, though bitter way, how much the monopoly of the material source of life and wealth causes trade depression, by barring the natural flow and employment of labour and capital, by preventing the just diffusion of wealth, by minimising consumption; and, incomparably more than anything else, by promoting chronic pauperism.

It is cheering to record, further, that a movement to Nationalise the land has commenced in the capital of Prussia.

Subscriptions and Donations.

The following Subscriptions were received too late to be include in Financial Statement:—

LAND NATIONALISATION SOCIETY.

Statement of Receipts and Expenditure from 1st June, 1885, to 31st May, 1886. 1885. DR £ s. d. £ s. d. 1885. CR £ s. d. £ s. d. June 1, To Balances brought forward, June 1, By Balances brought forward, as per last Audited Statement: as per Last Audited Statement: Furniture Account 14 18 5 H. W. Ley 2 1 10½ Liverpool Branch 0 2 6 J. C. Durant 21 9 4 Suspense Account 14 16 3 23 11 2½ Robt. B. Holt 0 13 3½ 1886. C.A. Windust 0 5 5 May 31, By Expenditure A.C. Swinton 146 10 2 Postage 44 4 6½ 177 6 0½ Stationary 3 11 7½ 1886. Literature 12 2 10 May 31st, To Receipts: Printing 50 4 2 Subscriptions, &c. 186 11 8 Lectures 2 12 9 Literature 1 10 4 Office 48 11 2 188 2 0 Salaries 39 13 0 Incidental 36 18 0 237 18 1 May 31, By Balances carried forward: Furniture 30 13 11 Liverpool Branch 0 2 6 Suspense Account 14 7 9 A. C. Swinton 58 14 7 103 18 9 £365 8½ £365 8½ London, 28th June, 1886.

Examined and found correct,
John Ronald Shearer.

Land Nationalisation Society.

Land Nationalisation Society.

Statement of Receipts and Expenditure from 18th June, 1884, to 31st May, 1885. 1884. DR £ s. d. £ s. d. 1885. CR £ s. d. £ s. d. June 1, To Balances brought forward, 1885. A. C. Swinton, Treasurer 104 16 2½ May 31, By Expenditure: 1885. Postage 38 9 11 May 31st, "Receipts: Stationary 15 7 6 Subscriptions and Donations 236 7 4½ Literature 18 17 11½ Literature, Sale of Wallace's Printing 65 1 6 Land Nationalisation 30 8 1 Lectures 11 18 0½ Less Loan Repaid 10 0 0 Office Expenses 30 6 2½ 20 8 1 Incidental Expenses 7 5 8½ 256 15 5½ Salaries 20 10 0 May 31st, To balances carried forward: 207 16 10 H. W. Ley 2 1 10½ May 31, By Balances carried forward: J. C. Durant 21 9 4 Furniture Account 14 18 5 23 11 2½ Liverpool Branch 0 2 6 Suspense Account 14 16 3 Robt. B. Holt 0 13 3½ C. A. Windust 0 5 A. C. Swinton 146 10 2 177 6 0½ £385 2 10½ £385 2 10½

London,

28th June, 1886

Examined and found correct,
John Ronald Shearer.

Land Nationalisation;

Its Necessity and Its Aims.

Being a comparison of the system of Landlord and Tenant with that of Occupying Ownership in their Influence on the Well-being of the People.

Crown 8vo. pp. xiv.—244, Original Edition Cloth, price 5s. Cheap Edition, paper Cover, 8d., by post 11d. Limp cloth, 1s. 6d., by post 1s. 9d.

By
Alfred Russel Wallace, LL.D.

Author of "The Malay Archipelago" "Island Life," &c &c.
Land Nationalisation Society Tracts.

Land Law Reform.

The Right Hon. John Bright, M.P., On
Letter from Mr. Arthur Arnold, M.P., and Reply by Mr. Bright.

Leaflet No. XL

Cobden Club Motto

Kensington Park Gardens, W., July 6.

DEAR MR. BRIGHT,

The time is ripe for promoting practical measures of land law reform and for urging such measures upon the attention of those who will have to elect the next House of Commons.

For the interested consideration of such proposals the present circumstances of agriculture are extremely favourable.

With the intention of renewing such efforts as I have made in that direction, I wish to ask your opinion of the following programme. I believe it would establish that policy of "free land" of which you were one of the earliest advocates.

- Abolition of the law of primogeniture.
- Abolition of copyhold and customary tenure.
- Prohibition of settlement of land upon unborn persons, and of the general power of creating life estates in land.
- Conveyance by registration of title. All interests in the property registered to be recorded.
- Provision for the sale of encumbered settled property.

Our present laws encourage separation of ownership from occupation of land. That tendency is not in harmony with the general interests of the people.

The position of the occupier demands fuller security; such, at least, as Sir James Caird suggested by way of amendment of the Agricultural Holdings Act, in order to secure the sitting tenant against liability to lose his share of increased letting value consequent upon his improvements, by a rise of rent or by exaction of an unfair rent, to which he can offer no resistance except by notice to quit, involving serious depreciation of his stock in trade.

The extension in principle and under proper safeguards of the purchase clauses of Irish Land Acts to Great Britain and the enfranchisement of leaseholds are practical matters which should be admitted into full and fair consideration.

More than 2,000,000 acres of the best land are held by corporations in mortmain. This tenure involves serious evils, including absentee ownership in perpetuity and a most unjust exemption from taxation.

I have met with no exposition of this policy more concise and acceptable than is contained in your own words:—" We would so change our laws as to give to every present generation an absolute control over the soil, free from the paralysing influences which afflict it now, from the ignorance, the folly, the obstinacy, or the pride of generations which have passed away."

Yours very sincerely,

Arthur Arnold.
The Right. Hon.
John Bright, M.P.

132, Piccadilly, W.,

July 9.

DEAR MR. ARNOLD,

I have received with much pleasure your letter of the 6th inst, and have read with much interest your suggestions on the reform of our land laws, the great question which will demand, and I hope receive, the attention of the Parliament which will be elected in November next.

I look back with intense satisfaction on the reform of our tariff, begun by Sir Robert Peel in the year 1842, carried forward by him to the year 1846, when the odious Corn Law was condemned and abolished, and completed in after years by the great measures carried through Parliament by Mr. Gladstone. In connection with the changes in our commercial policy, the names of Sir Robert Peel and Mr. Gladstone will for ever stand foremost and highest in the list of the Ministers and statesmen of our country. They have lifted to a higher scale of independence and comfort the industrious millions of our people.

My lamented friend Mr. Cobden, who did not underrate the result of the struggle in which he had taken so eminent a part, on more than one occasion expressed the belief that the man or the Minister who should hereafter free the land of the United Kingdom from the fetters which have hitherto bound it, would confer as great a blessing on our people as that bestowed upon them by the freedom of the produce of the soil.

The time has now come when this new great land question must be discussed and settled. It is well that some plans just to the nation and not less just to the possessors of the land should be brought before the attention of our people. In the suggestions which you have submitted to me you offer such a plan, and I cannot but hope that it will receive, as I believe it will deserve, a very large measure of support throughout the country.

There have been wild schemes brought before some portions of our people, schemes not based on any just principle; your suggestions seem to me just and calculated to do good to landowner, to tenant farmer, to the industrious labourer on the soil, and to the millions whose families subsist upon its produce.

I cannot enter into anything like a great movement in connection with this question, but I hope we may soon see a movement in the constituencies and in Parliament, and that another great measure of reform may soon be added to those by which our time and our generation are already distinguished.

Believe me, very sincerely yours,

John Bright.

ARTHUR ARNOLD, Esq., M.P., 45, Kensington Park Gardens.

Messrs. Cassell is Company, Limited, La Belle Sauvage, London, E.C., supply this Leaflet in packets of 100, price 1s.

"Fair Trade" and "Retaliation."

Sir T. H. Farrer, Bart., On

Leaflet No. XXXIX.

Cobden Club Motto

RETALIATION is a useless weapon in our hands.

To lower foreign tariffs was not the sole or principal object of the authors of our present policy. They would have adopted that policy had they known that no foreign tariff would be lowered.

All duties are impediments to trade; the fewer duties, the fewer impediments. We can remove our own duties; we cannot remove our neighbours'.

No tariff is an absolute barrier; and a Free-Trade country has such advantages in production that it can compete with a Protectionist country, even for the home market of the latter.

Exports involve imports; all Protectionist countries desire to export, and must therefore import. Where a Protectionist country exports to another country, the second country must pay in goods, if not directly to the Protectionist country, indirectly through some third country.

There are many free and many neutral markets, and in all of them a Free-trading country has advantages over a Protectionist rival.

Protection has not, so far as we can judge, advanced trade and manufacture in France, Germany, or the United States, but the reverse.

The trade of a country depends on many things besides Free Trade. Free Trade only removes impediments. What can be claimed for Free Trade is that a country is better with it than without it. The general prosperity of the United States does not affect the question. The United States suffer more than ourselves from temporary depressions; and these depressions can often be traced to their protective system.

For the above reasons, there is no fear of our losing our market, and the case for Retaliation fails.

Retaliation must, in its immediate consequences, be injurious to ourselves.

Retaliation is calculated to defeat its own object, and to provoke further Retaliation.

The Cobden treaty affords no ground whatever for Reciprocity or Retaliation.

The simplicity of the Free Trade position is obscured by the vastness and complexity of modern business. But it is in truth simple in the extreme. Very much that has been written on the subject is only an expansion of the following elementary truths:—

- Every man knows better what he wants to buy and sell than his Government can possibly know for him. He will buy and sell to the best advantage, if left free to buy and sell as he chooses.
- Every one who buys, sells at the same time. His purchase is really an exchange. The money he pays for the goods which he buys is really an order given to the seller for other goods. The more buying the more

selling.

- As regards dealings between inhabitants of the same street, the same village, the same town, the same country, no one thinks of disputing these truths. But they are just as true as regards dealings between inhabitants of different countries.

No one who is master of these simple and obvious truths will be misled by Protectionist sophisms.

[*All the above statements are most clearly and fully proved in SIR T. H. FARRER'S book, entitled "Free Trade versus Fair Trade," published by the Cobden Club. Price 2s. 6d.*]

Messrs. Cassell & Company, Limited, La Belle Sauvage, London, E.C., supply this Leaflet in packets of 100, price 1s.

The Proposed Tax on Sugar.

(A Letter to a Working Man.)

Leaflet No. XLI.

MY DEAR SIR,

Cobden Club Motto

You tell me you have always been a Free Trader, and have always regarded the interference with trade caused by the Customs Duties as a serious evil. Such interference, you say, raises the price to the consumer, decreases the production throughout all trades—doing thus a double injury to the labourer—prevents men of small capital competing for their share in the profits of industry, and, denying a free use of the blessings of civilisation, delays the time when the good things of the world shall be more fairly distributed than they are now. Accordingly you tell me you have always been against Bounties as one of the worst forms of such interference. You want, however, to know what line to take, with some few of your fellow-workmen, who, though they claim to be Free Traders, yet want to put a tax on the cheap sugar that comes into England, because they say it is cheap owing to Foreign Bounties. You don't think Bounties good, but you can't feel sure that it can ever be right to tax trade; and you ask me to tell you whether I think we ought to interfere with the Sugar Trade and levy a tax in order to increase the price of sugar made cheap by the Foreign Bounties. I could answer that question very shortly if I liked by saying, "Never look a gift horse in the mouth; never let any one persuade you to tax anything because it comes into England too cheap. Nothing can be too cheap." I will not, however, content myself with such an answer, but I will put before you some facts, which I can hardly believe it possible that a man can read and still want to tax foreign sugar, unless he should happen to be a sugar refiner. I think if we attend to these facts we shall not be greatly concerned whether sugar is getting cheaper because the Germans understand how to cultivate and manufacture beetroot to perfection, or because of their ignorance of the science of wealth, or for whatever other reason.

I will try to state shortly what has happened in England since any one who likes has been allowed to bring sugar into England without any interference from the Custom House.

In the year 1841, when we still had a heavy duty levied on sugar, the average consumption per head in the United Kingdom was about 17lbs. of sugar. This amount, at the prices caused by the policy of interference with trade, could not be bought under 9s. 7 1/1 d. At the present time (that is, in the year 1884), when sugar is free, the average consumption per head is 68lbs., and the cost for this vastly increased quantity is 10s. 4d, or only 8½ d. more. That is, under Free Trade and the development which has come with it, the average consumption of each person has trebled, while, instead of the price having trebled, it has remained nearly the same. An English family, thanks to Free Trade, can now use in the year three times the amount of sugar they used forty years ago, and yet only have their yearly expenses increased by a few pence. This is what has come from letting the Sugar Trade alone.

Now let us see how the nations get on that have not got Free Trade, but give Bounties to any one who will take sugar out of their countries and sell it below cost price to us. Let us take the case of America. There, though the country produces sugar-cane, and though the West Indies are so near, the people have, by reason of their system of duties, to pay 3½ d. for a pound of sugar, while we Free Traders are paying only 2d. a pound. In Germany, where the most beautiful sugar is made, the poor Germans do not get the benefit themselves, because the Bounties make it more profitable to carry the sugar out of the country than to sell it at home. There is no

Bounty for selling it to their own people; only a Bounty for making a present of it to foreigners. The consequence is that the Germans have to use an inferior sugar and pay for it a larger price than we do. While the German housewife—to borrow an illustration from Sir Thomas Farrer—can only afford to put in one spoonful of sugar to sweeten the children's pudding, her English sister can put in two; and that is not all, for the German spoonful is only half as sweet as the English. But I don't want you to think that getting more sugar for our tea and our puddings is all the good we get as a nation by letting the Sugar Trade alone.

Let us look beyond this. Let us look at the trade benefited and the labour employed in getting all the enormously increased amount of sugar now consumed manufactured and then distributed to the consumers. First look at the work for our ships to bring it over raw or refined; then for the manufacturers who make it eatable; for the railways and other carriers that take it all over the country; for the extra shops, the extra counters, and the extra shopmen that are required to sell it; for the men who make the paper and fold the bags in which it is sold. A plentiful supply of cheap sugar is to the general trade of the country a shower of gold that finds its way everywhere.

And this is not all. Think of the other manufactures in which sugar is used, and which can only be carried on at all when sugar is cheap. Think of the jam and the confectionery, of the jars and bottles, each with its lid or cork stopper and printed label, in which the jam and the sweetstuffs are contained, and which are all made in England. Think of the profits to agriculture which can be derived from growing fruit if there is a demand for jam among the poor; and there can only be such a demand when sugar is very cheap. Think of the biscuits that are made because sugar is cheap, and of the highly-paid labour that is called into employment thereby, for making and packing the biscuits, and for carrying them about England and the whole world; for, since sugar is cheap in England, the English have become the biscuit makers of the world. Think of the chocolate and the cocoa manufactories which flourish on cheap sugar. Think of the sugar used in brewing, and in the making of those invaluable feeding stuffs for cattle which enable our farmers to fatten stock cheaply and well, and so increase our supplies of meat. Think of the artificial waters, like gingerade and lemonade and so many others, which have sprung into popular favour since the Sugar Trade has been let alone, and which employ so many thousands of men in their production. These occur to me as I write. You, who know so much of our productive trades, will remember a hundred other industries which, if they are to be worked at all, must be worked with cheap sugar.

It is most gratifying to see how cheap sugar has been the means of introducing, even into the poorest country districts, articles of luxury and comfort never known before. I talked only the other day to a country grocer, in a large business with the poor, about some of the facts which had come under his own notice.

What he told me was astonishing. He put his hand on a great glass bottle of mint dumps—those sweets the children and the old women are so fond of in country places—and he said, "Look at these. Where I used to sell a pound of these, I now sell a hundredweight." I looked up at his shelves next—at the pear-drops and acid-drops. "Yes," he said, "those are now a halfpenny an ounce; they used to be one penny." The trade set going in sweets has been enormous, while the comfort and enjoyment obtained by the poor have been equally great. In France, though they excel in the arts of confectionery, such things are only for the rich. I have been into plenty of village shops in France, but in them you see no sweets. The poor never get them. In France they do not leave their Sugar Trade alone. My friend the grocer told me something also about jams. He opened a splendid great earthenware pot of gooseberry jam, smelling most deliciously, and he showed me how clear and wholesome it was. "We have just ordered eleven tons of this. We used not to keep jam five or six years ago. When it was high we could not sell it; now it is an article of food for quite poor people. At the school treats the children used to think bread and jam a great pleasure; now they would rather have bread and butter: they are so accustomed to jam."

What a difference to a poor family! Before we let the Sugar Trade alone they had to eat their bread dry; now they can make their bread not only far nicer, but far more nourishing, by spreading some jam on it. I would advise you to ask your fellow-workmen to think, not only whether they don't save a great deal each week in sugar, but whether they don't see a great deal more jam about, and a great deal more sweetstuffs and chocolate, a great deal more biscuits, a great deal more gingerade and other temperance drinks, and whether, if they follow out each one of these trades, the letting our Sugar Trade alone has not done a vast deal to bring work to the English working man.

However, there are two sides to every question. Let us hear the other side's arguments to persuade us to give up the blessings of cheap sugar. They say, first, that Bounties are very bad things. In this we heartily agree, and we wish foreign nations, for the sake of their own poor people, would do away with them. They go on to say that sugar is cheap because of these Bounties, and that this is not fair to our refiners and their workmen, and that, accordingly, we ought to put a tax on sugar equal to the Bounties. Now, I will begin by observing that we must not forget that the good intentions for which a tax is put on make no difference to its effects. A tax put on commodities to pay for the most necessary acts of Government will have just the same

effect on trade as a tax put on for the most selfish interests of the home manufacturers. A tax put on sugar to teach the foreign nations sound political economy will be just as oppressive to the consumer and just as shackling to trade as a duty put on with the avowed intent of letting the Sugar Refining Businesses pay 5 instead of 2 per cent. Fortunately, however, we need not go into the arguments whether, if the Refining Trade of England was being killed by Bounties, it could be saved by a tax on sugar, because, as a matter of fact, the Refining Trade is not being killed at all. Trade is never killed by freedom. These are the facts on which agitators have actually had the audacity to declare that the Refining Industry was being killed, and that the working men were losing £15000,000 annually in wages:

In 1881 it was no doubt shown that since 1864 the Refining Trade of England had lost 50,000 tons of loaf sugar, but then the Refining Trade has also gained 30,000 tons of other hard sugars, and 300,000 tons of moist sugar. Cheap sugar has not caused a loss, but has given a net gain of 280,000 tons of sugar of all kinds. Since 1880 the quantity of sugar refined at home has risen from 653,000 tons to 816,000 tons, and, along with this increase, there has been a proportionate increase in the number of men employed. The refined sugar sent us by the foreigner is only 39,000 tons more than it was in 1877 (being in 1884 210,000 tons, against 171,000 tons in 1877), while the refined sugar we sent out of the country has increased by 9,000 tons since 1877. It was in 1884 65,000 tons, against 56,000 tons in 1877.

As Sir Thomas Farrer says, "These are not the figures of a declining trade." They are a sufficient answer to the foolish outcry that the Germans could first kill our industry with Bounties and then raise the price on the English consumer.

The amount of the capital in the Sugar Trade has been greatly exaggerated. Probably there is not more than £3,000,000 of capital engaged in it altogether—a sum far less than the capital engaged in those trades which, as I showed before, only exist with cheap sugar. It is the same with the workmen. The workmen in the refineries are by no means so numerous as the men who sail the ships and drive the engines and carts, who make the bags and bottles, who grow the fruit and pick it, and fill the pots, and who make the biscuits, sweet bread, and confectionery which are required extra by the consumer when sugar is cheap.

Now there is another point which has come to the front in this sugar question. Are our West Indian Colonies being ruined by competition of Bounty-fed sugar? I am afraid there is no doubt that certain classes in the West Indies are suffering, and I know that you, as an English working man, are the last person to say that we need not think about them. We ought to think about them just as we do about our own sugar refiners, and remove all restriction on their trade; but, at the same time, refuse to sacrifice the poor consumers and producers at home to the interests of any class. Nor, even if we would, could we really help the West Indies by a tax on Bounty-fed sugar. Their case is more difficult than that. The competition of beetroot sugar, though not helped by Bounties, is their danger. They must look to improving their methods of extracting the sugar from the cane. Those who know most about the subject declare that great improvements could be made. Let the energies of the West India sugar planters be turned in this direction, rather than in the direction of converting England to interfering with the Sugar Trade; give them Free Trade in food, and we may soon hope to see them again taking the greatest share of the profits of sugar-growing.

There is one more fallacy in this controversy that I would warn you against—that is, the argument of certain men who pretend to be Free Traders, but who say that, though everything which is *naturally* cheap should be allowed to enter England free, nothing that is artificially cheap should be allowed to pass without paying duty. On this ground, our present sugar is said to be artificially cheap because of the Bounties, and so ought to be made to pay. I will ask these pretended Free Traders one or two questions which I have asked them before.

Is it not the essence of Free Trade that the consumer should be unhindered by legislation from buying in the cheapest market?

Is there any reason for the consumer to inquire why sugar is cheap, and to accept it if he fancies he has found out that it is only cheap by reason of good soil or improved manufacture, and to reject it if it is cheap by reason of the mistaken policy of a foreign State?

Is it not as little Free Trade to protect a home industry for one reason as for the other?

If the sugar workman asks for protection against German Bounties, may not the farmer just as fairly demand it against the low rates of the American railways or "the unfair" fertility of a virgin soil?

Besides, no one can really tell how much the sugar is made cheap by natural, how much by artificial, Bounty causes. Bounties take endless forms. Some countries give them in hard cash, some in drawbacks and exemption from taxation, some in free grants of land, some in free transport by railway, road, and canal, some by subsidies to steamship companies. In truth, no scheme based on the distinction between artificially cheap and naturally cheap will hold.

I have tried to show some of the advantages derived from letting the Sugar Trade alone for ten years. I implore the working men of England not to throw away these blessings by beginning to interfere again with the

Sugar Trade. No one can hate Bounties more than I do; no one would more gladly see the foreign nations persuaded to abolish them; but, I ask, is it the way to persuade them to leave off their interference with trade by beginning a fresh interference ourselves? Besides, countervailing the Bounties by a duty would do no good, for the Bounties would only be raised in turn, and we should enter into a miserable war of tariffs with the great nations of Europe, and should lose for ourselves the blessings of cheap sugar. Unless the countervailing duty proposed raised the price of sugar, it would do no good. If it raised the price, perhaps a few refineries might begin to pay, and, as a set-off to that, ruin would be spread throughout the country. Not only would the poor man's wages lose a great deal of their purchasing power, but on all sides jam factories, sweetmeat factories, mineral water factories, biscuit bakeries, cattle feeding factories, and all the other trades that rest on them, would begin, first to shrink and contract their businesses, and then to fall in headlong ruin. Free Trade has built a gallant tower, but undermine its foundations and it cannot stand.

Believe me, it is not the Bounties that have made sugar cheap, but it is the letting the Sugar Trade alone. A good authority, Sir Louis Mallet, declared before Mr. Ritchie's Committee that he did not believe that the effect of the Bounties was to enable the receivers of the Bounty to sell their produce at a very much lower rate than they would be able to sell it without the bounty. And in this he was, I am sure, correct. Plenty of sugar will come to us, whether there are Bounties or not. I doubt whether sugar would rise in price if Bounties were swept away to-morrow; but I know this, that if we try to sweep them away by interfering with and hampering the Sugar Trade, we shall not weaken the Bounty system in the slightest—we shall only give a reason for increasing it—and the price of sugar in England will rise, not only by the amount of the countervailing duty, but by a much larger amount. It is not the actual duty, but the Custom House friction which kills trade and raises prices; it is not Sugar Bounties, but leaving our trade alone that has given us the benefits of cheap sugar.

Let me again insist that nothing can alter the fact that to refuse, in the interests of a particular industry, goods cheap by reason of Bounties, is simply to put a tax on the many for the benefit of the few—or, shortly, Protection. Shall the mining, the agricultural, the domestic, the manufacturing population of England be taxed for the benefit of the Bounty-injured industries—that is, for the benefit of those capitalists whose money is invested in sugar-refining? For the workmen, it must be remembered, will not be helped. Their wages are settled, not by the profits of the industry, but by the competition of the labour market. This cry of Protection under a new name is not without danger for the English workmen. Let them remember that there is one, and only one, safe maxim in regard to all matters of trade—the maxim of "Hands off." Let no specious pleas, no pretexts of goods being artificially cheap, reconcile the working classes to any manipulation of our Free-Trade policy, for by such manipulation it is they who must be the losers.

I am, my dear Sir,

Your obedient servant,

St. Loe Strachey.

Messrs. Cassell & Company, Limited, La Belle Sauvage, London, E.C., supply this Leaflet in packets of 100, price 2s.

To The Electors of the United Kingdom.

Leaflet No. II.

Cobden Club Motto

What Does Reciprocity-Protection Propose To Do?

It Proposes—

- To put Import Duties on Foreign Goods, which would make all of you who consume such goods pay dearer for them.
- To thereby Diminish the Quantity that will be imported of such Goods, and therefore to diminish the Quantity of our staple articles that we now send abroad to pay for the same. For Goods are paid for in Goods, and Imports and Exports rise and fall together.
- To throw out of Employment a number of Working Men now engaged in producing those staple articles.

- For if you Export less you must Manufacture less.
- To Diminish our Foreign Trade in order to punish the Foreigners for not increasing it. For if we both Import and Export less there will be fewer Ships, fewer Seamen, fewer Docks, and fewer Labourers of all kinds wanted.
 - To imitate the very Policy which we condemn in Foreigners; and instead of going on exchanging our Cheap Goods for their Cheap Goods, to leave off taking the latter, and, as a necessary consequence, to leave off making the former.
 - To do a foolish thing because other Countries will not do a wise one.

What Imports Does Reciprocity-Protection Propose To Tax?

It must be either Food and Raw Materials which form about nine-tenths, or Foreign Manufactures which form about one-tenth of our Total Imports. Now—

If Food,—Are you prepared to go back to the old pauperising Corn Laws and the Dear Quartern Loaf?

If Raw Materials,—Are you prepared to add to the cost of our Manufactures, and thus assist the Foreigner to undersell us in Neutral Markets?

If Manufactures,—Are you prepared to raise their price to the Consumer and to curtail our Imports and Exports—to diminish our present production of staple manufactures—and throw out of employment the Working Men now employed in them?

Electors! if you are not in favour of Dear Food and Less Work, you must oppose all Reciprocity Candidates.

Messrs. Cassell & Company, Limited, La Belbe Sauvage Yard, London, E.C., supply the Cobden Club Leaflets in packets of 100, price 1s.

On "Fair Trade."

The Rt, Hon. John Bright, M.P.

A Letter to the Electors of Hackney, addressed to Mr. Adam Wilde, of the Hackney Liberal Association.

Leaflet No. IV.

"132, Piccadilly, W.,

Nov. 17, 1884.

"DEAR SIR,—

Cobden Club Motto

I observe that your Tory candidate and his friends are seeking support as fair traders in opposition to free traders. They complain that we are allowed by our Government and our tariff to buy freely all the products of foreign countries, but that, owing to some foreign tariffs, we cannot sell our own products as freely as we wish to do. We can fix the duties in our own tariff and on our own imports, but we cannot fix the duties in the tariffs of foreign countries and on their imports. All this is true enough and plain enough, but what is not plain and not true is the strange belief held by fair traders that, being injured by not being able to sell so freely as we wish to do, owing to duties in foreign tariffs, we should remedy the evil by giving up the power to buy freely by putting duties on our own tariff.

"To sell freely would be a great advantage, as to buy freely is a great advantage, but neither to buy freely nor to sell freely as the fair traders recommend would, in my view, enormously increase the injury to our trade arising from the foreign tariffs which now obstruct our foreign trade.

"Let your workmen reflect on the change in their condition which free trade has made within the last 40 years, since the reform of our tariff. The Corn Law was intended to keep wheat at the price of 80s. the quarter; it is now under 40s. the quarter. The price of tea is now less than the duty which was paid upon it in former

days. Sugar is not more than one-third of its cost when a monopoly of East and West India sugar existed. As to wages, in Lancashire and Yorkshire the weekly income of the thousands of workers in factories is nearly, if not quite, double that paid before the time when free trade was established. The wages of domestic servants in the county from which I come are, in most cases, doubled since that time. A working brick-setter told me lately that his wages are now 7s. 6d. per day; formerly he worked at the rate of 4s. per day. Some weeks ago I asked an eminent upholsterer in a great town in Scotland what had been the change in wages in his trade? He said that 30 to 40 years ago he paid a cabinet-maker 12s. per week; he now pays him 28s. per week. If you inquire as to the wages of farm labourers, you will find them doubled, or nearly doubled, in some counties, and generally over the whole country advanced more than 50 per cent., or one-half, while the price of food and the hours of labour have diminished. It may be said that milk and butter and meat are dear, which is true; but these are dear because our people by thousands of families eat meat who formerly rarely tasted it, and because our imports of these articles are not sufficient to keep prices at a more moderate rate.

"The fair traders tell you that trade in some branches is depressed, which is true, though their statements are greatly exaggerated. We have had a depression in agriculture, caused mainly by several seasons of bad harvests, and some of our traders have suffered much from a too rapid extension in prosperous years. I have known the depression in trade to be much greater than it is now, and the sufferings of traders and workmen during our time of protection, previous to 1842, when the reform of our tariff began, were beyond all comparison greater than they are now.

"In foreign countries where higher tariffs exist—say, in Russia, in France, and in the United States—the disturbance and depression of manufacturing industries is far greater at this moment than with us. Their tariffs make it impossible for them to have a larger foreign trade: we have a wide field for our exports which they cannot enter.

"We have an open market, for the most part, in South America, in China, in Japan; and with a population of more than 200 millions in our Indian Empire, and in our colonies, with the exception of Canada and the province of Victoria, in Australia, the field for our manufacturing industry is far wider than that for any other manufacturing nation in the world, and I cannot doubt that we shall gradually rise from the existing depression and shall reap even greater gain from our policy of free trade in the future than we have reaped in the past. In 1846, when the cruel Corn Law was repealed, we did not convert our landowners and farmers, we only vanquished them. Even now there remains among them a longing for protection; they cling still to their ancient heresy, and, believing in the ignorance or forgetfulness of our working men, they raise their old cry at every election of members of Parliament.

"If I have any influence with you or with any electors, let me assure you and them that for centuries past there has been no change of our national policy which has conferred and will confer so great good on our industrious people as that policy of free trade which the two greatest Ministers of our time—Sir Robert Peel and Mr. Gladstone—have fixed, I cannot doubt for ever, on the Statute-book of our country.

"The recent contest in the United States has overthrown the party of protection and monopoly. It may prove a great blessing to the English nation on the American continent. When England and America shall have embraced the policy of free industry, the whole fabric of monopoly the world over will totter to its fall.

"I am very respectfully yours,

"John Bright.

"Mr. Adam Wilde,
The Morley Hall, Hackney, E."

*Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply the Cobden Club
Leaflets in packets of 100, price 1s.*

"Fair Trade."

Mr. Arthur Arnold, M.P. On.

Leaflet No.V.

Cobden Club Motto

"Fair Trade" is now declared to mean a Food Tax.

Peace is largely assured by the interest of foreign nations in keeping I open our free market for their surplus food.

Our success in competition, as manufacturers, rests entirely upon cheap untaxed food.

If food were taxed our people would suffer poverty, because the rise in the cost of manufacture would drive us out of foreign markets.

Cheap food brings high wages, because when food is cheap, work-: men have more to spend in the purchase of manufactures.

Taxation of food, which is the avowed policy of the so-called fair-traders, is demanded for the support of a Land System, condemned by all economists, such as no Government in Europe could impose without causing revolt

A fair sample of its fruits is that 700 persons own one-fourth of England and Wales; that 1,700 persons own nine-tenths of Scotland; and that 292 persons own one-third of Ireland.

You are told that the soil will pass out of cultivation if the price of produce be not raised by a tax to be paid by your labour.

Wheat is now selling at 35s. per quarter.

Remember that in the beginning of the Free Trade struggle, the same class declared in evidence before Parliament that the same calamity would happen unless they obtained 80s. per quarter.

The most productive employment for capital is in agriculture, because the forces of nature co-operate with the powers of man, and if the distribution of land were subject to the operation of economic laws, it is not possible that where capital is so abundant, climate so good, and the demand for food so large, agriculture should not be highly profitable.

Resist the Food Tax as you would avert the ruin of the Country.

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply this Cobden Club Leaflet in packets of 100, price 1s.

Bread Tax Once More.

(From "Punch.")

(A November Night's Vision, after reading Edgar Poe and the Earl of Dunraven's Address on "Fair Trade," delivered by him, as President of the National Fair Trade League, at Sheffield, on November 12th, 1884.)

Leaflet No. VI.

Cobden Club Motto

ONCE upon a midnight dreary, as I pondered weak and weary
Over many a dry and tedious tome of economic lore,
Whilst I nodded, nearly napping, suddenly there came a snapping
As of some small terrier yapping, yapping at my study door.
'Tis old *Ponto* there, I muttered, yapping at my study door,—

Only that, and nothing more.

Ah, distinctly I remember it was early in November
When to Town the wearied Member came, and thought the thing a bore.
Eagerly I hoped the morrow Salisbury some sense might borrow,
And I thought with ceaseless sorrow of the stream-side and the moor,
Of the rare and radiant raptures of the stream-side and the moor.

Heather's sweep and trout-stream's roar.

Open then I flung the doorway, when, with blast as chill as Norway,
In there stepped "Fair Trade" DUNRAVEN, solemn as a monk of yore;
Not the least apology made he, though I thought his manners "shady,"
But, as stiff as TATE and BRADY, stood within my study-door,
Underneath a bust of COBDEN just above my study-door,—

Stood, and scowled, and nothing more.

Then this sombre guest, beguiling my tired spirit into smiling
By the *doctrinaire* decorum of the countenance he wore,
"Smugly trimmed and deftly shaven, though I trust I'm not a craven,
You have startled me, DUNRAVEN," said I, "yapping at my door.
Tell me what your little game is, late at night at this my door?"

Quoth DUNRAVEN, "Tax [*unclear*: once] mote."

Much I chuckled (though urbanely) him to hear talk so insanely,
For his answer little wisdom, little relevancy bore;
And one cannot help agreeing no sane living human being
In "Fair Trade" salvation seeing, could come yapping at one's door,
Snapping, late at night in winter, at a fellow's study-door,

Just to bid him "Tax once more!"

But DUNRAVEN, standing lonely under COBDEN'S bust, spake only
Those same words, as though his creed in those few words he did outpour.
Nothing further then he uttered; calm he looked, and quite unflattered
Then unto myself I muttered, "Other fads have flown before;
Very soon *this* fad will vanish, as Protection did before."

Quoth DUNRAVEN, "Tax once more!"

Startled at the silence broken by reply so patly spoken,
"Doubtless," said I, "what he utters is his only stock and store,—
Caught from some bad fiscal master, whom trade-loss or farm-disaster
Followed fast and followed faster, till his talk one burden bore—
Till the dirges of his craft one economic burden bore,—

Of "Tax—tax Corn once more."

"Prophet," said I, "of things evil, trade is going to the devil,
Is the plea of you and LOWTHER, CHAPLIN, many another bore.
Sophists dull, yet all undaunted, *do* you think the thing that's wanted,
By our land, depression-haunted,—tell me truly, I implore,—
Is it, *can* it be Protection? Answer plainly, I implore!"

Quoth DUNRAVEN, "Tax once more!"

"Prophet," said I, "of things evil, I *don't* wish to be uncivil,

But, by heaven! this Fair Trade figment is becoming a big bore.
Think you Corn with taxes laden means an economic Aidenn
For that somewhat ancient maiden who 'protected' was of yore,
For that very ancient maiden, Agriculture?" With a roar

Yelled DUNRAVEN, "Tax once more!"

"Then it's time that we were parting, Parroteer I "I cried, upstarting,
"Get thee back to silly Sheffield, twaddle on St. Stephen's floor,
I require no further token of the rot your League hath spoken,
Fair Trade phalanx to be broken by experience sad and sore.
Take thy BEAKEY'S words to heart, who said Protection's day was o'er!"

Quoth DUNRAVEN, "Tax once more!"

And DUNRAVEN, dolefuller waxing, still stands croaking of Corn-taxing,
Underneath the bust of COBDEN, just above my study-door,
And his talk has all the seeming of a monomaniac's dreaming—
Here I woke, and day was streaming through the lattice on the floor,
And I hope that no such vision e'er again my ears will bore

With the burden, "Tax once more!"

*Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply tin Cobden Club
Leaflets in packets of 100, price 1s.*

"Fair Traders."

A Catechism for

Leaflet No. VII.

Cobden Club Motto

- Is it true that the labouring classes are better off now than they ever were before, in times of commercial depression?
- Is pauperism declining?
- Is the volume of our trade actually increasing, although manufacturers and merchants are still suffering from that overproduction which deceived so many people a few years ago as a sign of great prosperity?
- Are the manufacturers of industries of other countries, say the United States and France—where a Protective system prevails—not in a far worse state than ours?
- Have both these nations virtually lost their ship-building and ship-owning trade to our great gain?
- Is more tonnage turned out in the yards on the Tyne than in all France?
- Have the American cotton spinners and weavers been driven out of nearly all the markets of the world by unprotected British manufacturers?
- Have wages in New England fallen forty per cent, in ten years?
- Are the working classes in many American manufacturing towns at this moment not presenting every sign of poverty and wretchedness?
- In all countries under the Protective system is not the commercial depression greater than in this country, and increasing)

The only reply to each of these questions is "Yes!" and the answer is conclusive against any change in our laws, except that which would give us a free breakfast-table, and abolish all duties on food of whatever kind.

W. E. Baxter.

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E., C, supply the Cobden Club

Leaflets in packets of 100, price 1s.

Free Trade and The Working Men.

Leaflet No. VIII.

Cobden Club Motto

CERTAIN landlords, farmers, and manufacturers, because their profits at present are not so great as formerly, are attempting to prejudice the people against Free Trade, which has made food and clothing, the necessities and many of the luxuries of life, cheaper than they ever have been in any civilised state.

The labourers, however, are not likely to be deceived.

Before the Corn Laws were repealed—under the old Protective policy—when times were bad, the masses suffered severely; starving multitudes assembled in the streets, bread riots took place, and scenes of destitution and misery were common in town and country.

The effect of our new commercial system has been to diffuse comfort far more widely among the population, so that when masters have smaller income, the men are not driven to beg or apply to the workhouse.

Consumers in Great Britain never could buy as cheaply as they can now, and, although owing to bad seasons and over-production, many industries are in a state of long-continued depression, the operatives as a rule have no cause to complain, and are not likely to help an agitation, the object of which is simply to raise the price of all articles which they use.

If they will compare the selling rate of everything they eat and wear now with what it was forty years ago, they will be astonished and thankful, and resolved to oppose any attempt to increase the cost of living to them for the benefit of any class.

Duties of every kind are prejudicial to the working men, and their object ought to be, not to go back on laws which kept food of all kinds dear, but to get quit of custom-houses altogether.

W. E. Baxter.

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply the Cobden Club Leaflets in packets of 100, price 1s.

Fair Trade and Free Trade.

A Dialogue between a Young Farmer and his Shepherd.

Leaflet No. IX.

Cobden Club Motto *F.*

Joe, you and I will have to make up our minds how to vote at the Election; how do you intend to vote?

S.

Well, master, I haven't thought much about it, but I suppose you would like me to vote the same as you do?

F.

Well, yes, so I would, if I can persuade you to see things as I see them. I shall vote for Plow-right.

S.

What! you vote for that free-trader! one of them as has ruined the country?

F.

What makes you think the free-traders have ruined the country?

S.

Well, when I was at Alkerton last fair-day, I went to the meeting, and I heerd the young squire, and Lord George, and Mr. Peabody from Glassford, and they showed it all as plain as could be; that it was along of the

wheat that comes to Liverpool from America, and the ribbons from France, and things they calls girders from Beljum—or some such name—as ruined the farmers and the manufacturers; and Lord George, he says, that if we will send him to Parliament, he will make the 'mericans pay 5s. a quarter on wheat, and the French and the Beljums summat on the stuff as they sends over; and that '11 put an end to the distress, and set the farmer and the working man on their legs again.

F.

Yes, so I saw in the *Advertiser*; and do you know what occurred to me? I thought it is not so long since Lord George and his friends were in the Government, and they neither put 5s. on wheat, nor anything on ribbons or girders.

S.

Well, master, you know it is never too late to mend; and it do seem hard that the country is to be ruined because the foreigner, who they say pays no rates nor taxes, is allowed to take the bread from them as employs us, and so the working man has to starve.

F.

We will talk another time about the foreigner paying no rates or taxes. I see the French farmers say theirs are more than twice as heavy as ours. But tell me, Joe, I think you lived on the farm in my father's time, before I was born?

S.

Yes, and my father before me.

F.

How old are you, Joe?

S.

Fifty, come next Michaelmas.

F.

Then you are too young to remember all about the Corn Laws; but I suppose you have heard your father speak of the time when he was a young man?

S.

Well, master, yes, many a time, and my mother too.

F.

Did you ever hear your father say what were his wages in those days?

S.

I have heerd him say that your father was a kind master, but them was hard times for farming men. Shepherds, they got ten shillings, but his wages was only nine; and there was them as screwed their men, and I heerd tell that some in our village got no more than seven.

F.

I think your father had a large family?

S.

We was eight; and I've heerd my mother tell that if it hadn't been that some was took, and that Jenny and Tom, as was older nor me, went to work in the factories, there'd been nothing for us but the work' us. Bread was ninepence and more the quartern loaf many a time those days, so she said; and they never saw a bit of bacon from year end to year end.

F.

At that time, you know, there was a duty on corn, and on ribbons, and on girders, and all the other goods that the foreigners sent over; so I suppose Jenny and Tom had plenty of work and good wages in the factory?

S.

Well, master, times they had, and times they hadn't; but I've heerd my brother Tom tell of the hard times in 'Forty-two, when all the mills was shut in the North, and there was rioting, and people dropt wi' fever. I hope we shall never see such times as them in *our* lives.

F.

Perhaps you don't know it, but in those days no live animals were allowed to come into the country, and American bacon and cheese were never seen in our shops. Still, butcher's meat and bacon and butter were much cheaper then than they are now.

S.

Why, master, how could that be, when they was not so plentiful?

F.

I will tell you. It was because the working people were so poor that they could not afford to buy them. But, Joe, suppose the four-pound loaf were a penny dearer than it is, do you think that would be a good thing for the

farming man?

S.

Well, that shows you are not a poor man, or you would not ax me such a silly question; as if times wasn't hard enough, that we are to pay sixpence a week more for the bread for our children!

F.

And if your wife had to pay a penny a yard more for the stuff she buys in the town, would that help you?

S.

You had better ax our Sally!

F.

Then, perhaps, those who took the duties off all these things were not such enemies to the poor man, whether he be a farm-labourer or a mechanic, after all?

S.

Well, master, I declare I never saw it in that light before!

F.

Then I should not be surprised if you thought twice before you made up your mind to vote for those fair-trading gentlemen?

S.

I don't know what I may do; but what I can't understand is how you as gets your living by the land can vote for a free-trader.

F.

Joe, do you think it would do me any more good than you if I had to pay more money for everything I have to buy?

S.

Certainly not; but then, if we had fair trade, you would get more for all you have to sell.

F.

I am afraid I should not get more for all I have to sell. I get more for my cattle, and for my butter and cheese, than my father did in the old fair-trade times, when the working man could not afford to buy them.

S.

Yes, but look at the price of wheat!

F.

Well, I must try to grow less wheat, and make more beef and mutton, and butter and cheese, and pork, and things that spoil if they are brought from a distance; and my landlord will have to let me have my land on such terms that I can compete with the foreigner. He must not compel me to make dung of my straw if I can sell it for fifty shillings a ton, nor to consume my clover if I can get four or five pounds a ton in the market for my hay, and can buy Indian corn from America, worth twice as much for my cattle, with the same money, or thereabouts. No, Joe; don't let us be humbugged by the fair-traders. It is not fair trade, but fair rents and Fair Play that the farmer wants. Other countries that have fair trade are worse off than we are. There is no market for the farmer like old England with free trade. Only let the farmer and the labourer stand shoulder to shoulder, give us sunshine and *fair play*, and we will hold our own against the world.

B. SAMUELSON.

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply this Cobden Club Leaflet in packets of 100, price 2s.

Free Trade. What it Does for England And How it Does It.

Leaflet No X.

Cobden Club Motto

England is the only great nation which has abolished Protectionist tariffs, and has established a system of Free Imports.

Thereby she has become the greatest trading nation in the world.

She possesses more than one half of the effective ocean tonnage of the world.

No other nation approaches her in the volume and money value of her foreign commerce.

Reckoning per head of population

England's food and her materials being untaxed, while those of Protectionist nations are taxed, she is able to manufacture more cheaply than they can, and to undersell them in the markets of the world.

In the protected market of The United States England undersells France and Germany, and does! more trade with them than either of these countries.

In the protected market of France England has a similar advantage.

In the protected market of Germany there is the same result.

In neutral markets England beats all other nations hollow.

This is owing to her system of Free Imports.

When Fair Traders say that her goods are excluded from the world's markets by Protectionist tariffs they state that which is absurdly untrue. The fact is that these tariffs protect and foster British trade, and will continue to do so until they are abolished.

George W. Medley.

November, 1884.

Messrs. Cassell & Company, Limited, La Belle Sauvage, London, E. C., supply this Cobden Club Leaflet in packets of 100, price 1s.

Facts for Artisans.

The Taxation of Foreign Imports.

Leaflet No. XI.

Cobden Club Motto

It is a Fact

That out of the £400,000,000 worth of our annual imports, something like £355,000,000 are for food, and materials for our own manufactures, while only £45,000,000 are for finished products.

It is a Fact

That while Fair Traders differ among themselves as to the policy of taxing food and materials, they are all agreed that these £45,000,000 should be subjected to duties, the object being either to exclude them, or to make the foreigner pay the tax.

It is a Fact

However, that any tax paid on these imports would be paid by the British consumer, and not the foreign exporter.

It is a Fact

Also, that if any portion of these £45,000,000 were excluded, owing to tariff, just to the amount of such exclusion would there cease to be a demand for British labour; it being impossible for the foreigner to buy in our markets unless he be allowed to sell therein.

It is a Fact

That, except in a very trifling proportion, nations pay each other by goods, and not by gold or silver. Every pound's worth of foreign goods, of whatever sort, sold here gives rise to a purchase, directly or indirectly, of a pound's worth of British goods of some kind or other; and thus, instead of curtailing British labour, causes a

demand for it.

It is a Fact

Therefore, that no more fatal thing could be done than to tax foreign imports with the idea that the British artizan would thereby be benefited.

November, 1884.

George W. Medley.

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Mr. Cobden on "Re-Distribution of Seats."

Leaflet No. XII.

Cobden Club Motto

The letter which appears below was the last letter Mr. Cobden ever wrote. It was addressed to Mr. Thomas Bayley Potter, who had sent to Mr. Cobden a letter he had received from Mr. John Stuart Mill on the subject of Minority Voting and Proportional Representation. Mr. Potter asked Mr. Cobden's opinion, and this letter was the result. At the present juncture Mr. Cobden's opinion will have a general interest, and cannot be too widely known. It was dated March 22, 1865, from Suffolk Street, Pall Mall, where he died:—

"Everything from Mr. Mill is entitled to respectful consideration. But I confess, after the best attention to the proposed representation of minorities which I can give it, I am so stupid as to fail to see its merits. He speaks of 50,000 electors having to elect five members, and that 30,000 may elect them all, and to obviate this he would give the 20,000 minority two votes. But I would give only one vote to each elector, and one representative to each constituency. Instead of the 50,000 returning five in a lump, I would have five constituencies of 10,000, each returning one member. Thus, if the metropolis, for example, were entitled, with a fair distribution of electoral power, to 40 votes, I would divide it into 40 districts or wards, each to return one member; and in this way every class and every variety of opinion would have a chance of a fair representation. Belgravia, Marylebone, St. James's, St. Giles's, Whitechapel, Spitalfields, &c., would each and all have their members. I don't know any better plan for giving all opinions a chance of being heard; and, after all, it is opinions that are to be represented. If the minority have a faith that their opinions, and not those of the majority, are the true ones, then let them agitate and discuss until their principles are in the ascendant. This is the motive for political action and the healthy agitation of public life."

On the 18th of August, 1859, Mr. Cobden, in a Reform Speech addressed to the people of Rochdale after his return to Parliament for that borough at the General Election, spoke as follows on the question of the Re-distribution of Seats:—

"This brings me to the question of the Re-distribution of the Franchise, and I would say, gentlemen, I have a very strong opinion that where you have to give, as you would have to give in any new Reform Bill, a considerable number of new members to your large cities—as, for instance, Manchester, Liverpool, and the like, and Rochdale will, of course, be included in the number—it would be the most convenient and the fairest plan if you apportioned your large towns into wards and gave one representative for each ward. I mean that instead of lumping two or four members together and letting them be the representatives of a whole town or city, I would divide the place into four wards, and I would let each ward send one member. I think there is a fairness and convenience about that plan which ought to recommend it to Lord John Russell and to every one who has to handle a new Reform Bill. For instance, you will find in a town, generally, that what is called the aristocracy of the town live in one part, and the working classes live in another. Now, I say if, in dividing a town into three or four wards, it should happen that one of the districts where the working class predominates should have the opportunity of sending a member which that class may consider will most fairly represent their views, and if in another part of the town another class, living there, choose a member that more completely represents theirs, I do not see why the different classes or parties in the community should not have that opportunity of giving expression to their opinions. I think it would be much better than having two or four members for one borough; for I have observed, in watching the progress of elections in England, that where you have one member representing a borough, as in the case of Rochdale, there is a tendency to maintain a

higher degree of public spirit—there is a more decided line of demarcation in parties; and men are more earnest in their political views, than where they have two members to a borough; for I have frequently seen, as in the case of Liverpool, Blackburn, and many other towns that I could name, that the people begin to get tired of contests, and acquiesce in a division of the town. They say, let us vote one and one, and do not let us have any more political contests. That is a very bad state of things, because if a country is to maintain its free institutions, it must constantly have political discussions and contests."

T. Bayley Potter.

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Protection in France.

(From the Standard, the leading organ of the Conservative Party, November 24th, 1884.)

Leaflet No. XIII.

Cobden Club Motto

EVIDENTLY the labour crisis in France is much more advanced than in this country, and to-day our Paris Correspondent gives us particulars of what would have been a bread riot, had the rioters been the really hungry classes, and not the Revolutionists who make capital out of distress.

French Statesmen are alive to the difficulties which confront them, but were it not that we have at home a few preachers of wild economic heresies it would be difficult to believe that the French Government is about to return to a Tax upon Corn as a means of making the nation contented and prosperous. The fact is so, how-ever, and having made up its mind to take this course, M. Ferry's Cabinet is little likely to be turned from its resolution by any arguments or advice tendered to it by Free Traders at home or abroad. Its whole fiscal policy seems, indeed, to be based upon what its members think the best place-insuring expedient of the hour. It bends before the clamours of the great Agricultural interest, in the hope of winning its support, with the same disregard of principle which it displayed in dealing with the demands of the Lyons manufacturers. Had these latter been strong enough, they might have obtained a concession in the matter of the duties on cotton yarns in a Free Trade direction, though the Ministry as a body cares nothing about Free Trade; but the cotton spinners of the North have so far been too powerful for them, and the satin and velvet industries of Lyons may be doomed to languish because the Ministry contents itself with yielding to the strongest, thus playing off interest against interest.

It is upon this ground that the agricultural community may be expected to triumph, for it is larger and more influential in France than any half-dozen other interests combined, and must at all costs be pacified.

Free Traders cannot, in the long run, have anything to fear from a reactionary policy thus inspired, but those who wish to see France prosperous and happy may well tremble for the future. Her industries are already in a much worse state than ours. So much are they depressed, that the Ministry of the Interior inundated with demands for State aid. Those who cannot hope to get more taxes put on in their favour agitate for the establishing of relief works, and only last week M. Waldeck-Rousseau had to explain anew that the State and the Municipality of Paris together would continue in future years the lavish outlay on "improvements" already in progress. By reason of these works and of unprofitable railway extensions, the State-fostered house-building speculations and the outlays on fortifications, &c., France has been for years turned into a great State organisation, wherein one-half of the population may be said to toil for the means to keep the other half alive.

M. Tony-Revillon may have over-estimated the distress existing in the *ouvrier* quarters of Paris when he declared in the Chamber last Thursday that only two men in three had coats, and towages had fallen by more than fifteen per cent, in two years; but that the distress is serious no one ventures to deny. The very efforts of the Ministry to find the people employment prove it to be so. In other words, the prolonged over-taxation of France is producing its natural consequences.

This is the time, when exports are declining, when business is bad, and distress increasing amongst the population of the great towns, that the French Government has chosen for increasing the cost of subsistence by an addition to the Tax on Corn.

Already bread is dearer in France than in any great European country—much dearer than in England. This is not altogether because imported grain has continued to be taxed in France, while in England it is free, for the existing tax is scarcely as much a threepence per cwt. In towns the local octrois play a much more important part in raising prices than the Customs duty.

But, whatever the cause, bread is dear, so dear in Paris that the Government has been solicited to revive the dormant but unrepealed law of 1791, which empowers the municipalities to regulate and fix the price of bread. Apparently, the mere rumour that such a step was contemplated made the bakers of the city mend their ways. They lowered their prices, but there can be no doubt that they will raise them again should the duty be put up to three francs per quintal on wheat, and four francs on flour, as is expected. That would mean an advance of about four shillings per quarter in the prime cost of the grain, and the rise would, of course, in part of compulsion on the other side, be more than double that to the ultimate consumer.

Surely this is the strangest possible method of restoring prose perity to the people, and a very dangerous method as well.

Granting that it gives a passing gleam of prosperity to the agricultural interest, it can only do so at the expense of every other interest within the realm.

A Correspondent, for example, whose letter is printed in another column, points out the disastrous effects which a Corn Duty will have on the prosperous and advancing semolina and macaroni manufactures of Marseilles; but that is only one striking example among hundreds.

Can it be expected that the velveteen weavers of Lyons will fare better against the competition of less burdened producers in other countries, if twenty-five or thirty per cent, be added to the cost of their daily bread?

And if the spinners of Lille or Amiens have enough to do to make ends meet now, sheltered behind high Customs duties as they are, will they be better off when the agricultural interest prospers at their expense?

Such questions have but to be asked to enable all men of sense to answer them.

Economically speaking, nothing could well be more depressing than the spectacle now presented by France. There is no enlightened purpose of any kind visible in the measures adopted to tide over or mitigate the crisis which a long period of trade languor, indifferent harvests, and burdensome taxation has created. All is confusion, ignorance, quackery.

The intelligence displayed in the adoption of these expedients is of the sort employed by the proverbial Irishman who, in order to lengthen his blanket, cut a piece from the bottom and sewed it to the top.

It is odd, that after all these years people still need to be told that wealth is nowhere produced by the imposition of a tax.

A few may become rich by its means, but the masses are of necessity poorer, because the tax means money taken from their pockets to be wasted, or, at all events, to be spent by the State.

In the case of this Corn Tax, which is to render the French Farmers happy, the result must be larger expenditure upon relief works in the towns—amongst the poor everywhere.

The money taken from the consumers must in great part go to help to feed the poor at the expense of the State—of those, that is, still able to pay taxes and live.

The lesson of such a situation should be too clear to need exposition.

Yet there are men amongst us foolish enough to raise the cry that a tax on bread is the remedy for trade depression here also.

According to them, dearer bread would mean a greater ability on the part of the consumers to face the ups and downs of industrial progress.

More childish nonsense it would be impossible to imagine; and we do not suppose that there is the least danger of many giving heed to it.

Some of the farmers, indeed, appear to be inclined to do so, because the idea of State assistance for their benefit seems to be more to their taste than recommendations to energetic efforts to raise themselves.

In considering the case of France, however, we must remember that when things have gone so far as they seem to have done in Paris, it is very hard to apply any remedy which shall satisfy all the laws of political economy. Generally speaking, the most obvious remedy lies in a still further departure from the right path.

In our own country we are probably destined to solve this question by co-operation, but in France they have neither the time nor the patience for our slower methods. The two thousand people who met yesterday at the Salle Levis to proclaim death to *bourgeoisie* and to declare that they would not starve in the presence of full granaries, nor sleep in streets while houses were empty, nor shiver in rags while shops were full of warm clothing, were a mob of the miserable creatures always at the call of the agitator; but although we also have amongst us those to whom the prospect of plunder would be sweet enough, we have also in a modified form the

commune which they claim, and can put down with a clear conscience those who might turn away from the food and shelter which the law offers them to sack a baker's shop.

Still, after making all allowance for different circumstances, there is a lesson in the French situation for some of us here.

We can at least see how vain is the recourse to Protection to save a nation.

Of all industries on the face of the earth none are more miser, able, helpless, and paralysed than those which have the support of Protection.

It must ever be so, because the constant effect of Protection is to drive away all that is solid and enduring in any great industry to countries where labour is unshackled.

Because that is always the case England is a steady gainer by Protectionism abroad, and the more its false and delusive stimuli is applied by Foreign Statesmen to their tottering, weak-kneed industries, the more surely does the best part of the trade gravitate to the countries where it is most untrammelled.

We shall, perhaps, have a difficult Winter to face in England this year, because of the reaction after a time of over-speculation—there is distress in many places now—but we may be confident this, that the worst which befalls us will come far short of those nations are destined to suffer whose Rulers think that the only certain guarantee of prosperity is to put fetters on the hands and feet of their workmen, and make them the slaves of the State.

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Taxing Foreign Wheat.

Facts for Labourers.

Leaflet No. XIV.

Cobden Club Motto

Protectionists and Fair Traders want to impose a tax on the importation of wheat.

They pretend that this would be for the interests of Agriculture, while the rest of the Community would not be injured.

There is only one class which would be benefited, and that is the Landlords, who would be able to exact higher rents.

Every other class would be robbed.

Farmers would not gain; their rents would be raised.

Labourers would not gain; they would have to pay more for their loaf and for everything else they use, and their wages would be lowered.

Trade would languish and the whole Community would suffer.

The nation has had a bitter experience of all this.

In 1815, in order to keep up war prices, and so keep up rents for the Landlords, a Corn Law was enacted.

Foreign wheat was not to be imported free until the price was 80s. a quarter, which meant is. for the four-pound loaf.

This and other laws were enacted by force, and were afterwards maintained by force.

They lasted till 1846, when famine came on the scene, and they were repealed.

For thirty years, therefore, the nation groaned under the infamous system.

During these thirty years the Landlords thrived. They took sixpence out of every shilling the workman earned.

Town and country labourers earning five to seven shillings a week had to pay from tenpence to eighteenpence for a four-pound loaf.

The people starved; they went mad with misery.

There were riots and rick burnings.

Some rioters in the Eastern Counties went about with a flag with the words "Bread or Blood" upon it. Eight of them were hanged, and nineteen sentenced to transportation or long terms of imprisonment.

During these thirty years the state of the country was simply awful.

At one time, one out of every eleven of the population was a pauper.

Some idea of the state of things may be gained from the few Facts which follow:—

In 1816, at Hinckley, Leicestershire, the poor-rate was 52s. in the pound.

In 1817, at Langdon, Dorsetshire, 409 out of 575 inhabitants v.-ere receiving relief; while in Ely three-fourths of the population were in the same plight.

In 1819, 1820, and 1822, Agriculture was in a state of universal distress, and petitions for relief were presented to Parliament.

During the time these laws were in force there were no fewer than five Parliamentary Committees to inquire into the cause of the distress.

Farmers were ruined by thousands.?

One newspaper in Norwich advertised 120 sales of stock in one day.

In 1829 the workhouses in some parts of the country were so crowded that, at times, four, five, or six people had to sleep in one bed,

Sheffield had 20,000, and Leeds had 30,000 people dependent on the rates.

Whole families were reduced to live on bran.

In Huddersfield 13,000 people were reduced to semi-starvation.

In 1839—42, in Stockport, one-half the factories were closed; 3,000 dwellings unoccupied; artizans were breaking stones on the road; the poor-rate was ten shillings in the pound; and outside scraps of bacon were bought in pennyworths by respectable people to moisten their potatoes.

At Leeds the pauper stone heap amounted to 150,000 tons.

In Dorsetshire a man and his wife had for wages 2s. 6d. a week and their house; and the ablest labourers had but 6s. or 7s.

In 1839, in Devonshire, the whole of a poor man's wages would scarcely produce dry bread for a family of four or five children.

As to meat in those times, it was scarcely ever touched.

In 1840 Lord John Russell told the House of Commons that the people were in a worse condition than the negroes in the West Indies.

In 1842, in Bolton, there were 6,995 applicants for relief to the Poor Protection Society, whose weekly earnings averaged only 13d. per head; 5,305 persons were visited, and they had only 466 blankets amongst them, or about one blanket to every eleven persons.

In one district in Manchester there were 2,000 families without a bed.

In Glasgow 12,000 people were on the relief funds.

In Accrington, out of a population of 9,000, only 100 were fully employed.

The reports of the factory inspectors showed that 10 per cent, of the cotton mills, and 12 per cent, of the woollen mills of Lancashire and Yorkshire, were standing idle; and that of the rest only one-fourth were working full time. As Cobden showed, in answer to Sir Robert Peel, the stocking frames of Nottingham were as idle as the looms of Stockport; the glass-cutters of Stourbridge, and the glovers of Yeovil, were undergoing the same privations as the potters of Stoke and the miners of Staffordshire, where 25,000 men were destitute of employment. He knew of a place where one hundred wedding-rings were pawned in a single week to provide bread, and of another place where men and women subsisted on boiled nettles, and dug up the decayed carcass of a *[unclear: co]* rather than perish of hunger.

Such was the state of things which existed under a system which was called Protection.

In those days the population of Great Britain was about 15 millions; it is now over 30 millions.

In 1884, under Free Trade, there is not a man woman, or child, who is not better off than he or she would have been under the old starvation laws.

Labourers get higher wages than they did under these laws, and with the same money they command more of the necessaries and conveniences of life than they could then.

With these Facts before them they will not listen to those who, under pretence of protecting their interests, would induce them to vote for putting a duty on foreign wheat, that is, levying a Bread Tax.

GEORGE W. MEDLEY,

December, 1884.

Messrs. Cossell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply this Cobden Club Leaflet in packets of 100, price 2s.

Depression in Agriculture.

Facts for Farmers.

Leaflet No. XVI.

Cobden Club Motto

FARMERS are suffering from bad times. Among the proposals for their relief the following are the most important:—

- *Re-adjustment of Local Taxation.*
- *Expropriation of Tithe Bent Charge.*
- *Reform of Land Tenure.*
- *Duties on Foreign Com.*
- *Reduction of Rents.*

With regard to No. 1 the relief to be gained would amount to, at most, one shilling an acre; and this would not benefit the Farmer in the long-run. It would find its way eventually into the Landlord's pocket. The same thing would happen with regard to No. 2. Tithes as well as Rates are reckoned as an outgoing in the same way as rent is, and any relief in them would also eventually find its way into the Landlord's pocket. As regards No. 3, no doubt much is to be done in the way of securing the tenant for outlay of capital, and in allowing him more freedom in cultivation. As to No. 4, the proposal to put duties on Foreign Corn, this country has had experience of the thing for thirty years—from 1815 to 1846.

The only class which benefited were the Landlords, who by means of the Corn Laws were able to exact high rents. Farmers were not benefited; they had to pay these high rents.

In 1819, 1820, and 1822 Agriculture was in a state of universal distress bordering on bankruptcy, and petitions for relief were presented to Parliament from all parts of the country. Farmers were ruined by thousands. One newspaper in Norwich advertised 120 sales of stock in one day.

During the thirty years the Corn Laws existed no less than five Parliamentary Committees were appointed to inquire into the causes of the distress.

Protection did not save the Farmers.

Agricultural labourers starved, so did the artisans in the towns. The 4-lb. loaf cost from 10d. to 6d. Out of the whole population one out of every eleven was a pauper.

The only class which gained was the Landlords. All other classes were plundered by them.

Protection is Robbery.

There is no chance whatever of its being re-imposed; but if by some possibility it were, it would not benefit the Farmer.

We now come to No. 5, Reduction of Rents.

Here we have the great remedy.

It is thence that the great relief is to come. Rents must be Reduced.

Let Farmers mark what follows:

During the great wars against Napoleon, for twenty years whilst the people were pouring out their blood and treasure, the Landlords were quietly doubling their rents.

In 1790 the average rent of 100 acres was £88; in 1813 it had risen to £161 the tithe in the same period increasing from £21 to £38.

When the war was about to cease the people naturally expected relief from the high war prices.

The Landlords, however, were filled with alarm lest their inflated rents should diminish, and controlling Parliament as they did in those unreformed days, they passed a Corn Law, by which it was enacted that Foreign wheat should not be admitted till the price rose to 80s., which meant that the 4-lb. loaf should rise to more than a shilling before relief was to be afforded to a starving people.

That is the way the Landlords kept up their rents in those days

In 1846 these infamous laws were repealed.

Then came Free Trade.

Owing to its benefits, and to those conferred by steam communication and the gold discoveries, Rents still rose.

In 1879-80 the returns to Income Tax under Schedule amounted to £69,000,000, while in 1852-3 they were £49,000,000. Since 1879-80 Rents have fallen, and the process must go on.

Farmers cannot afford the Rents formerly demanded and obtained.

Farm Bents must come down.

George W. Medley.

December, 1884.

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply the Cobden Club Leaflets in packets of 100, price 1s.

Would Protection remove the Present Distress, and Benefit the Working Man

Leaflet No. XVIII.

Cobden Club Motto

SOME of the Tory party seem to have found a remedy for all the ills that afflict us as a nation.

That marvellous panacea is "Protection."

"Let us tax," they say, "the production of the foreigner when he sends it over to this country."

Well, now, we will begin with bread. Suppose, by taxing our bread-stuff, the price of the quarter loaf were 7d. Let us take a family who consume fourteen loaves every week; that would cost 8s. 2d. per week for bread alone. At present we have a good quarter loaf for 5d. Take the same number of loaves, and the bread bill of the family is 5s. 10d.

"But," the Protectionist says, "wages would be higher."

Suppose a man is earning 12s. a week, and his bread bill is 5s. 10d., and his wages rise from 12s. to 14s. per week, but his bread bill goes up 2s. 4d., what advantage does he gain?

There are many other necessaries of life that are cheap, because the tax has been taken off.

I can remember 1846, when the quarter loaf was 10d., and, at one time, a shilling; tea, 4s. per lb.; the commonest sugar, 5d. per lb.; and the labourer's wages 8s., 9s., or, at the most, 10s. a week. More than double the number of men in our rural villages were out of employ than are out of employ to-day.

There need not be a single hand out of work to-day in rural England if the land were properly tilled.

Shall we, as working men, go back to the time when many of us had barley bread to eat? I think every sensible working man will say, No.

Then let us, at the next General Election, fight this bugbear of Fair Trade at the ballot-box; insist upon the land being properly cultivated; and withdraw from our over-populous towns the thousands of men who have been driven there by our inhuman land system.

Till the Land, give the tiller security for his Capital, and we should soon see at least some of these dark clouds of depression disappear.

JOSEPH ARCH.

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply the Cobden Club Leaflets in packets of 100, price 1s.

The Newcastle Weekly Chronicle on the Cobden Club Leaflets.

Leaflet No. XIX.

Cobden Club Motto

"The Pitt and Fox Clubs have disappeared mainly because they were simply dining institutions. But the Cobden Club exists to keep the memory of the great Free Trader green by propagating his opinions. When there was a chance of a revival of a Protectionist policy under the Government of the late Earl of Derby, the

Anti-Corn Law League was resuscitated. To-day, the talk about Fair Trade, which simply means a resurrection of the Bread Tax, has aroused the vigilance of the Cobden Club, and called forth all the latent energy of its hon. secretary, the member for Rochdale. Under his inspiration 'leaflets' have been prepared on the subject, which are virtually a species of hand grenades for the explosion of the fallacies of Protection. In these leaflets, fable and dialogue, narrative and exposition, are all in turn pressed into the service of an unfettered commerce. Already some fifteen of these tractates have appeared, and to those who may not have the leisure to master the more elaborate works which have emanated from the same source, they may be [unclear: ecommended] as presenting the salient facts and arguments for Free Trade in a form at once attractive and convincing. There is, indeed, no royal road to knowledge; but the path should not be made unnecessarily obscure. There are no more useful men than the expositors of recondite science. Our French neighbours pronounce political economy 'tiresome,' and a great English writer has styled it 'dismal.' But these are gross misrepresentations of a subject which, in the hands of any competent master, can be made quite as entertaining as general literature. Alive to this fact, the Cobden Club is now raising a special fund for the purpose of scattering the truth which the club exists to make plain, over the length and breadth of the country. The generation is rapidly passing away that was educated under the great Free Trade leaders, and the necessity for a fresh instruction is made obvious by the dogmatism with which Fair Traders, ignorant of Adam Smith, and unfamiliar with the struggle for the repeal of the Bread Tax, repeat the fallacies so often refuted in that controversy as if they were substantial arguments. A lack of the knowledge of the primary principles of economic science ruined the trade of Spain, and is at this moment crippling the industry of France, Germany, and America."

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply the Cobden Club Leaflets, in packets of 100, price 1s.

RICHARD COBDEN, 1865.

Leaflet No. XX.

Cobden Club Motto

The following Verses appeared in a Country Newspaper the week after Mr. COBDEN'S Death:—

*PURE-HEARTED HERO of a bloodless fight!
Clean-handed Captain in a painless war!
Soar, spirit, to the realms of Truth and Light,
Where the Just are!*

*If one poor cup of water given shall have
Due recognition in the Day of Dread,
Angels may welcome this one, for he gave
A nation bread!*

*His bays are sullied by no crimson stain;
His battles cost no life, no land distress'd;
The victory that closed the long campaign,
The vanquish'd bless'd!*

*No narrow patriot bounded by the strand'
Of his own Isle-he led a new advance,
And opened, with the olive-branch in hand,*

The ports of France,

*Charming base hate of centuries to cease,
And laying upon humble piles of Trade,
Foundation for that teeming reign of Peace,
For which he prayed.*

*This the sole blot on which detraction darts,
Willing to make his rounded fame decrease:
That in his inmost soul, and heart of hearts,
He worshipp'd Peace.*

*But One bless'd Peacemakers long years ago;
And since, in common clay, or stately vault,
Seldom has Hero rested, stained by so
Superb a fault.*

*Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply the Cobden Club
Leaflets, in packets of 100, price 1s.*

Robbing a Thousand Peters to Pay One Paul.

Leaflet No. XXI.

Cobden Club Motto

THE latest device for obscuring the fact that Protection is the robbery of a thousand Peters to pay one Paul, is to put forward an East London Chair-maker to state the workman's case. It is right to hear him. This is what he says:—

"I can't make chairs and get a living out of them under 30s. a dozen, but they are imported, I believe from Austria, for 20s. a dozen. What am I to do?"

The inference intended is that a duty of 10s. a dozen should be put on Austrian chairs, to prevent them being brought into this country. This means that all the poor families of England must pay 10s. more for a dozen chairs than they need pay. This is robbing more than a thousand Peters to pay one Paul.

If this be done, the Pauls who will get all the half-sovereigns which the poor families pay will not be the chair-makers. In America and Canada, where Austrian chairs and all other things are kept out of those countries by Protective Duties, I found that articles of convenience and household comfort which cost £1 here, the workmen there had to pay £3 for, because Protection keeps lower-priced commodities from coming into their markets. As the working men had to pay prices 200 per cent, higher than in England, I asked them if their wages were 200 per cent, higher? when they owned that their wages were only 10 per cent, in most cases, and seldom more than 20 per cent, higher than in England. So that the "blessings" of Protection actually robbed them of 180 per cent in their household and personal expenditure for comfort and convenience. Here was a pretty extensive robbing of the millions of unfortunate Peters to pay the few lucky Pauls, who gathered in the rich harvest which ignorance permitted them to reap.

If Austrian chairs are taxed, another thing happens—the Austrian chair-sellers, shut out from our market, cannot exchange their good for other English goods they would buy. No business is done, and other trades lose customers. Then work is scarcer among other workmen wages become lower, while the price of chairs rises, and so of all other articles all round; for no sooner shall the chair-maker get foreign chairs taxed to increase the

cost of chairs in East London, than all other workmen will ask, and have an equal right to ask, that whatever trade they follow shall be equally protected, and nothing shall be imported untaxed which they make. All commodities would then rise, all trades would be protected and all the people impoverished. The Peters would be robbed all round and Paul would not be paid at all.

If Austrian chairs are once taxed, why not American wheat and all foreign corn? If the chair-maker is to be protected, why not the farms? Then rents would rise, to the great delight of landlords, and bread would rise, until poor workmen were famished, as they were famished before when everybody was protected and custom duties were paid upon: thousand commodities. The poor Peters of Protection had a bad tic of it in those days.

Protection has been played too far, if not played out, in America. Mr. Blaine, the late candidate for the Presidency, made Protection the "chief plank in his platform," as they say out there. This was the answer working men and others made:—

"Has Protection been a benefit?"

"Trade is stagnant. The commerce of the country has [unclear: dec] Mills are standing idle. Where wages have not been stopped they [unclear: are] reduced. Mechanics and labourers go about seeking employment [unclear: vain]. Women and children are beginning to want bread, and yet [unclear: in] farmer can find no profitable market for grain."

Thus it is that Protection robs many million Peters to pay a few [unclear: Pa] Is it possible that the Peters of England can be induced to believe Protection or suffer it to be inflicted upon them?

George Jacob Holyoake

Messrs. Cassell & Company, Limited la Belle Sauvage Yard, London, E.C. supply [unclear: a] Cobden Club Leaflets in packets of 100, price 1s.

Less Free Trade, or More. Which shall it be?

Leaflet No. XXII.

Cobden Club Motto

WE are told that England is suffering from too much Free Trade, and some of our Squires and Landlords want to tax the Corn and Sugar and Bacon coming from abroad—the cheap food of our Working Classes.

Let us see whether that is the right way of going about the improvement of our Trade and our Manufacturing Industries.

In 1831—1839 we reduced duties on 700 foreign articles, and in the next ten years the Commerce of this Country increased a full fourth in Annual Value!

In 1842 we further lowered the tariff on 750 articles from abroad, and again in ten years our Business multiplied by more than one-half!

In 1860 we abolished every duty on foreign manufactured goods and many upon raw materials. In the next twenty years our Trade about doubled!

Thus we see prosperity follows the Extension of Free Trade, and Not the Diminution of Free Trade! What is Wanted, Therefore, in 1885, Is not Less But More Free Trade!

Let us, therefore, see where it may be applied, before resorting to the desperate expedient of taxing the food of the Poor.

First, then: We want Free Trade in Land. The fetters that bind up millions of acres by settlements (so that their very owners are powerless to sell or Improve them in some cases) must be broken, as they have been in other countries, and by a cheapened system of Transfer (and other means) we must enable English, Scotch, and Irish Labourers to purchase their own little plots of ground at the cost of a few years' thrift.

And next: We want a Free Breakfast Table, that is to say, untaxed Tea and Coffee and Cocoa for the people. Such a reform would cheapen housekeeping (and that would be equivalent to a rise in both wages and profits), whilst it would add many millions to the total of our annual trade, improving freights, stimulating manufactures, and benefiting not only this country, but India and every British Possession.

Last, but not Least: We want to cut down the Excise restrictions upon industry, to liberate the commerce of our merchants from all Customs interference, and to raise taxes by some method more reasonable and just, less wasteful and wicked, than by multiplying the cost of what our working people eat and drink and smoke.

Yes, we want More Free Trade, and we must have it! The Barriers that still limit and stint our intercourse with other nations must be broken down, and fresh guarantees thus acquired for Peace and Prosperity. Increase of International Commerce is better a thousand times than the increase of Armies and Navies, and neither men

nor nations will quarrel long or seriously with those who are their best Customers.

Which, then, will you have?
Chaplin's Plan, or Cobden's?
A Tax upon your Food, or
Perfect and Entire Free Trade?

J. Hampden Jackson.

Messrs, Cassell Company, Limited, La Belle Sauvage Yard, London, E.C., supply the Cobden Club leaflets in packets of 100, price 1s.

Depression in Agriculture.

Facts for Farmers.

No. 2.

Leaflet No. XXIII.

Cobden Club Motto

IN Leaflet No. XVI. some of the most important proposals made for the relief of Farmers were discussed, viz.:—

- *Re-adjustment of Local Taxation.*
- *Expropriation of Tithe Rent Charge.*
- *Reform of Land Tenure.*
- *Duties on Foreign Com.*
- *Reduction of Rents.*

It was pointed out that as regards Nos. 1 and 2, any relief would eventually benefit not the Farmers but the Landlords.

As regards No. 4, it was shown that Protection is simply an artifice for raising rents, and thereby plundering the community for the benefit of the Landlords.

It was in Nos. 3 and 5, the latter mainly, that the remedy was thought to be found.

There are other directions, however, in which relief may be looked for, viz.:—

Variety of Cultivation.
Fair Rates of Carriage,
Middlemen's Profits.

There are thus five ways in which the Farmers' condition may be improved. Let us consider them.

First, *What is Rent?*

Rent is that portion of the produce of the land which remains over after rewarding the Labourer for his toil, and the Farmer for his outlay and his work.

It is just what remains over that the Farmer can afford to pay as Rent. If nothing remains over, land can bear no rent.

The Labourer and the Farmer should be considered first; the Landlord last.

In practice this rule has been reversed. Rent has been made the first consideration. Agriculture has become a game of chance, and Farmers the sport of Fortune.

It is heads the Landlords win, and tail: the Farmers lose.

The consequence is that Farmers have wasted their capital, and Labourers have been forced to migrate.

What Farmers want from Landlords is: Security their Capital; Compensation for their Improvements, and no Raising of Rents thereon; more Liberty in Cultivation Stability of Tenure; and Reduced Rents, calculated

more equitable basis than exists at present.

Farmers should go in for Variety of Cultivation. They should remember that we [*unclear*: annual] import twenty-three million pounds' [*unclear*: worth] of butter, eggs, cheese, poultry, game, fruit, and vegetable.

Farmers should agitate for Fair Rates of Carriage. American meat and cheese are carried at 25s. a ton from Liverpool to London, while English meat is charged 50s., and cheese from Cheshire, 42s. 6d.

Potatoes from France are brought to London for 30s. a ton; from Penzance they are charged 45s. From Victoria Docks, London, to Peterborough foreign corn pays 6s. 8d. a ton, including barging, &c., while the ordinary charge for English corn for the same distance is 14s. 5d.

Fruit from Holland to London pays 25s. a ton. This fruit passes through Sittingbourne in Kent, from which station the charge on English fruit is also 25s.

The difference in the railway rates between foreign wheat and barley and English wheat and barley amounts to a rent of 5s. per acre.

As to Middlemen's Profits, the margin between what the Farmers get and what Consumers pay should be narrowed to the benefit of both parties.

The sheep which the Farmer sells for £3 costs the Consumer £4. 10s.

Milk which the Farmer sells for 1d. or 1½d., the Consumer pays 4d. or 5d. for, besides sometimes getting an adulterated article.

The annual value of milk sold amounts to Thirty Millions Sterling, far more than that of the wheat crop of the United Kingdom.

Last year 230,000 tons of meat were sold in Smithfield Market.

One halfpenny per pound on this, which is more than One Million Sterling, might probably by union and combination be put into Farmers' pockets from this one market.

These are the directions in which Farmers should look for relief; not to that Will o' the Wisp—a duty on foreign corn, which, as bitter experience has shown, benefits not the cultivator but the owner of the soil.

One thing is certain:—This nation will never again consent to raise artificially, by protective duties, the price of any product, whether of agriculture or of manufacture, above what it fetches in the general market of the world.

From all time the Agriculturist has been too apathetic.

It is of the Countryman that the fable written 2,400 years ago speaks of as praying to Hercules to drag his cart out of the rut.

The story goes that Hercules refused his aid, and told him to put his shoulder to the wheel. This is what the Farmer must do if he would succeed nowadays in his noble calling.

He must put his Shoulder to the Wheel.

Sketch of man holding onto wagon wheel

FEBRUARY, 1885.

George W. Medley.

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E. C., supply the Cobden Club Leaflets in packets of 100, price 1s. (or 2s. for those of 4 pp. marked).

"Fair Trade:" *Its Impossibility.*

By Sydney Buxton, M.P.

Leaflet No. XXIV.

Cobden Club Motto

"FAIR TRADE," as defined by Fair Traders, means that England "should place a heavy tax on foreign goods sent into the country, in order to retaliate on the foreigner, and to force him to adopt "Free Trade," or at least largely to diminish the duties which he now levies on British goods.

It would not be difficult to show that this plan would disastrously affect our trade and commerce, and injure us very much more than it would injure the foreigner. But it will be sufficient, if it can be shown that it is net in

our power effectually to retaliate on foreign countries, and force them, against their will, to receive our goods duty free.

Protective duties abroad are chiefly aimed at English goods, and while some persons here cry out because of the import into England of a small amount of foreign manufactured goods, foreign manufacturers complain still more bitterly of the competition from which they suffer, even in their own protected markets, from British manufactures.

Unless, therefore, it could be clearly shown that the foreigner would have more to gain than to lose from accepting our terms, it is evident that he would persist in his present course of action; and, not only so, but to parry our attack, he would still further raise his protective duties, and thus still further exclude our goods from his markets. Let us look, then, into the question of the *possibility* of forcing foreign nations to accept our terms.

The goods which we received last year (1884) from abroad were valued at £390,000,000, the goods we sent abroad at £295,000,000. As, then, our imports so largely exceed our exports, it seems easy, by imposing a duty on the imports, to compel the foreigner to take his duty off our exports.

But before we can talk of compulsion, we must examine the question a little more closely, and we shall find that it is not possible to tax any large portion of the imports.

The imports may be divided as follows:—

Now which of these items can really be taxed?

The Articles of Food (duty free) are agricultural produce, chiefly corn, with butter, cheese, hams, eggs, &c., articles of everyday food. It is almost universally acknowledged, even by Fair Traders themselves, that the "Food of the People" cannot be taxed; the *dap* of the dear and taxed loaf have fortunately gone by. This amount—133,800,000—must therefore be deducted.

The Raw Materials for Manufactures, consisting of wool, cotton, hemp, raw silk, copper, tin, iron ore, &c., are necessary to our manufactures, and to tax them would be a serious injury, for it would raise the cost of production, and paralyse our powers of competition in the markets of the world. This raw material—£:119,200,000—must therefore also be deducted,

Lord Salisbury, expressing an almost universal opinion, has said that "the food of the people, and the raw materials of our industries, must be held sacred" from a duty.

The Dutiable Articles of Food and Drink, which include wine, spirits, tobacco, snuff, tea, cocoa, coffee, currants, dried fruit, &c., and which may be called "*luxuries*," are legitimate subjects for taxation. But we already raise about £20,000,000 a year from these articles in customs' duties alone, and it would be impossible even if expedient, to increase these duties to any large extent. These articles also—£28,500,000—must therefore be deducted.

The Miscellaneous Articles include live animals, oil cake for feeding cattle, and seeds (not corn) of different sorts, &c., all articles which could not be taxed. These then—£14,200,000—must be also deducted.

Thus, before we come to articles on which we can impose retaliatory duties, we have to deduct from the total imports of £390,000,000—*food*, £133,800,000, *raw materials*, £119,200,000, "*luxuries*," £28,500,000, *miscellaneous*, £14,200,000—in all, £295,700,000; leaving £94,300,000 of *manufactures* and *semi-manufactures*.

But the *Semi-manufactures*, consisting as they do of such articles as wood (sawn and hewn), hides, rags, tallow, &c., are really of the nature of "raw materials," being all used in our manufactures, and they—£41,000,000—must also be deducted.

Thus, of our grand total of £390,000,000 of imports, we have left but £53,300,000 on which retaliatory duties could be placed, or which in any way compete with articles of Home manufacture—not a very large amount out of a total foreign trade of £685,000,000.

But even this total is not fully available for taxation. Some five millions of these *Manufactures* simply pass through the country, and are re-exported elsewhere, and a tax on them would prevent them coming here at all, and we should lose the profits on transit. Again, of this total, some eighteen or nineteen millions consist of innumerable small articles, chiefly "fancy goods," taxes on which would be vexatious and unremunerative.

Thus, a further sum of £23,000,000 or £24,000,000 must be deducted from the £53,300,000, leaving a total of but £30,000,000 of *Manufactures* (cotton, silk, woollen, leather, iron, &c.); and this practically represents our maximum powers of attack on the foreigner.

But now we must look at the other side, and see how our trade could be attacked if we determined to enter on a "war of tariffs."

Our Exports may be divided as follows:—

How much of this could the foreigner attack?

We will deduct the *Articles of Food* and the *Miscellaneous* as not liable to attack—total, £37,400,000—though, even now, some of the protective countries impose import duties on corn.

A large portion of the *Raw Materials*—consisting as they do of coal, copper, cotton, hemp, silk, wool,

tallow, wood, &c.—is open to attack, and would certainly be attacked by the foreigner determined to maintain his protective duties at any cost; while the taxes already levied in protective countries on our *Manufactures* and *Semi-manufactures* would be immediately increased. That, by so doing, those countries would seriously injure their own prosperity can be no consolation to us who depend to so great an extent on foreign custom.

We may safely assert, therefore, that our exports are vulnerable to the extent of £240,000,000, while, as already shown, the vulnerability of the foreign imports is measured by £30,000,000—the power of foreign retaliation being thus *eight* times as great as our power of attack

Of course we do not send all our exports to protective countries, nor do we receive all our imports from them; much comes and goes between us and the neutral, non-protective, markets of the world. But, practically, the more protective the country, the less are our powers of attack; from the most protective countries we receive the smallest amount of manufactured goods—for the very good reason, that, in consequence of their Protective duties, they cannot produce so cheaply as we can, and cannot therefore compete with us.

But without going into details as to our trade with the various countries, it is clear that however much we might desire to injure the foreigner, in order to induce him to remove his protective tariff, our powers are so very limited as to make any attempt of the sort useless.

No doubt, if we chose, we could exclude foreign manufactures from our markets; but we must not forget that the results springing from an; system of Protection—as this would be—could not be confined to the thirty millions of foreign imports, but would injuriously affect our whole foreign trade of six to seven hundred millions.

Free Trade enables us to produce goods more cheaply than any other nation in the world. Any tampering with its principle would necessarily increase the cost of production all round; and would thus not only seriously diminish our powers of competing with other nations in their own protected markets, but would imperil our supremacy in the neutral markets of the world, on which our commercial future so largely depends.

January, 1885.

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply this Leaflet in packets of 100, price 2s.

Reciprocity Explained.

Leaflet No. XXV.

Cobden Club Motto

TERMS, like coins, wear out by use and misuse.

Protection is one of these terms. It was a bright, well-gilt piece of currency, bearing the lineaments of an unduly fat farmer on one side and a plethoric landlord on the other, and was largely circulated at Election and Agricultural Dinners. But during the Anti-Corn Law Agitation the gilt was rubbed off, when there were discovered on one side groups of hungry families and on the other a workhouse. The coin became defaced, broken and battered, and it had to be returned to the mint of worn-out words.

A few years ago it re-appeared stamped with the plausible name of "Fair Trade." Though very well coined, it was mere bronze metal; it never got well taken up. Lately it has been "called back," and another piece, supposed to have a better ring about it, entitled "Reciprocity," is now offered for circulation.

As Reciprocity is an old acquaintance under a new face, the present generation of readers hardly know it again. Their fathers knew it well. As everybody is destined to hear a good deal of it, it will be useful to many to explain it.

The Governments of some Foreign Countries, finding traders complaining of lack of customers and workmen complaining of low wages, say—

"We know an excellent way of relieving you. All articles which you need, and which English merchants sell in your markets at forty shillings, we will make dearer by putting a duty of ten shillings upon each. The merchants will then charge you fifty shillings for each article. He will pay us ten shillings for permission to sell to you, and you will pay him ten shillings extra for each thing you buy. We shall be all those ten shillings richer, and you will be all those ten shillings poorer."

—*This is Protection.*

The Conservative party and others in England, learning that distress largely prevails, advise the English

Government to take up the same parable and say to the people—

"We will soon put that distress all right. In America, Canada, and other countries, they levy a heavy duty upon all our goods exported to them, which makes them dearer to the buyers. This is considered a great boon to poor people, and a form of relief in their distress, since it obliges them to pay a much higher price than they need do for what they want. We will therefore put an import duty on all articles, wheat or goods, which other countries send into our markets, so that every article they now sell the English people at forty shillings shall pay a duty of ten shillings, which will raise the price to fifty shillings here. We shall have ten shillings collected at the Custom House upon each article, and the half-employed, half-starved people will have to pay it."

—*This is Reciprocity.*

"This," they say, "will soon relieve the distress. All that is wanted is that the people should ask for this themselves. If they do they shall surely have it."

Protection means the Government plundering the people. Reciprocity means the people plundering themselves.

Those who propose it do not speak in this plain manner, but this is what they would say if they did speak plainly.

There are several kinds of Reciprocity—good, bad, and foolish.

When we say one good turn deserves another, that is good Reciprocity.

When men propose to meet one evil turn by another of the same kind, that is bad Reciprocity.

But when another nation taxes our commodities brought into its markets, and makes them dearer to all inhabitants who buy them there, and we propose to tax their commodities sent to our markets, making them dearer to all our own people who purchase them here, that is mad Reciprocity.

If it were not advocated as a political remedy by respectable politicians, the proposal would be brought under the notice of the Lunacy Commissioners.

George Jacob Holyoake.

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply this leaflet in packets of 100, price 1s.

Words of Warning to

Agricultural Labourers and other Working-men.

BY ALFRED SIMMONS,

The Leader of the Kent and Sussex Labourers.

Leaflet No. XXVI.

Cobden Club Motto

AFTER a twelve years' battle with that huge stumblingblock in the pathway of the people, Toryism, we have secured a triumphant victory. The Franchise Bill is passed, and on the 1st of January, 1886, every country labourer who is the occupier of a house, however small and humble that house may be, will come into possession of the parliamentary vote. For twelve years the Conservative landowners and their members of Parliament opposed our demand. In their speeches and in their writings they have sneered at and mocked at you. They have declared that you were too stupid, too ignorant, too drunken, and too vicious to exercise the rights of freemen. You were down, and they tried with all their might to keep you down. One of them, a wealthy landed proprietor, a member of Parliament, and a leader of the Tory party, told a meeting of farmers they were fools not to keep a firmer grasp upon their labourers. But we have beaten them. Your political rights are now gained to you, and the Tories begin to perceive the wretched blunder they have made. Finding it impossible to bar your political progress any longer, they now turn on their heel, and are presenting themselves before you with smiling countenances, hoping to cajole and deceive you into voting for the very men who during all these years have played the part of your greatest political enemies.

As one who has been in the forefront of the Franchise battle from the first, and who has been unceasingly

engaged in the cause of labour from his boyhood, I offer a few words of advice and warning to my fellow-workers, especially to the country labourers.

It was the public policy and the class-made laws of the Tory landowners that brought our fathers down to poverty and misery. Their landlord-made land laws, their laws to restrict the amount paid as wages to working men, their detestable Corn Laws, were all directed towards making themselves richer and us poorer—towards pushing themselves up and the labouring classes down.

To the Tory landowners we owe many, if not all, of the most pernicious of our laws; to Liberal Reformers we owe every agitation for the repeal of tyrannical laws and burdensome taxes.

Our fathers, both in town and country, were absolutely unenfranchised. Many of them were shot down by the soldiery before the first great Reform Bill of 1832 was passed—and Bill of 1832 was the work of the Liberal Reformer.

The Tory landlords taxed the people's bread, and refused to allow any foreign corn to come into the country until wheat was 80s. per quarter and bread 1s. per loaf. It was due to Liberal Reformers that the Corn Laws were abolished and bread made cheap.

A heavy tax was placed on paper, and cheap books and newspapers were impossible, so that poor people could not buy them, and were kept in ignorance. Liberal Reformers again came to the front and carried the Repeal of the Paper Duties.

Liberal working men raised the great agitation of 1866, and compelled the Tories to pass the Reform Bill of 1867.

The Education Acts were carried by Liberals against the bitterest opposition of the Tories, who always have endeavoured to prevent the freer and better education of the people. And now, the latest opposition of the Tory party is seen in the insults and defiance hurled at the people before they passed the present Franchise Bill.

The Tory landlord party is the hereditary enemy of the progress of the people.

At the present moment farmers and labourers are suffering from what is called agricultural depression, and some of the landlords are raising the unworthy cry that it is due to Free Trade. They are seeking to persuade us that as corn is cheap, the farmers cannot make a profit; and hence they are clamouring for a tax upon foreign corn, so that the price of both home and foreign corn may be raised. Now, before I deal with this ridiculous notion, let us see what the landowners have themselves done to help the farmer and the labourer. Since the beginning of this century the rents of the farms have been nearly doubled. During the short period from 1852 to 1880 the rentals of land increased from £49,000,000 to £69,000,000 per annum. All the time that this last enormous increase has been taking place the price of wheat has been steadily falling, as the result of the abolition of the pernicious Corn Laws. So that, while the price of wheat has been constantly falling and the farmers have been receiving less profit upon it; the landlords have been continuously increasing the rentals of the land. I know farmers who have taken rough land, have grubbed, drained, improved, and cultivated it with their own money and muscles. As soon as they have done so the landlord has come down and increased their rents on their own improvements. I know cases where rents have thus been raised twice or thrice in ten or twelve years; and when at last the farmer has been unable to pay the increased rent the landlord has seized his stock, sold him up, and appropriated all his improvements. That is the fashion in which many Tory landowners have sympathized with the troubles of the farmers. And now, to-day, these gentlemen are coming to the farmers, and to the newly-enfranchised labourers, declaring ever-lasting friendship. Why? Because they know they have almost ruined the agricultural interest with their oppressive laws and their exorbitant rentals. They fear that rents are coming down. So, to keep up their rents they are striving to hoodwink the farmers and labourers by the exploded story that if foreign corn were taxed farmers could charge more for home-grown wheat. This is what they call "Protection." Let us sift it. They propose to put 5s. duty on each quarter of foreign corn, which is now, say, 35s. per quarter, and the 5s. duty will increase it to 40s. As soon as this is done the farmer here is to raise his price to 40s. Now the question comes, who will pay the extra price? Bread is now, say, 6d.; it would then be 7d. So it just amounts to this: That to prevent the reduction of the exorbitant farm-rents, *the people*, who eat the bread, are to pay the bread-tax. The landlords' rent-roll is to be kept up at the cost of the poor man's loaf. This sort of nonsense may be good enough for English farmers, but it may be taken for granted that the agricultural labourers will not be deceived by such a barefaced proposition. Then "Fair Trade" and "Reciprocity" step in. They say, Is it fair that we should admit corn duty-free from other countries, while those countries tax our manufactured goods? So, because other countries cut their own people's throats, we are to be stupid enough to do the same! We manufacture an article that we can sell to another country for £5; but before the other country admits that article into their ports they place a £ 1 tax upon it, and thus raise its price to their own people to £6. They go in for making articles dearer for their own people; we go in for making them cheap, so that our people may get as much as possible for their money. We make our people's bread as low-priced as we can; the landed proprietors take advantage of it to reduce labourers' wages and increase farmers' rentals, and then when complaint is made, and we ask for better consideration, Tory landlords turn

upon us with the audacious proposal to tax our children's bread in order that they may continue to extort their increased rents.

Then, too, the people of the towns have no inconsiderable interest in this matter. Are the working men of our great cities and towns prepared to tax their bread so as to bolster up the farmers; and because the farmers do not choose to exert themselves, but continue to pay the high rents and submit to conditions of cultivation such as are imposed on no other farmers in the universe? Are the people of the towns ready to tax their bread for the benefit of the Tory landed proprietors and their rent-rolls! I am well aware that there are a few better-hearted large landowners who scorn the idea, but, unfortunately, those who are advocating this cruel taxation of the people's bread are very numerous and very wealthy. Those of them who condemn the proposal should speak out, and in unmeasured terms expose the fallacious and outrageous arguments of the Protectionists, lest their silence implies consent.

If the farmers are foolishly led adrift by their Tory landlords—as so many have been in the past—the labourers must show their good sense by having nothing to do with either of them. It is due, in a large measure, to the apathetic indifference of the farmers that agricultural matters are in the plight in which we find them to-day. If in the future, farmers or labourers allow themselves to be cajoled, intimidated, or hoodwinked by Conservative landlords, they will be traitors to their children and to their country. They have the Ballot to protect them; and although the new voters are being assured by interested parties that the Ballot is not secret, I will ask the labourers to accept the truth from me that the *voting by Ballot is absolutely secret*. No one can know how the voter has voted unless the voter opens his own mouth.

In concluding these Words of Warning, I will strongly impress upon agricultural labourers the necessity there is at this time to be firm and determined in their adherence to the cause of labour and progress—for this is a crisis in our history as the labouring class—and we must at all hazards be true and steadfast to ourselves and those dependent upon us. We must put away from us, as we would the plague, not alone this cry for Protection, but also the people who raise it. We must go in for better Land Laws, better Education and Cheap Food; and as Liberal and Radical Reformers are the men who have helped us thus far, and as Tory landlords and their friends are the men who have always stood in our pathway, it is our one paramount duty to assist and vote for the Party of Reform—the Liberal-Radical party—for in doing that we shall be steadily pursuing our great battle against ignorance and poverty—the hi evils from which our fathers and ourselves have suffered so severely in the past.

Alfred Simmons.

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply this Leaflet in packets of 100, price 2s.

How they Succeed in Canada.

(From the Agricultural Gazette, Jan. 5, 1885.)

Leaflet No. XXVII.

Cobden Club Motto

FOR the present farmers of Great Britain the question is—What are they to do? This cry is going up from all parts; of Britain. The question is frequently asked, but never satisfactorily answered. Let us see if an answer can be given from Canada, and from an emigrant of fifty years' experience. The writer is an Englishman. He was bred on a farm in England, and learned every branch of English farming. He was bred up in comfort and luxury; then turned to industry, with the idea of emigrating; and finally came to Canada, when the greater part of it was unbroken forest. He, therefore, knows both England! and Canada.

His idea is—"Let the British farmer do willingly in Britain what he will be forced to do if he emigrates, and he will find that his success in Britain will equal, if not surpass, any success which he can expect or hope to attain in any colony, and at a far less expense of comfort and labour than he would suffer if he [*unclear: tore*] himself up by the roots from his British home, and attempted to transplant himself to a new country."

The British farmer of the present day is not fit for the struggles and trials of a new land. He is too far advanced in life; his habits and ideas are fixed and established; and to expect such a man to succeed in a new land is hopeless. Canada is a great country, and has been made such by emigration; but by what class of emigrants? By the hard-handed, industrious, and temperate British labourer, who has taken the axe in his hands, has felled the forests, and raised grain amongst the stumps and roots of the trees, which he has cut down and burned, and finally made a cleared and cultivated farm where there was an interminable wilderness of trees. He

commenced his colonial life in a shanty, scarcely better than a hog-pen; then he proceeded to a log-house, from that to a comfortably-framed residence, and finally to the handsome brick or stone villa in which he now resides.

There is no chance for the present British farmer to do this. His life is too far spent; his habits and experience, and those of his wife, are not equal to it. His sons may, if they will, come out here and begin at the bottom round of the ladder; but if they have money and do not begin at the bottom, failure and ruin will be the consequence. If he cannot or will not begin low enough he will never obtain the goal of his ambition. The present British farmer (if he emigrates) begins where the colonial farmer leave off. He has capital, or no one in Britain would rent him a farm. He has a thorough knowledge of scientific agriculture, or he could never meet his first year's rent from the produce of his land, in a colony his capital would be sunk in struggles to do as he has been used to do; his knowledge would be wasted on imperfectly, cleared land, where everything is exactly opposite to what he has been accustomed to.

What is required in an emigrant is "muscle," not "mind." He must have youth and an indomitable will, or he could not set his muscles in profitable motion. "Mind" he must, of course; have, even although his mind may be forming whilst his muscles are winning the battle, or he could not make use of the victory which those muscles have won. It is useless to expect all this from a man of middle age and of what, in a colony, would be considered luxurious habits. The emigrant must be the man of the axe, the hoe, and the spade—the man who can take hold of the lever and pile up the log heaps before he burns them. When he has burned them up, he can scratch the ground among the stumps and roots with the roughest possible implements, and then sow his grain where the log heaps stood.

I have known a man who had no means, and no help but his wife, who had no plough or harrow, who, with his wife, cut down the trees, built the log heaps, and who, when he had burned them and sowed his wheat, covered it by dragging a great thorn bush, hauled by himself, his wife, and possibly by a borrowed ox or horse. And yet that man bought and finally paid for his land, and eventually won the battle of labour, and finally became a prosperous agriculturist. He was a German.

Could the present British farmer do this? If he could not (and he could not), he is unfit for a new country.

But what is the present British farmer to do? Let him realise what he has, move to another part of the country where his "come down" will not be observed, take a new farm amongst new neighbours, give up his hunters, his dogs, and guns, go to work himself when required, take hold of his own plough, be his own shepherd or byreman, and generally take a lower stand—"the stand of industry and hard work." He cannot, of course, stint his farm, but he must stint himself and his family—banish wine and spirits, and if he cannot, or will not, do without beer (as he easily could and ought), let him brew it himself, or get it brewed by some experienced woman in the village. Stop hunting, shooting, coursing, and all such sports, which are only a waste of time. In all matters of expense which the land does not absolutely require, let him hold on to every sixpence until, as the Yankees say, "he has left the mark of his thumb-nail in it."

Let him do all this, and he will not incur one quarter of the deprivations which he would incur by emigrating.

No man could expect him to "come down" in his present place, and amongst his present friends—it would be too hard; but let him move away—he won't move so far as if he was emigrating.

But it will naturally be said, How does the writer know all this?—what experience has he had that he can lay down the law for others? In reply, he says:—I was bred on a farm in England, and naturally, therefore, know all about it. As to Canada, since I have been here I have sold and helped to sell nearly 2,000,000 of acres of bush land—mostly in 100, 200, and 50-acre lots. It was all sold on credit, small sums only being paid down. I have had to watch the proceedings of the people, and have seen their progress and marked their successes and failures, and finally received from them (by myself and others) the price they were to pay for their farms; I, in fact, looked over the game, and naturally saw more than those engaged in it. Experience could no farther go. These struggles I have seen go on for half a century, and am therefore well posted in the facts about which I write.

It is impossible to give the particulars of these struggles, but I will mention two of them.

- A few days since I met a man in the street; he stopped me and said, "Are not you the man who used to be in the land office?" I said, "Yes; who are you?" for I had forgotten him. He said, "I knowed you was. I bought my land from you more than twenty years ago. I gave four dols. an acre for it, a great price in those days, but it is now well cleared, and has good buildings on it, and I could get eighty dols. an acre for it tomorrow. I have now ninety-five acres cleared." Further inquiry brought him to my recollection. "Now," said he, you remember when I paid you the money; well, I paid fourteen per cent, for it and it was a hard pull, but it is all paid now, and the land is my own. I have also settled out three of my sons, and they are all doing well." We shook hands, and I wished him good-bye.
- Another of my people, one "Bassingthwaight," when he bought his place, I asked him how to spell his

name; he replied "I do not know; I can neither read, write, nor spell; but you must put fifteen letters in it, and then it will be right." This I [*unclear: did*] well as I could as above. He had more to pay than he expected and when he left me he had only 7s. 6d. with which to commence his work, and he had seventy miles to travel. I wanted him [*unclear: take*] back some of what he had paid, but he refused, and [*unclear: said*] could get a few days' work on his road home. I was sure at [*unclear: o*] that he would do well. Some years after, when he had got a good clearing and a good deal of stock round him, a mad dog got [*unclear: in*] his farmyard and destroyed every one of his stock except [*unclear: t*] horses; they had been in the stable.

It left the poor fellow very bare, but he bought others [*unclear: credit*], and struggled up again, and finally paid for his land. He had ten children. He is now wealthy, and has set out [*unclear: all*] family. He is an Englishman.

Of course, in the end, although it may be some time first, [*unclear: t*] loss in values in Britain will fall where it ought to fall—viz., on [*unclear: landlord*]. He has given far too much for his property, and [*unclear: cannot*] expect to receive the rents which he formerly did; her [*unclear: most*] likely be obliged to take one-half, or even less. He cannot work the land himself. The tenant has the knowledge and skill and knowledge and skill, wherever they exist, are expensive articles, and must be paid for.

—E. L. CULLE.

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, Loudon, E.C., supply this Leaflet in packets of 100, price 2s.

Free Trade and Fair Trade.

What do the Words Mean?

Leaflet No. XXVIII.

Cobden Club Motto

FREE TRADE is the right which a man has to lay out his wages or income at the best advantage to himself, to buy at the shop which gives him best quality at the easiest rate.

It would seem that so natural a right could hardly be disputed. But it took years of labour to secure the right, and to defeat the claims of those who insisted that the English people should be forced to deal at those shops only which Protectionists chose to name—i.e., their own shops—and who had turned these claims into law.

The expression "one-sided Free Trade" has no meaning. If every Englishman has, as he has at present, the right to buy from whom he pleases, there cannot be any one-sidedness in the situation. If his freedom is to be shortened, Free Trade is at an end.

Fair Trade, as far as it is explained, is an attempt to force a man to deal with that person only who has dealings with some other person. John Brown sells bread, and William Smith sells shoes. Fair Trade tells me that I must not buy bread of John Brown, because he does not buy his shoes of William Smith, and that I must not buy shoes of William Smith, because he does not buy bread of John Brown. I am, forsooth, to be made worse off because these two people cannot agree to trade together.

The best illustration of such a Fair Trade is the old tally shop. The employer used to say, "I find you wages, therefore you must lay out your money at my shop, where I will let you have what sort of goods I like, of the quality which I find suits me, and at such prices as I please to fix." The Parliament saw that this process meant cheating and plunder, and put it down with a heavy hand. But, according to the Fair Traders, the system must have been just and wise. It was thorough Reciprocity. But for all it was one-sided.

Fair Traders want to make everything dearer—i.e., to prevent every man's money going so far as it does now. If everything is dearer, there must be stint. If every one is stinted, he has less to spend. If he has less to spend, he can buy less. If he buys less, he causes less employment to be given, and, if times are bad, the supposed remedy makes them worse.

When we say that times are bad, we mean that there are *three* men seeking for *two* men's work, and of course there are less wages earned. Does any person out of Bedlam believe, if the Fair Traders got their way, and thereupon *three* men are seeking for *one* man's work, that wages would be better. Does a master pay higher

wages because he gets more profit? Not a bit of it. He pays higher wages when hands are scarce, lower wages when hands are numerous and are seeking work. Working men who listen to the Fair Traders, and are taken in by them, are deliberately lessening, or trying to lessen, their own wages.

James E. Thorold Rogers.

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Free Trade v. Protection,

Alias "Reciprocity," alias "Fair Trade."

Leaflet No. XXIX

Facts Are Better Than Arguments.

How do They Decide the Question?

The Following Facts Answer.

British Produce and Manufacturers Exported.

Cobden Club Motto

The highest value ever exported was in 1872, one of three remarkably prosperous years, when it reached £256,257,000; but much of the increase was owing to inflated prices. For example, in 1872 we exported 3,537 million yards of Cotton Piece Goods, value £58,931,000; in 1884 we exported 4,417 million yards, value £51,661,000. Our Iron and Steel Exports in 1872 were 3,382,000 tons, value £35,996,000; and in 1884 they were 3,496,000 tons, value £24,487,000.

Analysis of Imports and Exports for 1884.

Of the Importations of Textile Fabrics, Silk, formerly the most protected of British Industries, accounts for £10,976,830; Cotton, the freest: from Protection, for only £2,235,800. Of the whole £389,774,000 of Imports, £318,594,000 consisted of Food, Drink, Tobacco, and [*unclear*: mate] of manufacture, while the Exports of British Produce are mainly Manufactures.

British Shipping under Protection and under Free Trade.

It was prophesied that the repeal of the Navigation Laws would British Shipping, but it still maintains its supremacy.

Consumption of Articles of Imported Food per Head of the Population

To proceed to the consideration of the price of the staff of life—*Bread*.—*Under Protection*, the best wheaten *Loaf* of 4 lbs. frequently stood at *One Shilling, and sometimes higher*. Under *Free Trade* it has rarely exceeded *Eightpence*; for a long time it was *Sixpence*, and is now *Fivepence-halfpenny*. Nor was this the worst feature of the case. *By the operation of the Corn Laws* the consumption of Foreign Corn was prohibited, except at famine prices. In 1845, the year of the Irish Famine, there were imported, to meet the failure of the harvest and the potato crop, only 4,723,000 cwts. of wheat and wheat flour. In 1884 our imports of the same articles

were 62,217,516 cwts.

What would have been the Price of Bread and the state of the Nation during the recent deficient harvests if the Corn Laws had not been Repealed?

The present high price of butchers' meat, which seems to be an exception to the favourable results of Free Trade, really proves—first, that the consumption and the ability to purchase are both greater than under Protection; and, secondly, that were it not for the free import of foreign provisions and cattle we should at this moment be labouring under a dearth of animal food. Up to the year 1842 the importation of live Animals and of dead Meat was prohibited, except Bacon and Hams, and Salt Beef and Pork, upon which heavy Protective duties were imposed, and of which we imported in 1840 to the value of £132,537. In 1884 we imported live and dead Meat to the value of £25,514,929.

Social and Economic Results of Free Trade.

The number of paupers relieved in England and Wales on the 1st January, 1849, the first year of the present statistics, was 934,419, the population being 17,564,000; on the 1st January, 1884, the number of paupers was 774,310, and the population 26,951,000. In 1849 the proportion relieved to population was 1 in 18; in 1884 it was 1 in 34.

The amount expended in poor relief per head of the population was the same in 1883 as in 1845, viz., 6s., a fact largely attributable to increased humanity in the treatment of the poor, but the rateable value of the property assessed to the Poor Rate increased from £62,540,000 in 1841 to £141,407,686 in 1883.

The Total Capital of the Savings' Banks was £24,474,000 in 1841; it was £86,756,000 in 1884.

The Total Traffic Receipts of Railways were £4,535,000 in 1843, and £71,062,000 in 1883.

The Total Assessment of Income Tax in Great Britain in 1842 was £251,000,000; in 1882 it was £565,251,000.

The Balance of Trade, and How it is Paid.

It is said we are draining ourselves of gold to pay for the excess of Imports. What are the facts?

The account of Imports and Exports on the first page shows an excess of the former over the latter of £94,403,259, but the Exports of Bullion and Specie only show an excess over Imports of £1,677,369,01 *seventeen farthings in the pound*. It may be said that a single year is no test, but the case of the Fair Traders is not strengthened by taking a series of years. The following are the figures for the previous ten years:—

From which it would appear, according to the Protectionist theory that the foreigner had paid us £14,000,000 in Bullion and Specie to take £1,115,000,000 worth of goods off his hands.

The apparent mystery is very easily solved. Free Trade has given England the lion's share of the carrying trade of the world, [unclear: and] Marine Insurance. Our merchants do not work for nothing, and English capital is largely invested abroad. Hence we receive yearly payments from abroad. For fuller details see "The Reciprocity Craze," by Mr. G. W. MEDLEY, which contains the following estimate of these payments:—

Such are the Facts of Free Trade.

CAN THERE BE ANY DOUBT AS TO UPHOLDING OUR PRESENT COMMERCIAL SYSTEM?

Resolve, then, to

Reject the Fallacies of "Protection,
"Reciprocity," or "Fair TradeM,"

Or by whatever other Name the Delusion may be called

John Noble

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The British Peasant On

The Rt. Hon. J. Lowther's Proposition,

That he should pay a "farthing a week" on his bread, to benefit the landed interest.

Leaflet No. XXX.

Cobden Club Motto

A Farthing a week! why, that's nowt, to be sure,
In no way could it better be spent,
A Farthing a week from each house of the poor,
To add to the landowner's rent.

Poor fellows! their rentals have fallen of late;
No wonder they're downcast and flat,
When we think of their low and unfortunate state,
It is right they should send round the hat.

How foolish were Cobden, and Villiers, and Bright,
As they fought in their famous career;
They declared that cheap bread was a boon and a right,
Now, we know that it ought to be dear.

There's Lawson declares that too freely we drink
Of the liquor which most hold so sweet,
But it's perfectly clear to all statesmen who think,
That we really have too *much to eat*.

Thank God that such statesmen we've still in the land;
"Fair Traders," and all of that brood;
Men of light and of leading, who quite understand
That we suffer from too much of food.

Then we'll pay our fresh farthings on bread that's made dear,
Of sound policy still we're the aiders;
And each British peasant will heartily cheer
The kind and sagacious "Fair Traders."

Oh! Life will be all milk and honey,
How sweetly the moments will fleet,
When the landlords shall get all the money,
And we shall get *nothing* to eat.

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., supply this Leaflet in packets of 100, price 1s.

The Farmer of Kent.

(From "THE SUFFOLK CHRONICLE" of forty years ago.)

Leaflet No. XXXI.

Cobden Club Motto

Good farmers, give ear, for this tale is for you,
And it's one, as you'll find, not too strange to be true.
It relates to a farmer of Kent,
Who complain'd to himself, as he walk'd out one day,
" Here I've toil'd many years on this cold, hungry clay,
And what money I had that's not melted away
Will soon all be swallowed in rent."
Chorus: "Rent, Rent, Rent!
Will soon all be swallowed in rent."

Then he went to the Landlord, and "Landlord," quoth he,
"That farm on the hill has well-nigh ruin'd me,
For my capital's nearly all spent;
What to do with that soil in these times I can't guess,
And the truth is, I'm now in that state of distress
That, unless you are willing to take one-half less,
I never can pay you your rent."
Chorus: "Rent, Rent, Rent!
I never can pay you your rent."

"Worthy farmer," the Landlord replied, "understand
That the one thing we want is Protection for land;
We must keep foreign corn out of Kent.
Come with me to the poll, vote as I shall advise,
And then open your mouth (but be sure close your eyes)
"Well-a-day," said the farmer, "let those laugh who [*unclear: w*]
But I'll not be a second time so taken in
By monopolist Landlords of Kent;
Try an old bird with chaff, and to catch him you'll fall
I now see through the juggle of Peel's sliding scale—
Protection's a cheat and the end of the tale
Is—the Corn Laws mean nothing but rent!"

*Chorus: "Rent, Rent, Rent!
The Corn Laws mean nothing but rent]*

Messrs. Cassell & Company, Limited, La Belle Sauvage Yard, London, E.C., [unclear: supp] Leaflet in packets of 100, price 1s.

Will a Five-Shilling Duty on Corn raise the price of Bread, or not?

Leaflet No. XXXII.

Cobden Club Motto

BEFORE answering this question I will ask another.

If a duty on Corn would not have this effect who would have asked for it? The answer is—No one. The demand for it, although adopted by many Conservative candidates, comes from the Agriculturists, because a duty would raise the value of the corn which they grow; and from Landowners because it would increase their rents. But some of these candidates, who are coming forward for towns where com is consumed but not grown, deny that it will have this effect. Let us examine into this.

The price of wheat, as of everything else, depends upon the supply keeping pace with the demand. If the supply is shortened, the price must rise. And the supply would be diminished by any increase in the cost of sending corn to England, because it would just make the difference to a large number of growers, of profit or no profit. Every farmer or grower in America, or India, or Russia, who gets a better price, even though it be but one shilling or two shillings a quarter, by sending it to England rather than by selling it at home, will of course send it here. But, if the cost of sending it here were increased by five shillings a quarter, the advantage would disappear, and the foreign grower would sell his corn in his own country, or grow some other crop. The supply here would then fall short of the demand, and the price would rise, to the grievous injury of the English consumer.

One of our ablest economists, Sir JAMES CAIRD, has recently calculated that every shilling of duty on corn would cost the consumers in this country about four millions of pounds. Judge, then, what a burden would have to borne if a duty of five times this amount, or twenty millions of pounds, were imposed; and some have proposed even a heavier duty than this!

Moreover, this tax would fall most heavily on those who spend the largest proportion of their incomes on bread—namely, the working man.

We are bound, therefore, to resist to the uttermost this demand for a duty on the first necessary of life.
E. N. Buxton.

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United States Protection Versus British Free Trade.

By the Right Hon. W. E. Baxter, M. P.

Leaflet No. XXXIII.

Cobden Club Motto

All over the world trade for some time past has been, and is now, very unremunerative and depressed. In this country landlords and tenants are suffering from bad seasons and low prices, manufacturers and merchants from over-production and a lessened demand.

The consequence is a thoughtless cry on the part of certain people who seem to think that legislation can cure all the ills which flesh is heir to, for some kind of protection to native industry. They forget that, notwithstanding the losses of the upper and middle classes, the great body of the operatives have scarcely felt the pressure at all; the statistics of pauperism, the deposits in the savings banks, and other facts as remarkable as they are notorious, show that the cheap food, and the cheap clothing of Free Trade, and its attracting to Britain the commerce of the world, have warded off from the poor those dire calamities which used to overtake them before the days of Mr. Cobden and Sir Robert Peel.

But what is the condition of things in the United States, where, for a hundred years, public men have been endeavouring to create and bolster up native industries, and where duties are now levied varying from twenty to one hundred per cent.?

The answer is—a stagnation, glut, and want of markets, such as, perhaps, was never witnessed anywhere before. The tariff, taxing as it does raw materials as well as everything else, has made American goods so dear that British manufactures are driving them out of nearly all the markets of the world, and Congress is at its wits' end where to find a remedy. Throughout the whole of the Eastern States armies of unemployed men are walking the streets; 50,000 are out of work in New York, 20,000 in Boston, 25,000 in Chicago, 15,000 in St. Louis; while house-rents remain high, and the reduction in the cost of living is comparatively small. In Fall River wages have been reduced twenty per cent, during the year, and fifty per cent, since 1874. Mr. McCulloch, Secretary to the Treasury, in his report presented to Congress at the opening of the Session, says:—

"Some manufacturing companies have been forced into bankruptcy; others have closed their mills to escape it; few mills are running on full time, and, as a consequence, a very large number of operatives are either deprived of employment or are working for wages hardly sufficient to enable them to live comfortably or even decently."

The position of the American shipping interest is still more deplorable. In 1883-4 only 225,514 tons were turned out in the United States, whilst the shipbuilders of Britain turned out 700,000 tons, and raised a terrible outcry at the falling off from previous years. Once upon a time the Stars and Stripes threatened to supersede the Union Jack on every ocean; now the mercantile navy of Britain amounts to 7,200,000 tons, and is rapidly increasing, while that of the United States is 4,270,000 tons, and doing little more than holding its own.

Thirty years ago seventy per cent, of the ships engaged in the foreign trade of America bore the national flag, only twenty-three per cent, do so now. Let me quote Mr. McCulloch again:—

"The humiliating fact stares us in the face that while the United States not many years ago led all nations in shipbuilding, and was second only to Great Britain in ocean tonnage, it has almost ceased to be recognised as a maritime Power; that nearly all our agricultural productions and manufactured goods which find a market in Europe or South America and the articles received in exchange for them are carried in foreign ships; that the many thousands of Americans who annually visit Europe on business, or for pleasure, go and come in European steamers; that large foreign steamship lines are, in fact, supported by the people of the United States."

Fair Trade is, of course, merely Protection disguised; it means everywhere, certainly it has meant in the United States, the making of great fortunes on the part of the few at the expense of the many, and the building up of a fabric which, although attractive-looking for a time, being built on false foundations, must speedily fall to pieces, and involve widespread and general disaster.

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The Right Honourable

The Safety of the Ballot.

John Bright, M.P., On

Leaflet No. XXXIV.

Cobden Club Motto

"THE Liberal Party gave to all voters the protection of the Ballot, which the Tory-Party strongly opposed.

"Every voter is now able to vote as he wishes.

"No landlord, or farmer, or employer of any kind can know how any vote is given; and the poorest man is as safe in giving his vote as the richest.

"This is a great safeguard for the voter.

"Political freedom, therefore, and a real representation of the people, rich and poor, the country owes to the Liberal Party."

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The Secrecy of the Ballot.

Jack and Tom.

Leaflet No. XXXV.

Cobden Club Motto *Tom.*

Well, Jack! what's this I hear about the gentlemen coming round to fix which of us is to have votes and which not?

Jack.

Why, they tell me there is to be a General Election of Members to Parliament after harvest; so, what they call Registration will have to be done earlier than usual.

Tom.

But if we're put on the list, are we all obliged to vote?

Jack.

No, of course not, unless we like. But why shouldn't we vote?

Tom.

Well, you know, I was having a talk with my master the other day, and he tells me that he hears that all the voting-papers are sent up to London; and that somehow or other they find out there how everybody has voted.

Jack.

Your master may know something about mangolds and turnips, and perhaps a little even about buying stock, though he generally pays a dealer to do that, whereby he loses at least five per cent, of the profit when there is any; but as to public matters and politics, why, bless you! he is as innocent as a baby.

Tom.

That may be; but I saw him coming out of Lawyer Wilkinson's office last market-day, and I think he has been consulting with him, and what you call sucking the lawyer's brains.

Jack.

Well, Tom, I'll tell you what; I've been asking some questions of a friend too, and I'll tell you what he said to me about it.

Tom.

All right, Jack! move on.

Jack.

Well, my friend said the best way to judge whether the Ballot was secret or not would be to follow what is done at an election step by step, and to consider at each step whether it is possible for anybody to find out how you and I vote, unless *we tell them ourselves.*

Tom.

That seems very reasonable, so go on.

Jack.

First of all, if you and I want to vote, we have to find out our number on the Register. *This* there's no trouble about for the candidates' agents are sure to do it for us, and it tells nothing except that we are thinking of voting; so far, then, we are safe.

Tom.

So I think; but what's next?

Jack.

Next we have to go to the gentleman who sits at the place where they take the votes, tell him our number,

and take a voting-paper. These voting-papers are bound up in books like ratebooks or cheque-books, each paper having a counterfoil, which is left in the book when the voting-paper is torn off. Printed on the paper is (1) a number—1, 2, 3, &c.—corresponding with the number on the counterfoil; (2) the names of the candidates; (3) an official stamp, which is the same on all the voting-papers and is put on to prevent them from being used at any other election.

Tom.

Are there any marks on what you call the counterfoil?

Jack.

Yes; some number—1, 2, 3, &c.—corresponding with the number on the voting-paper, is *printed* on the counterfoil; but when the presiding officer gives us our voting-papers he writes our Register number on the counterfoil also.

Tom.

Well, then, if anybody wants to know how I vote he has only to get my number on the Register—which is very easy to do—look through the counterfoils till he finds the one on which it is written, see what number is stamped upon it, and rummage among the voting-papers after the election till he finds my which will have the same number stamped upon it as is stamped upon the counterfoil.

Jack.

Certainly, Tom. But I'll show you presently that is just what nobody can do.

Tom.

Very well, then; we'll leave that. But now I've got my voting-paper, what am I to do with it?

Jack.

Go into a kind of stall which is shut off from view, and with a kind of a desk at the end of it. There you will find pens and ink, and you can put a cross against the name of the man of your choice. This is the third step you have to take, and I can't see that it tells anything more than the first or the second.

Tom.

No more can I; but can you satisfy me about the second step?

Jack.

Well, I'll try and do that, but first I must remind you that you have one more step to take; that is, to fold up your voting-paper, and put it into a closed box with a slit in the lid, called the ballot-box. That's all you have to do, and, so far as you are concerned, the election is over. But now I'll tell you what happens to the counterfoils and to the voting-papers. *The counterfoils*, together with the registers which have been used at the polling, are sealed up in a parcel and sent to a public officer in London, called the Clerk of the Crown in Chancery. This is done at the close of the poll. *The voting-papers* from all the polling places are sent to the presiding officer, whoever he may be, sheriff or mayor or their deputies. They are then tumbled out into one great heap, and counted in his presence, and in presence of the election agents of both candidates. The poll is then declared, and the voting-papers are sealed in another parcel, and sent to the same officer as the counterfoils. At the end of a twelvemonth the parcels of voting-papers, registers, and counterfoils are all burnt unopened.

Tom.

Why aren't they done away with directly in place of being kept for a twelvemonth?

Jack.

I'll tell you; though I agree with you that it is hardly worth while keeping the papers so long. I daresay you've heard talk of an election petition?

Tom.

Well, I can't say I haven't; but I don't rightly know what it is.

Jack.

It's this: that after an election the losing party sometimes thinks he ought to have won, or that the other party, at all events, ought not to have won; so he presents a petition to Parliament, and asks to be allowed to prove his case. Now comes in the reason why the voting-papers, counterfoils, &c., are not burnt directly.

Tom.

How's that?

Jack.

Why, if the gentleman who petitions succeeds in proving to the satisfaction of the judge before whom the case is tried that enough bad votes were polled to turn the election supposing they had been all given to the candidate who had won, the judge will give an order to the Clerk of the Crown to open the sealed parcels of counterfoils and voting-papers, and trace, by means of the register number *written* and of the stamped number *printed* on the counterfoil, how the corresponding voting-papers were filled up. But even in this case it is only the bad votes which are traced, and this by an officer who is sworn to secrecy.

Tom.

Very good; I understand that. But what are bad votes, as you call them?

Jack.

If a man is found to have been bribed, his vote is bad.

Tom.

Well, that won't touch me, as I don't mean to take a bribe. But what else?

Jack.

Peers of the realm, policemen, Government servants—at least some of them—felons, foreigners or aliens, women—for the present, at least—anybody under 21, an idiot or a lunatic, can't vote; or if they do vote, their votes are bad.

Tom.

Well, that list don't apply to me, so I think I'm pretty safe.

Jack.

I think so too, and that you and I may be pretty well satisfied that

The Ballot is Secret.

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Protection Versus Work and Wages.,

Leaflet No. XXXVI.

Cobden Club Motto

THE Fair Traders say, "Give us protective duties, and work and wages will be plentiful." The direct contrary is the fact; and, if it were not so, how is it that *wages are at least fifty per cent. higher than they were forty years ago?* It is perfectly true that wages in protectionist America are higher than they are here; but then it is also true that wages in protectionists France are lower than they are here: and it is a curious fact, that while our opponents sometimes appeal to America as showing what protection does for wages, they not less frequently appeal to the low wages in France, and call out for protection against the competition which is caused by the low wages and long hours of labour in that country. They cannot use both arguments: one must be wrong. The fact is that the rate of wages is chiefly governed by supply and demand, and in a new country, where labour is scarce and commerce active, whether it is Free Trade or Protectionist, wages will rule high. At the same time, other things being equal, wages will rule higher in a Free Trade country than in a protected one; because Free Trade promotes commerce, and commerce creates a demand for labour, which raises the price.

But then, our opponents say, Protection fosters fresh industries which would not otherwise have existed, and, therefore, improves trade. It may foster fresh industries, but if it does, it is at the expense of other industries which need no fostering. What it does is not to create additional work, but to divert capital from work that is naturally profitable to work that is not profitable, and which can only be made so by artificial means. What we should aim at is division of labour; to sell as much as we possibly can of the things which we can make cheapest and best, and that will enable us to buy the equivalent things which the foreigner can make cheapest and best. If we take the opposite advice, and foster protected industries, it is as if a skilled artisan, earning high wages, were to say to himself, "Why should I buy all the goods I want for the use of my family? Why should I not grind my own corn, and bake it; and make my own boots and coats, and my wife's dresses?" The effect of such a policy would be to divert the greater part of his time from what paid him well to what paid him badly, and his commodities would be badly made into the bargain. This would be "protecting native industry" with a vengeance; but, though it may be thought an extreme case, it is a fair illustration of what happens when the same thing is done on a large scale.

The depression of Trade has been grievously prolonged, but it is worse in Protected countries than in Free Trade England. It is not due to Free Trade. On the contrary, Free Trade has enabled working men to pass through it with less suffering, owing to the cheapness of food, and other articles. Even during the depressed period pauperism has steadily diminished, emigration has steadily diminished, crime has steadily diminished, and the Excise returns have steadily increased. The fact is, the well-being of the people depends, not only on the absolute amount of wages they earn, but also on the purchasing power of those wages. Almost every important article used by working men is cheaper than it used to be; and more of it is consequently used by them. Thus, the consumption of sugar is one-half as much again per head as it was twelve years ago; and if you go farther back, the difference is still more marked, being now four times as great as it was in 1840. You will find the

consumption of tea to have increased in much the same proportion.

With Free Trade, nearly everything that we consume is cheaper than it used to be under Protection, and we are able to undersell even protected countries in their own markets. Protective duties, on the other hand, enhance the price of the commodities we consume; and living being thus made dearer, it is impossible to produce so cheaply what other countries buy of us.

E. N. Buxton.

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The Fair Traders and Reciprocity.

Leaflet No. XXXVII.

Cobden Club Motto

The new School of Protectionists say that "one-sided Free Trade is bad for this country." A more straightforward way of putting the complaint would be, "'No bread' is better than 'half a loaf.'" It is founded on the fallacy that we buy what we want as a favour too other countries; whereas the truth is, we buy these things because we want them.

But what is the remedy which is proposed by the Fair Traders for the state of things of which they complain? They suggest Reciprocity, or rather Retaliation, on the foreigner. We are to put duties on the goods we import from them, in the hope that they will take off the duties they impose on ours; that is to say, we are to injure our-selves at the same time that we injure them, in the hope that they will abandon their policy, which injures both them and us. We are to become Protectionists in the hope of persuading them to become Free Traders. We might just as well say to the Conservatives, "Unless you become Liberals we will adopt your principles and become Tories." Would not foreigners at once say, "You seem not to have very little faith in your own principles. Either Free Trade is a good thing, or a bad thing. If it is good, why do you abandon it? If it is bad, why do you ask us to adopt it?" We hope that some day other countries will see that their Protectionist policy is good neither for themselves nor us; but such an argument as that would certainly retard the change. The course they would probably take would be to retaliate still further upon us; and here we encounter the chief difficulty in the way of retaliation.

Foreigners could retaliate with far more effect against us than we can against them, because our imports of their manufactures are far less than their imports of ours. I will go into that matter presently; but first I want to ask whether we are to levy these duties against all other countries alike, or are we to single out particular countries, and tax their commodities only? If we are going to treat all alike, that will be making no distinction between those who treat us well, and those who treat us badly; so that is out of the question. If, on the other hand, you are going to pick out the countries that tax our goods, there is this practical difficulty. What security have you that the country against which you raise the barrier would not evade it by sending their goods through another country against which it does not exist? For instance, if we put a duty on French silks, what is to prevent their being sent here through Belgium?

Then, again, these measures of Retaliation—are they to be permanent or temporary? If they do not have the desired effect of coercing other countries—which they certainly would not—are we to advance further on the downward path, or to recede? If we were to enter on that path, we should probably be unable to help going further, because those who did not happen to be interested in the particular articles protected would soon get tired of paying higher for them, and would call out for protection for the articles they themselves produce. But supposing, as the more reasonable Fair Traders would no doubt say, it is intended to be a temporary measure, you would for a few years have diverted capital into trades which could not stand alone, and then, having fostered them in this way, have left them in the lurch. The effect of that would be in and disaster to those whom you had tempted out of other branches of trade, where they needed no such bolstering.

But now comes the question, Upon what imports do you propose to put a duty? Is it to be upon raw materials, or manufactured articles, or food? We may leave raw materials out of the question. No one seriously proposes it. The Fair Trade agitation proceeds chiefly from a few manufacturers, and they know too much to propose that the raw material which they purchase should be raised in price. There remain, then, duties on manufactures and on food. Which is it to be? Judging by recent experience in bye-elections, it is to be one thing in one place, and another thing in another. The Conservative candidate who stands for a county goes in boldly for a duty on corn, to please the agriculturists; but this would never do in the towns, where the people eat bread,

but do not grow it; so another Conservative candidate in that case tries to please the manufacturers. But the Fair Trade League consists of both these classes, and it has therefore to adopt a policy combining both programmes. No doubt what the manufacturers would like best would be duties on manufactured goods; but they see the hopelessness of proposing this without allies, so they hold out a tempting bait to the agriculturists to join them, and go in with a light heart for a duty on corn as well. Let me tell you what they recommend.

"A very moderate duty to be levied on all articles of food from foreign countries, the same being admitted free from all parts of our own empire prepared to take our manufactures in reasonably free exchange;" and then, again, "adequate import duties on foreign manufactures."

I have dealt with a duty on corn in another leaflet Here let us examine into the effect of a duty on manufactures. This is a very dangerous weapon to use, and mo likely to explode backwards than forwards, for our manufactures are that part of our trade in which we are most vulnerable. Our imports of manufactures are fifty millions, but our exports are over two hundred millions; so you see that if we once begin the game of retaliation, there is no doubt which side can hit hardest. If I were to fight a due! with a very small man, it is clear that he would have a great advantage over me, because he would have so much more to shoot at. In the same way we are open to attack all over the two hundred millions, and can only impose duties on fifty millions; and, indeed, in practice, that total would have to be reduced by one-half, as it includes many items which practically could not be taxed. Now take a particular case, that of the United States, which is certainly the greatest sinner, and therefore the nation which the Fair Traders are most anxious to attack. We send to the United States twenty-four millions of manufactures, but we take from her only a little over three millions. With what prospect of success should we go to them and say, "We will tax your three millions unless you untax our twenty-four millions." They would say, "Do so, if you like; it will have the smallest possible effect on us. We shall be happy to put another ten per cent, on your twenty-four millions." In such a war of tariffs as that we should be fighting against enormous odds, and should inevitably be worsted.

E. N. Buxton.

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The Death Duties.

Leaflet No. XXXVIII.

Cobden Club Motto

The "Death Duties" are the probate, account, legacy, and succession duties.

The first two apply only to personal estate, such as goods, money, and leasehold property. Legacy duty applies mainly to personal estate, but it is also chargeable on money arising from the sale of real estate, and on legacies payable out of: real estate. Succession duty applies mainly to real estate, or what is called *realty*, *i.e.*, houses (including leaseholds) and lands. Leaseholds, being personal estate, were always liable to legacy duty until in 1853 they were thrown into the Succession Duty Act, and made liable to succession duty, still remaining charged with probate duty as well.

Probate duty is paid upon the net amount off personalty left. Legacy and succession duty upon the separate amounts inherited.

The amount of probate duty depends upon the value of the *personalty* left by the deceased. If this does not exceed £500, it is charged at the rate of 2 per cent.; if over £500, and not above £1,000, 2½ per cent.; if over £1,000, 3 per cent. No probate duty at all is *charged upon realty*.

The rate of legacy and succession duty is fixed by the degree of the blood relationship of the legatee or successor to the dead man. Thus:—

[The legacy duty, at the rate of 1 per cent., is not payable where probate duty has been paid, excepting in some cases, such as foreign property.]

So if a man leave his wife.£50,000 in personalty (that being his whole estate), she has to pay.£1,500 probate duty; if it is left in houses or land (realty) she would pay *nothing*.

But so far only a small portion of the tenderness exhibited towards *realty*, compared with the treatment given to *personally*, is shown. Probate and legacy duties are charged upon the full value. But in the case of succession duty, the annual income from the houses or lands is treated as an annuity to that amount, *and the tax is calculated upon the value of an annuity to that amount t for the number of years the owner may be supposed to live*. Now rich people are generally long livers, and the 2 average rate of the succession duty—the sole duty

on i real estate—is 2 per cent. only.

Again, the successor to *personalty* must pay the full 1 duty at once, but the landowner is allowed four and a half f years in which to pay his reduced duty by eight half-yearly instalments.

Illustration of Death Duties.

Legacy and Succession Duty, calculated as for a son. Interest on Inheritance calculated at 3½ per cent. Age of Inheritor. 21 40 60 75 21 40 60 75 21 40 60 75 Value of Inheritance. £5,000 £100,000 £1,000,000
Landowner's Son. (Realty-Houses and Land.) Duty Paid. £ 30 26 17 9 602 521 340 189 6,020 5,206 3,402
1,893 Business Man's Son n (Personalty-Money, Goods, &c.) Duty Paid. £ 150 150 150 150 3,000 3,000 3,000
3,000 HI 30,000 30,000 30,000 30,000

Business Man has to pay at once the whole amount.

Landowner is allowed four and a half years in which to pay by eight half-yearly instalments.

Credit ought to be given for the sacrifice which Liberal statesmen make in the great cause of Liberal progress. To the estates of several members of Mr. Gladstone's late Cabinet the increase in the death duties, proposed by Mr. Childers and rejected by the combined forces of the Opposition, would have involved enormous cost. As an illustration it may be mentioned that the Marquis of Hartington, who is heir-apparent to the Duke of Devonshire, estimated that the death duties of the Budget, of which he was a supporter, would have cost his family £160,000 every time that the estates of the Duke of Devonshire passed from father to son.

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Revision of the Tariff.

TREASURY DEPARTMENT,

February 16, 1886.

SIR:

In my Annual Report i alluded to an invitation, conveyed "in some 2,000 circular letters to our manufacturers and merchants," re questing "their united co-operation in the improvement of our fiscal policy," and I added that "the replies received will hereafter be submitted to the consideration of Congress." I have asked permission of those whose communications seem to throw light on the subject, in a legislative sense, and I transmit, herewith, the opinions of the manufacturers and merchants who have given to me authority to do so, together with other matter pertinent to the subject.

My opinion in regard to our existing Tariff law is clear and positive, and is confirmed more and more by every day's widening experience in the administration of this Department. Soon after I entered thereon, less than a year ago, I became convinced that the investigations into the conduct of the customs service which had already been begun by my predecessor, Mr. McCulloch, were of pressing importance, and I continued them with energy. The result, up to the meeting of Congress, is contained in my Annual Report. Since that date, the need of additional legislation has, in my appreciation, become more imperative.

Two courses are, as I endeavored to intimate in my Annual Report, open to Congress. One is an enlargement of the free list, a reduction of the number of dutiable articles, a prudent substitution of specific for ad valorem rates, and a thorough revision and change of the existing rates and system. The other is partially indicated by a recent Senate Bill (No. 1153) which is now before me, and is in the direction of deterrent legislation which shall, by more stringent rules, and new contrivances in the form of fines and punishments, so operate on the fears of importers as to induce them to present truthful invoices, and make on entry a correct declaration of the foreign value.

These two courses are not necessarily alternative. Both may be pursued together. But, in my opinion, it is expedient that an attempted reduction and simplification of rates shall precede a revival of "Coercion Laws" on the subject.

It would be inconvenient, if not impossible, for me to fully set forth all the considerations which constrain me to this opinion. In the daily supervision by the Head of this Department of the collection of the customs revenue at one hundred and sixteen separate ports, or places of entry, he naturally, and necessarily, as I have

discovered, receives very distinct impressions of what is possible, and what is practically impossible in administration,—the causes, reasons and precise character of which cannot be defined and expressed in writing, short of a stenographic report of all its multifarious daily business. A large part of the general facts and considerations which have influenced my conclusions I endeavored to exhibit in my Annual Report. The unwillingness of those who are not customs officials to really aid, and not embarrass, those who are charged with the execution of the existing tariff law, is each day most painfully impressed upon me. It is felt in this Department, not only when fines, or punishments, are to be inflicted for acts of commission, or of omission, in making entries, but also when the Department is, by reason of an ambiguity in the statute, required to decide between a higher and a lower rate. The indefiniteness of the language too often used in making commercial designations, and in prescribing rates, encourages domestic manufacturers, on the one side, and importers, on the other side, to press considerations on the Department, in favor of this policy or that policy, this theory or that theory, suitable enough for Congress, but altogether unsuitable for an executive officer, who is required to ascertain the intention of the law-makers, as best he may, from the language finally sent to, and approved by, the President. One sometimes is made to feel that the ambiguity and confusion of the tariff statute were intentional, and that a controversy between opposing selfish interests which could not be, or was not, adjusted in the committee-room of either House, had been transferred, by a sort of common consent, to this Department, and to the Courts. The influence of such ambiguity is especially seen and felt in the appraising and liquidating departments, and is, I suspect, at the bottom of much of the disorder which dishonors the customs revenue by the improper practices and strife thus engendered at the large ports. That ambiguity should be, first of all, removed by a careful revision of the existing laws. A pertinent example of such ambiguity is in the 7th Section of the Tariff law of 1883, which has recently been interpreted by the Supreme Court, and to which in my Annual Report I asked the immediate attention of Congress. That section was most carefully studied by my learned predecessor, Mr. Folger, who as a member and Chief-Justice of the New York Court of Appeals had large experience in the examination of statutes. It was subsequently studied by the Attorney-General who gave an elaborate opinion to this Department. It was debated in New York before Judge Wallace, and interpreted by him in an opinion from the bench. These well-trained executive and judicial officers substantially agreed in their conclusions. But the justices of the Supreme Court were recently unanimous in condemning as an error what had been decided. The section seems to have been most successfully drawn if ambiguity was sought by the draughtsman, but most unsuccessfully if clearness was the object. I again, most earnestly, commend the section to the revision of Congress, aided by the recent opinion of the Supreme Court, and urge the announcement of a clear and unmistakable rule on the subject, under which the business of importation, and of the liquidating officers of the custom-houses, can be safely carried on. The task of applying the recent decision to the reliquidation of old entries, where protests and appeals have been made, will be full of perplexity, doubt, and most inconvenient responsibility, but such confusion and uncertainty will, I hope, not be allowed by Congress to long disturb future importations.

The opinions expressed by my predecessor, Mr. Bibb, in a Circular Letter, dated August 5th, 1844, are most pertinent at this moment. He said:

*"By communications to this Department, it appears that the import duties, as charged and collected on articles of like kind at the several custom-houses, are not uniform throughout the United States, whereby like articles of commerce imported into some of the States, whereon the duties are paid at the lower rates there charged by the officers of the customs, can be, and are transported to other States, and sold for less than like articles can be afforded, when imported and entered at the ports of other States, where a higher rate of duty is charged. The Constitution of the United States ordains, that 'all duties, imposts, and excises shall be uniform throughout the United States'—'No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.' The act of the Congress of the United States to provide revenue from imports, intends that the duties shall be uniform throughout the United States. But practically, and in fact, different duties on like articles are charged and collected at different custom-houses. By such want of uniformity the Constitution is offended, the act of the Congress is offended, the prudent schemes of merchants, and the due profits of commercial enterprises are disconcerted, the interests and conveniences of customers are injuriously affected. Justice due to the officers of the customs at the several ports of the States requires me to say, that in seeking to perform their duties faithfully, the want of perspicuity and exact definiteness in the enactments of the law has given rise to their differences of construction. The varieties of duties levied, in fact, at different ports by the respective officers of the customs, so tending to incommode and baffle the important operations of commerce, and to give a preference to the ports of one State over those of another, are subjects demanding the exercise of the superintending authority of the Secretary of the Department of the Treasury. * * * The sovereign power of taxation is the source from whence the most widespread wrongs, oppressions, and ruin of the people flow in all governments. The safeguard against abuse of the taxing power of government intended by our Constitution, is in confiding that power to the Congress. It would ill become the executive*

department to take money from the pockets of the people by implication and constructive enlargement of the acts of the legislature. When the Congress, in the exercise of their power of taxation, have not spoken expressly and clearly; when the words of the law leave room for rational doubt as to a higher or lower rate of taxation, the decision of the executive officers should be in favor of the lower rate. In so doing, the executive action is certainly within the limit prescribed by the law. To take the highest rate of taxation, in such dubious cases, would be hazarding a supplement to the legislative will, and an inroad into the region of the legislative department. Such a mode of construction by the executive department would not be lenient and remedial, but onerous and penal."

I hope I may be permitted, by way of preface and explanation of my views in respect to tariff revision, to set forth, as briefly and clearly as I can, what, in my appreciation, is the real condition of the existing tariff system, and the causes, or circumstances, which have brought it to that condition. If there is an evil therein to be remedied, a logical method of procedure will be to ascertain definitely what the evil is, and how it has come into existence. My own estimate of the evil, and its causes, may be at fault, and if so, that fault will naturally infect my suggestions of a remedy, and my criticism of a remedy proposed by others.

Simplicity of Tariff Laws From 1789 to 1818.

The levy and collection of duties on imports has come to be extremely artificial and technical. It was not so in the beginning. By all the earlier Collection Laws, and down to 1818, the invoice to be presented on an entry was to contain "the prime net cost, "at the place of exportation, meaning thereby the actual price paid in money, and not the market value if the two were unlike. There was no special provision for an invoice of merchandise obtained by gift, or in part by money and in part by gift, or for merchandise consigned hither by a manufacturer. Up to 1818 the punishment for an intent, and an attempt, to evade the payment of duty known to be legally chargeable, was confiscation for either one of three defined offences. One was the presentation of an invoice which intentionally did not display the actual cost. Another was the intentional entry of packages by a false denomination, or description, in order to defraud the revenue. The third was the concealment of any merchandise on a vessel, or elsewhere, (such as not putting it on the manifest,) in order to evade payment of duties, or the landing without a permit, which was the offence of smuggling. It should also be kept in mind that up to 1818 the Collectors of Customs levied ad valorem rates on the invoice value unless they had reason to suspect a fraud in the invoice. There was no appraising staff. When an invoice value was suspected, two merchants were selected to appraise the merchandise. From then till now, there have been, side by side, two classes of tariff legislation; one class prescribing the rates to be levied, and one class providing the machinery for enforcing and levying the rates. The work of enacting a law of the first class was entered upon in 1789, on the motion of Madison, even before the President had been inaugurated, so empty was the new treasury. In the resolution introduced by him, proposing a temporary system of imposts, the rates seem to be about equally divided between specific and ad valorem. In the law as finally enacted some twenty of the specifications were specific rates and fifteen ad valorem rates. The debate which arose thereon in the House foreshadowed, and indeed developed, the conflict of economic and constitutional opinions, which has been so prominent in more recent polities, excepting only the question of constitutional power in Congress to levy duties on imports for the sole purpose of protecting, or aiding, a particular industry which appears not then to have been seriously mooted. The argument, that smugglers marked the line beyond which rates could not be carried, was earnestly pressed. In this early day frauds on the revenue by false invoices, and by undervaluations on appraisements, had not been developed into the cunning art that it has since become. In 1790, the rates were revised and increased, but preserving, so far as can now be ascertained, much the same relation between specific and ad valorem. Gerry, Sedgwick and Ames renewed a presentation of the danger from smugglers, which Sherman characterized "as an insulting imputation on the American mercantile character," and warned his colleagues to take care lest, by suggesting the probability of smuggling, they encouraged it. As a safeguard, however, the Collection Act was re-enforced by new and more stringent provisions. In 1797 the Federal treasury needed an additional sum of \$1,229,000 a year. The average rate then levied on all imports was 16 per cent. A resolution passed the House to raise the money by a direct tax on lands, houses and slaves, but a bill to that end was finally defeated, and 011 the suggestion of one of my predecessors in this Department, Mr. Wolcott, additional rates on imports were levied, preserving about the same relation, as I infer, between specific and ad valorem. In 1801, one of the most illustrious of my predecessors, Mr. Gallatin, said to Congress:

"Without any view to an increase of revenue, but in order to guard as far as possible against the value of goods being underrated in the invoices, it would be eligible to lay specific duties on all such articles, now paying duties ad valorem, as may be susceptible of that alteration."

From this date of 1801 to the tariff law of April 27, 1816, there was no legislation which can pertinently illustrate for us to-day the proper relation of specific to ad valorem rates, or what shall be done now to prevent

revenue frauds. Down to 1807 the growth of American manufactures was very slow. Our capital was richly rewarded on the sea, and there it remained. But in that year two new and powerful influences supervened, which were the violation of our neutral rights by the armed belligerents, England and France, and the commercial restrictions inflicted on ourselves. Those causes largely expelled our capital from the sea and kept out foreign fabrics. Manufactures naturally started with a bound. It was the era of Berlin and Milan Decrees, of Orders in Council, of Embargo, of Non-intervention Acts, and finally of war for "Free Trade and Sailors' Rights."

The results of the war, the condition of the country, and the reception of large quantities of the accumulated products of British manufacture sold at auction prices in our cities, called into being the decidedly protective tariffs of 1824 and 1828, and increased the use of ad valorem rates. Then came the tariff of 1832, the "compromise" of 1833, the protective tariff of 1842, the revenue ad valorem tariffs of 1846 and 1857, and, finally, the civil war legislation on the tariff which began in 1861 and has continued till to-day. What the relation was between specific and ad valorem rates in the tariff laws of 1816, 1818, 1824, 1828 and 1832 can be seen at a glance by consulting a comparative tabular statement transmitted to the House of Representatives by my predecessor, Mr. McLane, on February 8, 1833.

Laws Regulating the Collection of Duties.

From April 27, 1816, down to the outbreak of war in 1861, there were eleven prominent enactments levying rates of duty, approved respectively, on April 20, 1818, April 18, 1820, May 22, 1824, May 19, 1828, May 20, 1830, July 14, 1832, March 2, 1833, September 11, 1841, August 30, 1842, July 30, 1846, and March 3, 1856.

There were, during the same period, eleven or more enactments regulating the collection of duties, some of them punishing frauds, approved, respectively, March 3, 1817, April 20, 1818, March 1, 1823, May 19, 1828, May 28, 1830, July 14, 1832, August 30, 1842, July 30, 1846, August 6, 1846, March 3, 1851, and March 3, 1857.

1818.—After the enactment of the tariff law of April 27, 1816, which levied ad valorem rates that were exceedingly low in comparison with those levied to-day, the House of Representatives, on February 28, 1817, directed the Secretary of the Treasury to report to Congress at their next session "such measures as may be necessary for the more effectual execution of the laws for the collection "of the duties on imported goods, wares and merchandise." Under this law of 1810 only fifteen per cent, ad valorem was levied on linen and silk bindings, on blankets, bleached linens, bunting, burlaps, cambric linen and cambric handkerchiefs, and cashmere shawls; only twenty per cent, was levied on manufactures of copper, on cutlery, glassware, all manufactures of hemp, woollen, worsted or cotton hosiery, all manufactures of iron, and screws; only twenty-five per cent, on carpets and carpeting, manufactures of cotton of all descriptions, flannels, and manufactures of wool: and only thirty per cent, on brushes of all kinds, cabinet-wares, carriages, ready-made clothing of all kinds, hats and bonnets, and all manufactures of leather.

On January 18, 1818, my very able and distinguished predecessor, Mr. Crawford, made an elaborate report, which was printed in Executive Document No. 58, First Session, Fifteenth Congress. Immediately after the resolution of the House had been sent to him he addressed on May 7, 1817, a circular letter to collectors of customs, saying to them that a general impression appeared to prevail that frauds of a glaring nature were frequently committed upon the revenue, especially in importations upon consignments, and requesting them to communicate to him every circumstance tending to show the evasion of the provisions of the existing laws, accompanied by suggestions of ways and means to repress the evil. The Secretary in his report informs Congress that the Collectors of Customs "made no communication upon the subject;" but, in spite of what he describes as "the tacit evidence that the provisions of the Collection Laws are not materially defective," he nevertheless states that in his opinion,—"notwithstanding the result of these experiments, there is just reason to believe that frauds to a considerable extent have been and are now committed upon the revenue in the importation of articles upon consignments paying ad valorem duties." Mr. Crawford then proceeds in this report to make declarations to Congress in respect to evasions of the customs law, which well describe the conditions under which importations are, by so many intelligent observers, believed to be made in the present year of 1886. He says:

"The practice of shipping merchandise from Europe to the United States on account of the foreign shipper has greatly increased since the late peace. The immediate cause of this increase may be probably found in the general distress which at, and since that epoch, pervaded universally the manufacturing establishments, from whence our supply of foreign merchandise has been principally derived. The manufacturers unable to dispose of the products of their labor in their accustomed markets, assumed the character of exporting merchants, and shipped their merchandise directly to the United States, where it has been sold by their agents or consignees. In

adopting this course, not only the fair profit of the manufacturer and exporting merchant is concentrated in the hands of the latter, but also the loss which the revenue sustains by invoicing the merchandise at the actual cost of the raw material and the price of the labor employed in its manufacture. Should any part of this profit not be realized, from the circumstances of the merchandise being sold in a glutted market, or from any other cause, the articles reached the hands of the consumer at a rate lower than it could be sold by the fair American importer. In either event the honest American merchant is driven from the competition, and in the latter, the domestic manufacture is deprived of the protection which was intended to be secured by the legislature.

"But, independent of this evasion of the revenue laws, which, by those who practice it, may be deemed consistent with the principles of morality, a practice of a less equivocal character is known to exist in importations, made by foreign merchants upon consignment. There is abundant reason to believe, that it is now customary in importations of this nature, to send with the merchandise, an invoice considerably below the actual cost, by which the entry is made and the duties secured. Another invoice at, or above, the actual cost, is forwarded to a different person, with instructions to take and sell the goods by such invoice. In this manner the person who enters the goods remains ignorant of the fraud to which he has been innocently made a party, and the fraudulent importer escapes with impunity. The facility with which frauds may be practiced by permitting entries to be made by persons who know nothing of the correctness of the invoices by which the duties are to be ascertained, so strongly invites to the substitution of false, for true invoices, that the practice must necessarily become universal, if suitable checks are not devised against it.

"It is also ascertained that resident merchants have in some instances connected themselves with foreign mercantile houses, which are in the habit of purchasing cloths of every description in their rudest state of manufacture, which are in their hands brought to the highest state of perfection by dyeing, dressing, or bleaching, according to the kind of cloth purchased. Such articles are invoiced at the price given for them in their unfinished state of manufacture, and upon those invoices the duties are estimated. Connections of this kind will necessarily increase, and eventually embrace the whole catalogue of articles paying ad valorem duties, unless checks calculated to repress the evil, are promptly devised and applied.

"The practice of entering goods without invoice is another mode now frequently resorted to, for the purpose of evading the payment of the duties which are legally demandable upon them. In these cases, and indeed in all cases, where the collector shall suspect that the invoices are fraudulent, the resort to appraisement authorized by law is generally found to be in favor of the importer, and against the Government. This may, in some measure, be attributable to the defect of the existing provisions upon that subject, but the universal experience of every department of the Government proves the danger there is of submitting any question to the decision of persons acting as arbitrators between the United States and individuals. In most cases of this kind the appraisers are influenced by a morbid sensibility which almost invariably impels them to sacrifice the interest of the nation to that of the individual. Independent, however, of this indefensible principle of action, there must necessarily exist in most cases of appraisement under the collection laws, some individual bias in favor of the importer. The decision is to be made by merchants, and if made in favor of the Government, the reputation of the party in interest must be seriously affected. The persons called upon to decide may themselves be placed the next day in a situation to have their reputation assailed by the same means. The great body of the merchants may in the question under consideration be viewed as a distinct community, bound together by ties generally inscrutable to the collector; performing successively for each other, acts by which their pecuniary interests oftentimes acquire a unity, totally incompatible with the disinterested discharge of the duties of an appraiser. Should, however, the appraisement, in despite of all these obstacles, correspond with the impressions of the collector, and seizure of the merchandise be made, the party is allowed to prove the actual cost of the articles, and time is generally allowed by our courts, for the examination of witnesses beyond the seas. The result of an investigation under such circumstances can hardly be considered doubtful. In making these observations, no imputation upon the character of the American merchant is intended. As a body of men they are highly respectable for their intelligence, integrity and respect for the laws. So far as they are directly concerned in importations, I believe with the collectors of the customs that the revenue has been generally fairly paid. But it is impossible that the high character which they have hitherto maintained should be preserved against the ruinous competition in which they have, since the peace, been engaged, unless the frauds practised by the foreign importer shall be effectually restrained. Indeed, there is some reason to believe, that some among them have already resorted to practices, more effectual for evading the payment of duties justly demandable of them, than those which have been, with so much success, employed by foreign importers. It has frequently happened that a vessel bound to a particular port is freighted by merchants residing in the principal commercial cities. In such cases the goods have generally been entered by an agent or consignee, residing in the port where the vessel arrives, and the goods so entered are reshipped in their original packages to the ports where the owners severally reside, or to other ports of the United States. The entries are consequently made upon such invoices as are forwarded to the agent or consignee, of the correctness of which he is wholly

ignorant. The goods thus reshipped in the original packages, having undergone no examination, are not subjected at the port to which they are reshipped to that kind of examination which they would have undergone had they arrived directly from a foreign port. The importer, therefore, not only avoids the necessity of swearing to the correctness of the invoices, but also eludes the vigilance of the custom-house, as his merchandise, at the port where it is opened and sold, has acquired the character of articles upon which the duties have been paid or secured. Cases of this kind have so greatly increased since the war, that it is difficult to avoid ascribing the increase in some degree to motives incompatible with the high character for integrity, and respect for the laws, which the American merchants as a body have so justly acquired.

"There is some reason to believe that evasions are sometimes practised under the color of discounts allowed on the prices charged in the invoices. Under the Treasury regulations no conditional discounts are allowed; but it is extremely difficult to ascertain whether they are absolute or unconditional.

"In order to provide an adequate remedy against the frauds and evasions which already exist, and to prevent their further increase, it is respectfully submitted that provisions to the following effect be adopted."

Whereupon Mr. Crawford submitted to Congress twenty-four amendments to the law then existing and regulating the collection of duties, nearly all of which were embodied in the act of 1818. The ninth and tenth suggested amendments were these:

"9. In all cases where there shall be just grounds to suspect that goods paying ad valorem duties, have been invoiced below their actual costs, the collector shall order them to be appraised in the manner already described; if the appraisement shall exceed by—per cent, the invoice prices, then, in addition to the—per cent, laid upon correct and regular invoices by the existing laws, there shall be added—per cent, upon the appraised value, upon which aggregate amount the duties shall be estimated.

"10. One-half the duties accruing upon such additional ten per cent, shall be distributed according to law between the custom-house officers of the port."

In addition to these twenty-four suggestions, a great part of which now, together with the law of 1799, constitutes the framework of the machinery for the collection of duties, Mr. Crawford advised Congress that:

"Whatever may be the reliance which ought to be placed in the efficacy of the foregoing provisions, it is certainly prudent to diminish, as far as practicable, the list of articles paying ad valorem duties. The best examination which circumstances have permitted, has resulted in the conviction that the following list of articles now paying ad valorem duties may be subjected to specific duties."

Mr. Crawford specifies over one hundred articles, the list of which is printed in his report, whereon he advised that the rates be changed from ad valorem to specific.

As to the invoice: The law of 1818 forbade the admission to entry of any foreign merchandise, subject to ad valorem rates, excepting when from a wreck, if "the original invoice thereof" shall not be presented, unless the Head of the Department assented, and provided that no entry the name of the real owner shall be declared, and an oath taken that the invoice exhibits the "true value," in the actual condition of the merchandise and the true value at the *place* from which brought hither. Nothing was said of *date*. If the owner was the manufacturer, he must swear that the invoice price is "the current value at the *place* of manufacture," (no allusion to date,) "and such as he would have received if the same had been there sold in the usual course of trade."

As to appraisement: Two official appraisers were authorized at each of six ports, who, with a resident merchant chosen by the importer, should appraise all ad valorem merchandise suspected by the collector to be under-invoiced, and, if the appraised value exceeded by twenty-five per cent, the invoiced value, then fifty per cent, should be added to the appraised value, and one-half of the duty caused by the increase should be divided among the three chief officers of the port. But if the appraisal should be *less* than the invoice value, the rates should, nevertheless, be levied on the invoice value.

In this enactment is to be seen the germ of many of the existing intricate and complicated contrivances to baffle frauds. It required one package of every invoice to be opened, (which was a new requirement,) and also one of every fifty, and if found not to correspond with, or to be falsely charged in the invoice, then a full inspection of every package, and if in any package should be found an article not described in the invoice then that package should be confiscated. No new penalties were inflicted in 1818 for, or new definitions made of, false invoices. The law-makers chiefly confined their efforts to appraisements, and to increase of dutiable value if there was under-invoicing.

Efforts to Prevent Customs Frauds After 1818 and up to 1861.

1823.—The law of 1823 formulated two oaths,—one for purchased and another for consigned goods; required the manufacturers to swear to "fair market value" at *time*, and *place*, of procurement; declared that the first appraisal shall be by official appraisers, and a reappraisal, if called for, shall be by them, associated with two merchants employed by the importer, with right of an appeal to the Secretary of the Treasury if

desired, but added that the duty shall, in no case, be levied on less than the *invoice* value. The 13th Section substantially repeated the requirement, which had been previously enacted in 1818, that, if the appraised value exceeded by twenty-five per centum the invoice prices thereof then there should be added fifty per centum to the appraised value, on which aggregate amount the duties should be estimated.

1828.—At the end of the tariff law of 1828 there were inserted new regulations for appraisals, and especially of merchandise unfinished in manufacture. In the ninth section, the rule, prescribed in 1818, which directed that if the appraised value exceeded by twenty-five per cent, the invoiced price, there should be added fifty per cent. to the appraised value, in order to make dutiable value, was changed, so that if the appraised value exceeded by ten per cent, the invoice value, then, in addition to the regular duty to be imposed if the merchandise had been invoiced at its real value, "there shall be levied fifty per cent, of the duty to be imposed when fairly invoiced."

1830.—In 1830 the appraising force in New York, Philadelphia and Boston was enlarged; power was given to the collector to order a reappraisal if he "shall deem any appraisement of goods too low," which last was then a new power. In the third section, a new and special contrivance was made for goods "of which wool or cotton shall be a component part," and when fabrics "of similar kind but different quality are found in the same package," which was repealed in 1832, and is in section 2911 of the Revised Statutes. The appraisers were required to adopt the value of the best article in the package as the average value of the whole. The fourth section of this law made a new departure in requiring collectors to cause one package out of every invoice, and one package at least out of every twenty packages of each invoice, and a greater number should he deem it necessary, (it is repeated in a modified form in Section 2899, Revised Statutes,) which packages shall be designated by him, to be opened and examined," and if the same should be found not to correspond with the invoice, or to be falsely charged in such invoice, then all the packages contained in the same entry must be inspected; and if any "invoice be made up with intent, by a false valuation, or extension, or otherwise, to evade or defraud the revenue, the same shall be forfeited." This forfeiture provision, it will be seen, applied to an invoice of consigned goods, as well as to an invoice of purchased goods, and declared that if the invoice be intentionally made by any device whatsoever to evade the revenue, all the merchandise contained therein shall be confiscated. But this law of 1830 repealed the previous laws of 1818 and 1823, and every other law, which imposed an additional duty, or penalty, of fifty per centum, upon duties on any goods which might be appraised at twenty-five per centum above their invoice price.

1832.—The tariff law of July 14, 1832, after much alteration of the rates of duty, devoted a dozen more sections to a modification of the then-existing system of collecting those rates. Among the more important of the new executive powers conferred is that contained in the eighth section authorizing the appraisers to call any person before them and answer questions which the appraiser may deem material in ascertaining the value of imported merchandise, and also requiring an importer to produce any "letters, accounts, or invoices in his possession relating to the same," and forfeiting the merchandise if such owner, importer or consignee shall swear falsely. This provision was enlarged, by the law of 1842, and, as then enacted, is embodied in sections 2922 2923, and 2924 of the Revised Statutes. The power conferred by these sections in the Revised Statutes upon all appraising officers, including the Collector and Naval Officer, to will witnesses before them in order to ascertain market value, and to require the production "of any letters, accounts or invoices" relating to the same, is very large. It applies to every class of importations, goods purchased or not purchased. What questions shall be asked is wholly within the discretion of the Appraiser or the Collector or Naval Officer, as the case may be. If any person called as a witness be not the owner, importer or consignee of the merchandise, and lie refuse to answer any question, the law inflicts a penalty of one hundred dollars for each refusal. If the person interrogated be the owner, importer or consignee, and if he refuse to answer any question put to him, or to produce "any letters, accounts or invoices in his possession," that may be called for, the appraisal made is final and conclusive and there can be no reappraisal; and, if the answer be wilfully and corruptly false the merchandise shall be forfeited. I am at a loss to know why these sections have not been and are not now more frequently enforced in New York, and I would respectfully commend an inquiry into the reason to those members of either House of Congress who have in years past been familiar with the administration of this Department.

1833.—The origin and history of the tariff legislation of March 2, 1833, teach a lesson which may I think be serviceable to-day. That law was, as I assume, a compromise between the contentions of the manufacturing and the non-manufacturing interests of 1833, which contentions had engendered and inflamed alarming sectional passions. By it was ordained a ratable annual reduction of the rates prescribed in 1832, whenever those rates exceeded 20 per cent, ad valorem, which reduction was to begin on December 31, 1833, and continue without pause till June 30, 1842, when all rates were to be reduced to not more than 20 per cent. It directed that, after June 30, 1842, (1) "all duties shall be collected in cash and all credits be abolished," and (2) "that the duties thereafter laid shall only be such as may be needed for an '*economical administration*,'" and (3)

that "all rates shall be ad valorem, but levied on the value 'at the port where the goods shall be entered.' "On September 11, 1841, Congress was, by the condition of the Treasury, compelled to levy 20 per cent, ad valorem on articles then free, or paying less than 20 per cent., and on August 30, 1842, came the general tariff law of that date which entirely disregarded the pledges of what might be deemed a *permanent*, compromise made in 1833. A system of levying ad valorem rates on "*home values*" was thus in force from June 30, 1842, to August 30, 1842, as the Supreme Court decided, in *Aldridge vs. Williams*, (3 Howard, 23,) Mr. Justice McLean dissenting, and insisting that there was no law, or lawful machinery, between June and September, for ascertaining "*home values*." The records of this Department, especially the circular letters and reports of my predecessor, Mr. Levi Woodbury, show, during the last years of the life of the "Compromise" arrangement of 1833, when the average rates were approaching, or had reached, the limit of 20 per centum, that false invoices, undervaluations, and the nameless and numberless devices to circumvent, baffle and defraud the Treasury, when attempting to apply an ad valorem system, were in lively and successful operation. Much the same things were said and done then about customs frauds, in and out of Congress, by manufacturers and importers, their agents and representatives, as are done and said now in 1886, so uniform are recurrent events in the life of a government as of individuals, and so small in circumference are the circles of human transactions.

The tariff law of 1842 was approved by the President in August of that year. In the previous February, Mr. Millard Fillmore, then Chairman of the Committee of Ways and Means in the House, sent to my predecessor, Mr. Forward, the following communication:

"COMMITTEE-ROOM OF WAYS AND MEANS,

February 26, 1842.

"SIR:

I am instructed by the Committee of Ways and Means to request you to communicate to them any plan which you may have for raising the necessary amount of revenue for defraying the expenses of Government, by an increase of duties on importations, or by auction duties on goods imported, or otherwise; also any plan, or view, which you may have on the subject of *home valuation*, cash duties, a warehousing system, or any other matters incidentally connected with these subjects, and, especially, any information which can be afforded by your Department as to the particular article imported which will best bear an increase of duty, and the amount of such increase.

"As the Committee are now ready to take this subject under consideration, they would be happy to receive your views at as early a day as possible."

A month later the House of Representatives by resolution *required* the Secretary of the Treasury to communicate to the House "the plans, views and information and matters called for," in the foregoing letter. On May 9, 1842, Mr. Forward made an elaborate report, portions of which are pertinent to-day.

He declined to express an opinion on the proposition to tax "sales at auction of goods imported," with a view to increase the revenue. That form of tax was evidently aimed at foreign manufacturers, and intended to impede consignment of their products to this country. He insisted that the scheme of "*home valuation*" was impracticable. He advised a continuation of ad valorem rates, guarding them "from abuse by additional precautions against fraudulent invoices." He urged, as one reason for increased rates of duty on imports, the necessity of enlarging the then-existing system of national defence. He estimated that the total amount of annual imports into the country for the years 1842, 1843 and 1844, would be about ninety-three millions of dollars. He advised duties on tea and coffee to be limited to three years. The following extracts from the report of Mr. Forward, made nearly half a century ago, are instructive now, by way of showing his appreciation of the relation between ad valorem and specific rates, and the light in which foreign manufacturers sending their goods to this country on consignment were then regarded:

"With a view to guard the revenue against fraudulent undervaluations which cannot be entirely prevented by the existing scheme of ad valorem duties, specific duties are proposed in nearly all cases when practicable. The operation of the system of specific duties may not be perfectly equal in all cases, in respect to the value of the articles included under it. But this inconvenience is more than compensated by the security of the revenue against evasions, and by the tendency of specific duties to exclude worthless and inferior articles, by which purchasers and consumers are often imposed on.

"In assessing ad valorem duties the foreign value of goods imported has been assumed as a basis of the duty. In ascertaining this value by appraisement, it is attempted to place some new guards on the revenue. But it may be worthy of consideration, whether it would not be advisable to adopt a regulation by which the option should be given to the Collector in cases where supposed undervaluation in the invoices exists, to take the goods for the use of the Government on paying the importer for the same at the value mentioned in the invoice,

together with an advance of ten per cent, thereon, and the average of costs and charges on the importation of similar goods.

"A material, and indeed a fundamental consideration, which reconciled a large portion of the country to the compromise act, was the home valuation which it promised. This consideration having failed, all parties are at liberty to project such new scheme for the adjustment of duties on imports as the common interest may demand. But in attempting such adjustment, the spirit of concession and forbearance, which should characterize every measure bearing extensively upon various and sometimes conflicting interests, or speaking perhaps with more propriety, in this instance, of conflicting opinions, ought to be observed. In this respect, and this only, can the great principles which entered into the compromise act be substantially carried out.

"The system of cash duties, although a material condition in the arrangement of the compromise act, must now stand upon its own intrinsic merits. In this view alone it is recommended to Congress. The abolition of custom-house credits is a measure sustained by reasons which appear to the Department to be conclusive. In order to appreciate the advantages of a cash system, it may be well to premise that more than one-half of all the imports from Europe, and a considerable portion of those from other countries, are on foreign account. In some branches of the import business (silks for instance) American merchants have given place almost entirely to foreigners. The causes which have induced this state of things are various, and may not be equally operative. It is believed, however, that among those causes, our credit system may not have been without some influence. But, waiving all discussion of this point at present, the fact that so large an amount of the import business is now in foreign hands, and that the advantages, if any, of the credit system accrue in a great measure to them, is a consideration not to be disregarded. Another consideration of great weight in this matter is the circumstance that the fluctuations and revulsions so frequently experienced in our great marts of foreign commerce, the effects of which have been as often felt throughout the whole country, are to be ascribed to some extent, to the facilities afforded by our system of custom-house credits. They are, for all practical purposes, a loan of money to the amount of the duties, by the Government to the importing merchant. The credit itself becomes a capital in trade, and serves to stimulate and progressively enlarge that portion of the import business which rests wholly on a fictitious basis.

"It may be true that men of small capital, or without any capital at all, would be benefited by obtaining credit from the Government; but it is not less true that the claim to this extraordinary indulgence, if it exist at all, attaches solely to the American merchant, and belongs in no way to foreigners. It is, moreover, worthy of remark, that in a sound condition of the trade when foreign supplies are really called for by the wants of the country, the means of paying the duties are insured by the prospect of a ready market, or may be obtained upon the credit and responsibility of the importer, in the community where he resides. If he does not possess this credit or responsibility among his neighbors, there appears no very good reason why he should be trusted by the Government. The security which he offers in the one case would be equally attainable in the other.

"The system of credits, established in the infancy of our commerce, when there was but little capital in the country, and the import business was on a footing entirely different from what it now is, might have been productive of real advantage. But the state of things which attended its establishment no longer continues. Capital is sufficiently abundant for supplying the country with foreign products, and much of the trade itself has been shifted from American to foreign hands.

"Among the direct advantages expected to arise from the cash system is its tendency to check overtrading, and to restrain importations within limits indicated by the wants of the country and the probable amount of its exchangeable surplus. It needs no labored argument or research to prove that the present embarrassment in all our departments of labor and enterprise have arisen very much from overtrading, nor does it require much discussion to show that the spirit of overtrading and reckless adventure has been favored by the system of custom-house credits."

1842.—In the highly protective tariff law of 1842 there were many new devices to prevent and punish false invoices of merchandise paying ad valorem rates, and also to secure correct appraisals. The sixteenth section is, as has just been said, substantially a re-enactment of the seventh section of the law of 1832, except that the latter requires an appraisement to be made according to the market value or wholesale price, at the time when purchased, in the principal markets of the country whence the same shall have been imported into the United States, instead of the actual value at the place of exportation, as in 1832, or actual cost at such place as in 1799. It restored the contrivance dropped in 1830, to levy an additional or penal duty if the appraised value exceeded the invoice value; it declared that if the appraised value should exceed by ten per centum or more the invoice value, then in addition to the regular duty there should be levied fifty per centum of the duty imposed upon the same when fairly invoiced. By another section, the several collectors were authorized, whenever they should deem it necessary to protect the revenue against frauds or undervaluation, and the same was practicable, to take the amount of duties chargeable on any article bearing an ad valorem rate of duty in the article itself, and cause the merchandise so taken to be sold at public auction within twenty days. In another section was enacted, for

the first time, a provision of law now known and substantially repeated in 1883, as the "Similitude Section." Another section made the requirements in respect to the examination of invoices and packages more severe.

1846.—In 1846 came a purely ad valorem tariff, in which all imported merchandise was for the first time classified in schedules. In the eighth section an important change was made. Previous laws had, as it has been seen, either increased the dutiable value when the appraised value exceeded the invoice value, or, as in 1842, had levied a penal duty. All our laws have in effect required that the entry paper presented at the custom-house be a transcript of the invoice. It was felt to be unjust to punish an importer by an additional rate of duty if the appraised value exceeded the invoice value, and the importer not be permitted to add to the invoice value on entry in order to make it conform to what might be the market value. Therefore the eighth section of the law of 1846 authorized an importer of merchandise, "actually purchased," to make on entry such addition therein "to the cost or value given in the invoice as in his opinion may raise the same to the true market value in the principal markets of the country whence the importation shall have been made, or in which the import shall have been originally manufactured, or produced, as the case may be." The same section added the requirement that if the appraised value should exceed by ten per centum or more the invoice value, then a penal duty of twenty per cent, should be inflicted, but, "under no circumstances shall the duties be assessed upon an amount less than the invoice value, any law of Congress to the contrary notwithstanding."

Under this law a question arose, which was decided by the Supreme Court in *Greely vs. Thompson* (10 How., 225) to the effect that by the laws of 1842 and 1846 the value of merchandise is to be ascertained as of the time of its *procurement*, and not as of the time of its *exportation*. The opinion of the Court was delivered at the December Term, 1850. The importation was of railroad-iron, manufactured in Wales, and made ready for shipment to agents in Boston, on January 24th, 1849. The invoice and bill of lading of the iron were dated February 24th, 1849. The invoice value of the iron was five pounds per ton. That was proved to be the fair market price on January 24th, 1849, when the merchandise was procured and ready for shipment. The Treasury Department instructed the appraisers that the valuation should be as of February 24th, 1849, the date of shipment, and thereupon the appraisers fixed the value at live pounds fifteen shillings per ton, which was more than ten per cent, above the invoice value, and a penal duty was exacted, which was paid under protest and a suit brought to recover the difference, as well as the penal duty. It was also proved on the trial that, during the month that intervened between the procurement and shipment of the iron, one of those extraordinary fluctuations in prices took place by which similar iron rose in value nearly twenty per cent. The Court decided that, according to the laws in force at the time the importation was made, the penalty of twenty per cent, only applied to *purchased* goods, and did not apply to goods consigned by a manufacturer, and therefore a penalty could not be levied on this importation. In giving these reasons for the decision that the date of procurement, and not the date of exportation, was the time when the appraisers must fix dutiable value, the Court said:

*"Indeed, it would seem reasonable, independent of the express language of the acts of Congress, that if uncertainty remained about the true construction of the fifth section of the act of 1823, the proper time for fixing the value of goods should be considered the time they were purchased or procured, because the idea of having the value and charges fixed, and assessing the duty on them, is to tax the importer on the amount, or value, he has expended. And what he has expended cannot be more than he has thus paid: and the invoice itself, often prepared in the interior, days and weeks before the vessel sails, states the price, or value, as then made up, and not at the time of the bill of lading, when the market value may be higher or lower. We do not find that the value at the time of exportation of goods of the growth or manufacture of the country whence exported, has ever been selected by any act of Congress for purposes of assessing the duty. * * * The value on which to tax the importer is the capital, or price, he has invested in the goods, and which is prima facie the amount paid if purchased, or the amount for which they were procured if not purchased."*

That would seem to imply that a manufacturer could invoice at cost price.

1851.—In 1851 there was an enactment made which changed the policy of the previous laws, as expounded by the Supreme Court in the opinion from which quotation has just been made. The first section of the act of March 3d, 1851, declared that in all cases where any ad valorem rate shall be imposed, the collector shall "cause the market value or wholesale price thereof at the period of *exportation* to the United States, in the principal markets of the country from which the same shall have been imported," to be appraised. The same law created four General Appraisers, to be employed in visiting the several ports under the direction of the Head of this Department, and said that, whenever practicable, reappraisals shall be determined by one of these General Appraisers associated with a merchant selected by the Collector; and, if the two disagree, the Collector shall decide between them. By this enactment, the power of appeal to the Head of this Department in reappraisals, and his power to finally fix dutiable value, were taken away.

1856.—In 1856, Congress not having amended the law levying penal duty, which law had been decided by the Supreme Court as not applicable to merchandise consigned by the manufacturer, my predecessor, Mr. Guthrie, on July 22d, 1856, urged the amendment upon Congress. In his letter of that date he said:

"As the law now stands, therefore, upon the construction which the Courts appear to be trying to give to it, the foreign manufacturer, or producer, is not subject to an additional duty for undervaluation. The importer who purchases in the foreign market and imports into the United States is. The foreign manufacturer, or producer, in any experiments he may choose to try upon the public revenue by undervalued invoices, runs no risk of additional duty, to which his competitor, the American merchant, who purchased the imports abroad, is exposed. This discrimination against the domestic importer in favor of the foreign is as impolitic as it is unjust. Foreign manufacturers, or producers, by establishing partners or agents in this country, importing and entering imports on their own account, and then making sales in pursuance of orders previous or subsequent to the entry, can thus supply our markets with their own products without being subjected to any adequate check against undervaluation. For, while they are not subject to the additional duty in such cases, to which the domestic importer is liable, nor, indeed, to any additional duty, upon the construction of the law which seems to be favored by the Courts, they could be reached only by forfeiture of their goods in cases in which the badge of fraud was so clear that the United States would have no difficulty in showing that fact."

Thus foreign manufacturers excited solicitude and anxiety in 1856! In consequence of this representation by the Head of this Department, the second section of the law of March 3d, 1857, was enacted, so that a penalty could be indicted on goods consigned by a manufacturer. In the proviso of that act there was an additional change. Theretofore the statute had said that duty should not be assessed upon an amount less than the *invoice* value, but the enactment of 1857 declared "that, under no circumstances, shall the duty be assessed upon an amount less than the invoice, or *entered*, value, any law of Congress to the contrary notwithstanding."

The tariff law of 1846 was a tariff of comparatively low ad valorem rates, but under it undervaluations seem to have abounded.

Efforts to Prevent Presentation of False Invoices After 1861.

After 1857, the first and most important enactment to secure the presentation of truthful invoices, and to punish those who presented false invoices, was that of March 3d, 1863 (Chapter LXXVI), which required all invoices to be made in triplicate. It greatly broadened the character of the offence for the commission of which confiscation was denounced, by declaring that if any owner, consignee, or agent of any merchandise shall *knowingly* make or attempt to make, an entry by means of a *false* invoice, or a *false* certificate of a consular officer, or by means of any *false* document or paper, or by any *false* or fraudulent practice or appliance whatsoever, said merchandise, or its value, shall be forfeited. There was allowed to the District Attorneys two per cent, upon all moneys realized by any forfeiture suit conducted by them. Judges of the Federal District Courts were authorized to issue warrants directed to the Collector of the port empowering him, or his agents, to seize the merchant's books or papers relating to revenue frauds, and carry them away to be inspected, to which last legislation, and its amendments in 1866 and 1867, I have referred at length in my Annual Report, (p. LII.) It is to be borne in mind, that at the time of this enactment in 1863, all persons were, under the law of 1799, stimulated by the prospect of realizing *one-fourth* of the net proceeds of the forfeiture, to give the Government information of contemplated, or perpetrated, frauds upon the customs revenue, and that each of the three chief officers of the customs at each port was encouraged to make seizures by a share of the result, if the prosecution resulted favorably to the United States. Although the legislation of 1863 was severe, and although it broke down ten years later by its own weight, yet it probably operated in fact to deter merchants from the presentation of false invoices, and in enabling the Executive to more thoroughly execute the tariff laws during the period of the Civil War, than would have been possible without such deterrent legislation. It may be explained, at that critical period in the history of the country, by much the same reasons as the forced recruitment of soldiers, the suspension of the writ of *Habeas Corpus* in certain places, and other restrictions upon the individual liberty of the citizen, or of an alien sojourning in the country, were defended.

1874.—In 1874 all the provisions of law under which moieties of any fines, penalties or forfeitures under the customs-revenue laws, or any share therein, or any commission thereon were paid to informers, or officers of the customs, were repealed. All power to make Executive inquisition into the books or papers of importers was taken away, and the power of Courts and juries to inflict confiscation was greatly abridged.. The previous law had forfeited *all* the merchandise on an invoice if any item thereof was made with a deliberate intent to defraud the revenue, but the legislation of 1874 restricted confiscation to the package containing the article to which the fraud related. But, apart from those things, the law of 1874 was comprehensive by declaring that any person who should" with intent to defraud the revenue make, or attempt to make, an entry of imported merchandise, by means of any fraudulent or false invoice, affidavit, letter or paper, or by means of any false statement, written or verbal," or "who shall be guilty of any wilful act of omission, by means whereof the United States shall be deprived of the legal duties, or of any portion thereof, accruing upon the merchandise or any portion thereof embraced or referred to in such invoice, affidavit, letter, paper or statement, or affected by

such act of omission, shall, for each offence be fined in any sum not exceeding five thousand dollars nor less than fifty dollars, or be imprisoned for any term not exceeding two years, or both, and in addition to such fine, *such merchandise shall he forfeited.*"

Why Have Not Customs Frauds Been Punished?

Such is the law to-day. Certainly the language used in the act of 1874, is broad enough to cover each and all of the offences, whether of false invoices or false valuations, about which so much is now heard. This law has been in force during the last eleven years and more. If false invoices, false statements, or other wilful acts by means of which this Government is, or has been, deprived of its lawful duties on imported merchandise, have so abounded during the last ten or five, or three years, or one year, how, or why, has it happened that so few prosecutions, for confiscation of the inculpatated merchandise, or for criminal punishment of individuals, have been undertaken? If any class in the community, whether manufacturers or importers, or if any individuals in the community, whether in office or out of office, are, or have been, cognizant of these frauds, why have not the charges and specifications been made to the Treasury Department, or to Collectors of Customs, or to District Attorneys, thereby *compelling* the attempted imprisonment of the offenders, and confiscation of the offending property.

I was perplexed by inquiries of this character while engaged in the preparation of my Annual Report, and I am still perplexed by them. Out of an effort to come to a satisfactory conclusion therein in my own mind, came the series of inquiries which I addressed to customs officers in the several collection districts, and to law officers in the several judicial districts, the replies to which I transmitted to Congress. In that document I omitted nothing contained in the records of this Department which I thought would aid Congress in coming to a safe conclusion. To that end I included in the document what seemed to me the conflicting views of the several agents of this Department, on the one hand, and of the local officers in the several collection districts on the other hand. The opinions of these two classes of officers, it will be observed, came from those who had been for a long time in the service of the Government and had been responsible for the execution of the customs laws before I became the Head of this Department. I presented facts and statistics tending to show that prosecutions and indictments for customs frauds, which had been many and continuous from 1863 to 1874, suddenly ceased after that date. It will be observed, for example, that the Collector of the port of Boston, from 1882 to 1886, reported to me (p. 468) under date of September 16, 1885:

"I have no evidence, neither have I been able to procure any, that the duties have not within the last few years, been levied and collected as the law prescribes. I have no evidence, neither have I been able to procure any, that the full amount of duty prescribed by Congress has not been collected."

The Naval Officer and the Surveyor at the port of Boston appear to have substantially concurred in this opinion. And yet Mr. Bingham, who had been Special Agent in that Collection District from 1869 to 1885, reported to me (p. 385) on September 21, 1885:

"There is abundant evidence in the records of the Department and the several custom-houses that various kinds of imported merchandise have, within the last few years, been entered and passed at lower rates than those prescribed by law."

My attention having been called to the divergence, if not positive conflict of opinion, between the Special Agent and the Collector at the port of Boston, I addressed to Special Agent Bingham, under date of October 2d, 1885, a second inquiry calculated to call for a revision of his opinion, as to any differences that might exist between himself and the chief customs officers at the port of Boston. In his second reply Mr. Bingham substantially reiterated his previous opinions, and added that "Undervaluation is the rule rather than the exception."

A similar divergence or conflict of opinion may be said, I think, to exist generally throughout the country between the Special Agents and the chief officers at the several ports. The replies of the appraising officers, including the examiners at the port of New York, which are published in the volumes referred to, are especially noteworthy in this connection as tending to deny or ignore the existence of undervaluations or frauds at that port, such as exist in the opinions of the special agents, and of so many manufacturers and importers.

Great stress has been laid upon the sixteenth section of the act of 1874, because, as is alleged by many, it made successful prosecutions for forfeiture impossible, by reason of the provision that the jury must specially find intent, and because it shifted the burden of proof upon the prosecution. In that regard I think the letter which Mr. Justice Blatchford so kindly addressed to me in reply to my inquiry (p. 868) is most important. That sixteenth section of the law of 1874 only required the Court to submit to the jury as a distinct and separate proposition, whether the alleged acts were done with an actual intention to defraud the United States, and to require on such proposition a special finding by such jury. If frauds have been within the last few years, and now are, perpetrated upon the customs revenue, of such a character as are generally indicated, I am at a loss to

understand how, with adequate knowledge on the part of those who are cognizant of those facts, and also on the part of prosecuting officers, the sixteenth section can be a serious impediment in the way of confiscation. The averment is, as I understand it, that, foreign manufacturers and others deliberately, knowingly, intelligently and intentionally prepare invoices, and cause them to be presented at the custom houses in this country, which do not, and that those who prepare such invoices know that they do not, contain the prices which the laws of this country require to be inserted in such invoices, but that lower prices are, with guilty knowledge, inserted in such invoices in order to evade the payment of duties *known* to be chargeable thereon, and to defraud the revenue of the United States. If such facts actually exist, they must be within the knowledge of persons in this country who can produce, or enable the Government to produce, the proof thereof, and if produced and presented to a Court and jury in New York, or in any other judicial district, I am unwilling to believe, and do not believe, that there would be a failure of justice by a refusal of juries to return a verdict which would enable the Court to pronounce a condemnation.

I do not wish to be understood as expressing the opinion that such frauds have not been perpetrated within the last few years in great abundance, or that they are not now perpetrated. But why have not more prosecutions been attempted? One reason may be that under the existing law there is no one with sufficient motive, or inducement, I will not say sufficient fidelity to the Government, to make the preliminary seizure which must be made before the property can be taken possession of by a Marshal on a warrant issued by the Court. It is not possible for the Head of this Department to make such seizures in any or all of the one hundred and sixteen collection districts of the country, nor is it practicable for the Head of this Department to direct that such seizures be made. The law contemplates that one whose property is seized shall have a remedy for an unlawful and an unjustifiable seizure, by a suit against the one who makes it. The law prudently requires that there shall be an actual seizure before a libel of prosecution is filed, inasmuch as if a seizure by order of the Court is the first seizure made, the person injured cannot bring a suit for damage against the Court. If the Head of this Department should direct a seizure to be made by a customs officer, it would be unjust to hold that officer responsible in damages for an unjustifiable seizure which was made by command of his superior officer. I am not aware of any statute which authorizes a warrant to be drawn to pay a judgment recovered against a person making a customs seizure, if that seizure shall have been pronounced by the judgment unjustifiable. Under the moiety law, as it existed from 1799 to 1874, the officers of the customs appear to have been willing to take that risk. The arrangements of the law of 1799 by which the distribution of a share of the proceeds of forfeitures to informers, was a judicial act, wherein the informer could vindicate his rights *in Court*, tended to uncover and display to the Government information in regard to attempted or perpetrated customs frauds, the obtaining of which is now practically impossible.

It is, I repeat, impracticable for the Head of this Department to make seizures, or order them to be made, or make affidavits charging criminal offences, *but I am authored to say that if any responsible citizen,—manufacturer or importer,—will present charges and specifications showing probable cause to believe that a fraud on the customs revenue has been knowingly perpetrated, the whole power of the Executive will be immediately brought to bear, and vigorously applied, on the criminal and civil side of the Court, in order to bring the accused to condign punishment.*

New Coercion Laws Nearly Coincident With Increased Ad Valorem Rates Down to 1874.—Need of Simplification.

It will be observed from the historical review which has been attempted of the tariff legislation of the country from the organization of the Government down to the present day, that increasing severity of legislation to prevent customs frauds has come down to us side by side with a raising of the rates of duty, and with an enlargement of the application of ad valorem rates. The true inference to be drawn from that fact cannot, I think, fail to appear.

There will be persons who do not, or will pretend they do not, understand a law which works to their disadvantage, no matter how clear it may be, but I think there are those who are really and honestly confused by the technical and artificial character of a part of our present customs legislation. I am continually impressed by the fact that so many apparently well-meaning persons, in letters to this Department, write as if they really believed that all invoices, whether of purchased or of consigned goods, must contain the actual cost, which is true of purchased goods, but is not true of consigned goods. A few manufacturers appear to believe that as a purchaser must invoice at *actual cost*, so must a manufacturer whose goods are sent here on consignment. There is much also in what is said and done by our consular officers abroad, which leads one to fear that too many of them do not understand, or even try to understand, the legal distinction between the two classes of invoices.

Our laws require a manufacturer to declare in his invoice the fair market value at the time when, and the

place where the goods were manufactured. It is quite possible that the time of manufacture may antedate by many months, or even by years, the date of the starting of the merchandise on its way to this country. Up to 1851, as has been shown, our laws required the invoice to be of the day of purchase, or procurement, or manufacture; but since 1851 the appraisal is made as of the time of *exportation* to the United States.

It may well enough happen that goods, whose value is influenced by the fashion of the day, were manufactured in 1883 or 1884, but consigned in 1886, or when out of fashion in Europe. Under such circumstances, the manufacturer too often inserts in his invoice the value at the time of *shipment*, or even less than that value, instead of the value at the date of *manufacture*, although our law requires that the value shall be on the day when the manufacture of the merchandise was completed. The inconvenience, and perhaps the injustice, of our existing law, are seen in this: A manufacturer cannot on entry reduce the invoice value, although he may add to it to make market value and save a penalty: the Appraiser may return to the Collector a value less than the invoice value, but our Collector must, nevertheless, levy duty on not less than the *entered* value. One can readily see how useful to the Appraisers it would be to have before them a declaration by the manufacturer of the market value of merchandise on the day its manufacture was completed, but in order to make that information valuable the invoice should specify the date of the manufacture, which no invoice, as I am informed, ever does.

I respectfully suggest the inquiry whether the law, requiring a manufacturer sending merchandise hither on consignment to declare in his invoice the value at the time of *manufacture*, cannot safely be changed so as to require him to state the value at the time of *shipment*, in order that the valuation by the Appraisers and the valuation in the invoice may refer to the same period.

The belief is quite general that our law constrains the appraising officers to be controlled by the invoice, whereas the invoice is only insisted upon by the law *as a piece of evidence* to inform the judgment of the appraising officers, and enable them to come to a correct conclusion as to the value of the merchandise on the day which the law requires the appraising officers to regard. The opinion that the invoice value is conclusive, or should be conclusive, upon the appraising officers, may have been inspired, or confirmed, by the provision of the law which forbids the collector to levy duty on less than the invoice or entered value, as well as by a disregard of the other requirement of the law that the appraisers are, by all reasonable ways and means, to ascertain the market value in the foreign country at the date of exportation, any invoice, or affidavit to the contrary notwithstanding. In May, 1856, the appraisers at the port of New York returned to the Collector a value less than that declared in the entry, and the question was presented to this Department, whether or not the appraised value should be taken as the dutiable value. It happened in that case that the importer raised on entry the invoice value, for some reason or other, possibly to avoid an apprehended penalty. This Department, in a letter to the Collector of New York, of May 8th, 1856, made this observation:

"I cannot comprehend how it is appraisers can undertake to say that they will disbelieve the importer's own declaration of value, when he produced his invoice, and when he adds to his invoice value; and that he, the appraiser, knows better than the importer, and therefore disbelieves him, and finds the value less than he has declared it to be. Persistence in such a course by the appraisers would prove an obliquity of judgment that it is impossible to comprehend or provide against.

The duty cannot be assessed upon less than the increased declared value, no matter what may be the appraised value returned by the appraisers, and you should report all cases where the appraisers undertake thus to set aside the evidence of the importer's declaration of value."

As a result of that letter from this Department, the practice began, as I am informed, which has since continued, under which the appraising officers, unless satisfied that the entered value is too low, report to the Collector, on the invoice, "Value Correct." It is a natural inference that if the importer's declaration of value is to be so controlling in one condition of facts, it ought to be so controlling in another condition of facts wherein the appraising officers are in doubt whether the invoice valuation is sufficiently high. It may not be safe to modify the existing provision of the law that the Collector shall never take duty on less than the entered value; and yet, in the practical working of that law it may happen, under our ad valorem system, that one who buys in Paris a camel's-hair shawl, for example, and pays therefor five thousand francs, and enters it for that sum, as the purchaser would be required to do, may be compelled to pay duty on the equivalent in our money of five thousand francs, but that a dealer, buying on the same day, in Paris, and from the same seller another shawl precisely similar, but purchased for four thousand francs, entered and appraised at that sum as the real market value of the shawl, may only be compelled to pay duty thereon, or on a valuation one thousand francs less than the former valuation.

These obvious inequalities and hardships are, I think, inherent in any ad valorem system. The experience of the Government in 1817, sixty-nine years ago, when ad valorem rates were less by one-half, if not by two-thirds, than now, and the illuminating report of my predecessor, Mr. Crawford, whose correct judgment has been attested by the praise of Mr. Gallatin, warn us that even with a large scaling down of ad valorem rates by a

horizontal reduction, or any other reduction, the inequalities and hardships of an ad valorem system, and the attempting or perpetrating of frauds on the revenue are not likely to come to an end. We are living in days when profits to be derived from the carrying on of business, whether it be in buying and selling, or manufacturing merchandise, or in the railway business, or in banking business, or in brokerage business, or in steamship business, come from the large volume of business done under conditions of very "thin" rates for transacting the business. Thus it happens that a comparatively small sum evaded, or saved, in the payment of duties to the Government, will be sufficient to make the difference between a profit, or a loss, in importation, and will be sufficient to give victory in the sharp contest between rival importers and dealers.

Tariff Laws, and the Tax Laws of New York.

It is said that the present tendency of the practical working of the application of an ad valorem system in the raising of revenue on imports is toward a yearly diminution of dutiable or taxable values, and that such yearly diminution, without justifying change in the law, is not an injury to the community, but on the contrary is a benefit to all concerned, and especially to consumers. I cannot take that view. Those who make the assertion to which I refer, appeal to what is obviously going on in the assessment of taxes under State laws where the valuation is notoriously far below the real valuation. The law of the State of New York (I refer to it because I am more familiar with it than with the laws of other States) declares that "*all* lands, and *all* personal estate, within the State, whether owned by individuals or by corporations, shall be liable to taxation," subject to certain exemptions, and also that "all real and personal estate, liable to taxation, shall be estimated and assessed by the assessors at its *full* and true value, as they would appraise the same in payment of a just debt due from a solvent debtor." It is undoubtedly true that in the State of New York that law is not fully and completely executed. Personal property escapes taxation in part, and real estate is undervalued for taxes; but there is a difference between the customs laws of the United States and the tax laws of the State of New York in the fact that, whereas, in the former the person owning the property and presenting it for entry is required, and undertakes, to declare, and to declare under the solemnity of an oath, the real foreign value of his property, yet in the State of New York no such declaration, or declaration of value of any kind, is required from the owner of property. But the most material difference and distinction are in this: By undertaking to levy uniform rates and amounts of duty, at each and all of the ports of the United States, upon all similar merchandise arriving therein, the Government injuriously interferes with private business if it permits two articles, precisely similar in quality, and arriving by the same vessel, to be appraised for duty at different values at different ports.

Senate Bill No. 1153.

An alternative plan of not attempting to reduce the number of dutiable articles, or prudently substitute specific for ad valorem rates, or eliminate wherever possible the confusion of compound rates, or make more logical and clear requirements on invoices, or strengthen the appraising force, or simplify the things to be done by importers and customs officers, but of endeavoring, on the contrary, to enforce the collection of existing rates by new and severe coercive laws, is set forth in the Bill now before the Finance Committee of the Senate, "to prevent frauds upon the Customs Revenue." I desire to call attention to that proposed legislation, not only because it so clearly shows the direction in which Congress must go if coercion rather than tariff-reform is to be the policy, but because it enables me to exhibit the executive aspect of the tariff problem, with which aspect I am now chiefly concerned.

The Bill which is now before the Finance Committee of the Senate, is in these words:

- That whenever the dutiable or foreign market value of any article of merchandise imported into the United States, and subject to "ad valorem" duty, or to duty based in whole or in part on values, is found by the appraising officer to exceed the invoice or entered value thereof, whether such invoice or entered value shall be set forth in a certified invoice, a "pro forma" invoice, or in a statement in the form of an invoice, there shall be levied, collected and paid in addition to the duties now imposed by law on such merchandise a further sum equal to 2 per cent, of the total appraised value for each 1 per cent, of the increased valuation as ascertained by the appraisers in excess of the entered value; and if such appraised value shall exceed the entered value more than 15 per cent, the entry shall be deemed fraudulent, and the collector of customs shall seize such merchandise and proceed as in cases of forfeiture for violations of the customs laws.
- That in addition to the methods now authorized by law for determining actual foreign market or dutiable value, and to assist in the ascertainment of such value in the appraisal or reappraisal of any article of imported merchandise, wholly or partially manufactured, and subject to "ad valorem" duty or to duty based in whole or in part on values, when such merchandise has been consigned by any person or persons

in any other country to a person or persons, agent, partner or consignee in the United States, or has been obtained otherwise than by actual purchase in the ordinary course of business, it shall be the duty of the appraiser or appraisers to determine, first, the cost of production of such merchandise at the lime and place of manufacture, such cost of production to include cost of materials and manufacture, all incidental expenses, insurance, interest, commissions, superintendence, rent, depreciation of plant, finishing and preparation for shipment, and a reasonable profit for manufacture not less than 10 per centum, and, second, the home value of such merchandise, which shall be ascertained by deducting from the wholesale price thereof in the principal markets of the United States the amount of duties thereon and the cost of transportation from the last port of exportation to the port of importation, and in no case shall the dutiable value of such merchandise be appraised upon original appraisal or reappraisal at less than the cost of production or the home value thereof, ascertained as herein provided.

- That if any owner, consignee or agent of any merchandise subject to ad valorem duty or to duty based in whole or in part on value shall knowingly make or attempt to make an entry thereof by means of any false invoice or false certificate, of a consul, vice-consul or commercial agent, or of any invoice which does not contain a true statement of the actual cost of such merchandise if purchased or if obtained otherwise than by purchase of the actual market value thereof at the time of its exportation to the United States, in the principal markets of the country from whence the same has been exported or by means of any other false or fraudulent document or paper, or by means of any other false or fraudulent practice or appliance whatsoever such merchandise or the value thereof shall be forfeited to the United States.
- That one-half of all moneys which shall be hereafter paid into the Treasury of the United States from fines, penalties or forfeitures incurred for violations of the customs-revenue laws, shall constitute a fund from which may be paid from time to time, on the joint order of the Secretary of the Treasury and the Secretary of State, who are hereby created a board for this purpose, such sums as they may in their discretion determine, to meritorious officers of the customs or consular service who shall have been instrumental in the detection or punishment of frauds upon the customs revenue, and the Board thereby created shall annually make a report of their doings hereunder to Congress, stating in detail the names of parties to whom has been paid, their positions in the public service, the nature of the services rendered, and amount paid to each.
- That the sixteenth section of the act entitled "An act to amend the customs-revenue laws and to repeal moiety," approved June 22, 1874, be and the same is hereby repealed. And in all suits or informations brought where any seizure is made pursuant to any act providing for or regulating the collection of duties on imports or tonnage, if the property is claimed by any person, the burden of proof shall lie upon such claimant, *provided* that probable cause is shown for such prosecution to be judged of by the courts.
- That all acts and parts of acts inconsistent with this act are hereby repealed.

First section.—I respectfully invite a consideration of the question whether confusion and difficulty may not arise in the execution of the first part of this section if it shall become a law. Under our existing system there is the certified *invoice* value, which is the *minimum* value for imposing ad valorem duties. There is the *entered* value, which, when greater than the invoice value, defines a line of value below which the Collector cannot levy ad valorem rates. There is the *market* value to be ascertained and reported by the appraising officers. And finally, there is the *dutiable* value, the decision of which by the Collector under general instructions by the Head of this Department is by law made final and conclusive unless certain steps be taken by the importer. Section seven of the Tariff act of 1883 (which section has recently been before the Supreme Court of the United States for interpretation) concerns market and dutiable value. There are other provisions of law, scattered here and there throughout the statutes, which, under certain conditions, may make the *dutiable* value unlike the *market* value in the principal markets of the country of exportation, which is to be ascertained by the appraisers, and to which last value I assume the first section refers when it uses the phrase "Foreign market value." Section 2900 of the Revised Statutes inflicts a penal duty whenever the *appraised* (not *dutiable*) value shall exceed by ten per centum or more the *entered* value. But the section of the proposed bill now under consideration makes a change by levying the penal duty whenever the "appraising officers" shall find that the *dutiable* value shall exceed the entered value.

The language used in describing, and defining, the rate or amount of additional duty would be more satisfactory if it indicated to importers, and to the country, more clearly what the ratio of that additional duty will be. The "total appraised value," referred to in the first section, may not be the same as dutiable value, but is the entered value to be compared, in the infliction of a penalty, with the *appraised* value, as found by the appraisers, or with the *dutiable* value, as finally decided by the Collector, and against which a protest, appeal and suit can be applied?

Responsibility For Seizures.

The last clause of the first section covers a large range of inquiry, not only into the existing law but into the existing machinery for its enforcement. The legal effect, in practical administration, of the last clause of the first section of the proposed bill, if it shall become a law, will be, to require the Collector to seize all merchandise embraced in an entry whenever the appraising officer shall report to him an appraised value which shall exceed the entered value by more than fifteen per cent., and to report the seizure to the District Attorney for prosecution. The section does not declare distinctly whether the Collector shall seize upon a report by the local appraiser, or whether he shall await a reappraisal, or whether if the two reappraisers disagree he shall await *his own* decision between them. If the law commands the Collector to seize merchandise on a report to him by an appraising officer of a specific fact, to wit, a difference of fifteen per centum between the entered and the appraised value of merchandise, then the Collector should not be held responsible in damages for the consequences of the seizure.

The fifth section of the proposed law provides for burden of proof in case probable cause is shown for the prosecution. But if the law peremptorily commands the Collector to seize, it is to be inferred that no Court will say that a probable cause did not exist for a seizure specifically commanded by the law. What will be the effect of the proposed first section, on a trial for forfeiture under a seizure made in obedience to the section? The third section punishes by forfeiture an entry "*knowingly* made or attempted to be made by a false invoice." Is not the jury to pass upon the question of guilty knowledge? But if the law declares that every entry of merchandise "*shall* be deemed fraudulent" if the appraised value shall exceed the entered value by more than fifteen per cent., what discretion will be left to the jury if the evidence shall be that the appraised value did thus exceed the entered value? I shall return to this branch of the subject again when I come to consider the second section. Is it probable that appraising officers will advance values above fifteen per cent, if they realize that such important consequences as forfeiture of the merchandise will follow? It will be observed that the first section does not require appraising officers to inquire into the *intent* with which the invoice was made and the entry was presented, but the proposed law *infers* a fraudulent intent from the finding by appraising officers of value greater by fifteen per cent, than the entered value. If this section shall become a law, may not merchandise be forfeited without anybody, or any tribunal, considering, or deciding, the question of guilty knowledge and criminal intention?

It will not escape the attention of Congress that (the first section of the proposed bill requires the Collector to levy and enforce the payment of the regular duty, and the penal or additional duty prescribed therein. The third section enforces a forfeiture under the conditions herein prescribed, and requires a suit to be begun against the person having made the entry to recover the value of the merchandise if the same cannot be proceeded against "*in rem*," but does the bill contemplate that the forfeiture shall be *in addition* to the regular duty and penal duty which may already have been paid? If the merchandise shall have passed out of the possession of the Government, and is seized, or, if the merchandise cannot be found and a suit be brought to forfeit the value, then of course both the regular and penal duty will have been paid thereon. If it be the intention of the law that, in case of forfeiture, the penal duty, and the regular duty, shall be returned to the person making the entry, there should be a provision in the law authorizing the Secretary of the Treasury to draw his warrant for the duties to be returned?

Pro Forma Invoices.

In the volume of documents transmitted to Congress with my Annual Report on "The Collection of Duties," will be found (pp. 65, 591, 675) a reference to the manner in which Sections 9, 10, and 11 of the "Anti-Moiety Law" of June 22d, 1874, have been used to defraud the revenue by the presentation of what have come to be called "*pro forma* invoices." From the enactment of that law up to October, 1878, an entry by *pro forma* invoice was treated, as to its liability to penal duty, as an entry made on the original invoice under Section 2900 of the Revised Statutes. During the last named year, an importation of diamonds having been made in the port of New York unaccompanied by a certified invoice, the importer was permitted by the Collector, under the law of 1874, to present "a statement in the form of an invoice." purporting to show the foreign value of the diamonds at 21,550 francs. They were appraised at 27,264.45 francs, and thereupon the additional duty of twenty per cent, was levied by the Collector under Section 2900 of the Revised Statutes. The importers insisted that this section did not apply, inasmuch as the statement, "in the form of an invoice," which accompanied their entry, was not an "original invoice" within the meaning of Section 2900. The question was referred by this Department to the Attorney-General for advice, who, in an opinion dated October 4th, 1878, upheld the contention of the importers. He advised the Department that the law of 1871 initiated a mode of procedure entirely distinct from

that described in Section 2900 of the Revised Statutes, inasmuch as the former contains no provision for an addition to the entry. He suggested that if the importer had presented the statement "in the form of an invoice," with intent to defraud the revenue, the importer could be criminally punished and the diamonds forfeited, under the twelfth section of the Act of 1874. As a consequence, the number of *pro forma* invoices presented at the port of New York, during the year 1884, was nearly 30,000, of which more than 1,700 covered merchandise valued at more than \$100. When my attention was called to this condition of affairs I invited the Attorney-General to reconsider the opinion of his predecessor, Mr. Devens, but on August 27th, 1885, the Department of Justice sustained the previous opinion. According to the law, as it stood prior to 1884, only the Head of this Department could authorize an entry without the production of a certified invoice unless the value of the importation might be less than \$100, in which case the Collector could admit it to entry without the production of the triplicate invoice and without submitting the question to the Secretary of the Treasury, if the Collector "is satisfied that the neglect to produce such invoice was unintentional, and that the importation was made in good faith, and without any purpose to defraud, or evade, the revenue laws." But the law of 1874 gave to the Collector discretion in the execution of Sections 9, 10, and 11. The facts clearly show that the law of 1874 was inconsiderately and carelessly administered. Such inefficiency at the several ports may now exist, but this Department is unable to sufficiently guard against it. My own opinion, when my attention was first called to the question, was, and it now is, that the twenty per cent, penalty is applicable to an entry made under the sections of the law of 1874 to which I have referred, and for the reason that the last-named law does not repeal the last clause in Section 2900 of the Revised Statutes, which declares that: "The duties shall not, however, be assessed upon an amount less than the invoice or entered *entered*." That declaration seems to me to be an independent requirement, not depending upon the previous provisions of the section. Originally the law declared, as has been shown, that the duty shall not be assessed upon the amount less than the "invoice" value, but later on the law said that the duty shall not be assessed upon less than the "entered" value. The words "invoice" and "entered," are not in that connection, as it seems to me, used as synonymous words. If they who prepared the Revised Statutes had taken Section 2900 literally from the Statute of 1865, which the Revised Statutes professed to re-enact, the question would have been more free from difficulty, inasmuch as the law of 1865 declares: "The duty shall not be assessed upon an amount less than the invoice or entered value, *any Act of Congress to the contrary notwithstanding*."

For all these reasons it has happened that the Government has neither collected twenty per cent, penal duty, nor prosecuted the importers or merchandise for fraudulent undervaluation. The evil can, however, be easily remedied by repealing the obnoxious sections in the law of 1874.

Reorganization of the Appraising Department.

Second Section.—This section implies that *dutiable* value is to be ascertained by the appraising officer's and not by the Collector. It does not apply to merchandise that has been purchased "in the ordinary course of business." It applies to merchandise obtained by gift, or finding, as well as by manufacture. It applies to diamonds, and precious stones, if not obtained by purchase. The inquiries and decision are novel, which the appraising officers will, under it, be required to make in order to determine the value on which the rates of duty shall be levied by the Collector. It requires the appraising officers to ascertain and determine not only the cost of production of each article, not obtained "by actual purchase in the ordinary course of business, but the home value" in the principal markets of our own country. It makes either the former or the latter a *minimum* value.

I deem it my duty most urgently to suggest the inquiry whether or not the appraising department of the Government at New York, or in any other of the collection districts, is equipped, or can be equipped, under the existing law, for making these two inquiries. Under the section the appraising officers must ascertain the cost of material, insurance, interest, commissions, superintendence, rents, the depreciation of plant, and a reasonable profit for manufacture, in a business carried on in a foreign country, three, or four, or possibly five thousand, miles away. Not only are the local appraisers to ascertain these facts, but their decisions will, under the existing law, be subject to re-examination on reappraisal, and again to re-examination by the Collector if the reappraisers shall disagree in regard to any of these occult elements. I am aware that the tendency of recent legislation, and notably that in respect to gloves, in 1873, which is contained in section 2013 of the Revised Statutes, and also that contained in the ninth section of the tariff act of 1883, has been to require, or permit, appraising officers to ascertain market value by other tests than the price at which similar goods are bought or sold, or are held for sale, by the owner, or the price which he expects to receive therefor, at his own place of business, after sale in the United States. The execution of both these enactments has given much embarrassment to this Department. As an Appendix to this communication (marked A) I transmit a copy of a Circular Letter issued by this Department on July 7th, 1883, immediately after the enactment of the tariff Law of that year. I think the effect of requiring appraising officers to determine market value by ascertaining the cost

of production will result in a litigious controversy, in nearly every case, over such cost, and that the Appraising Department, as at present organized, is not adapted for such an inquiry.

The second branch of the proposed new system, which requires the appraising officers to ascertain "the home value of imported merchandise in the principal markets of the United States," will be, as it seems to me, quite as difficult. Which will be the "principal markets of the United States" for merchandise imported into Alaska? Will not the market-places vary with the character of the merchandise? The Constitution ordains that "*all* duties, imposts and excises, shall be uniform throughout the United States." But how can that constitutional requirement be obeyed if duties are to be levied on the "home value" as defined by the second section of the proposed law? Will it be possible that duties on similar merchandise entered at Eastport in Maine, at New York, New Orleans, San Francisco, Portland in Oregon, and Alaska, can be uniform. If the duty is finally determined by the Collector, how can the appraising officers in advance of his determination conveniently deduct the amount of duties from the "home value" ascertained by them? If cost of production, or home value, is to determine *dutiable* value, ought not the importer to be permitted to declare his appreciation of one or the other in his invoice or entry? Will not home value in the end be largely determined by foreign value? Shall silk goods, imported at St. Louis, pay fifty per centum upon their value at Boston, or at New York? In a word, does not the second requirement in the second section bring to the front the constitutional and other objections which apply to any and every ad valorem system based on *home* valuations?

The present magnitude of appraising work at the port of New York is not, I fear, correctly and sufficiently appreciated, either by legislators, or by the public at large. It certainly was not appreciated by me until I came to be responsible, in some measure, for its proper performance.

The tariff law of 1888 divides and classifies imported merchandise into fourteen schedules. The following tabular statement showing the value of the merchandise entered for consumption (including entries for immediate consumption and withdrawals from warehouse for consumption) at the port of New York, during the fiscal year ended June 30th, 1885, may assist Congress to realize the proportions of the Government business transacted at that port.

The sum total of the schedules shows that merchandise of the value of \$382,653,016 was received, examined, and delivered at the port of New York during the last fiscal year, and that \$122,635,797 were actually levied and collected thereon. It is believed that no other government, no other port or metropolis, can exhibit, during that year, such an enormous volume of government business of a similar character as was transacted at the port of New York.

It may be useful to add that, throughout the whole country and in all the collection districts, the relation of ad valorem to specific rates, in the full amount of duty collected during the fiscal year ended June 30th, 1885, was:

Or 38.9 per cent.

Or 61.1 per cent.

If any importing house, or if any number of importing houses, had received, handled and sold such an enormous quantity of most valuable merchandise, of every variety of fabric and form, I think it can be safely said that the conveniences, facilities and machinery for the transaction of such business would not have been like those which this Government has used, and is using, at the port of New York, as regards the building, or buildings, in which this vast quantity of merchandise has been examined and appraised, the conveniences of space, air, light and other arrangements tending to promote accuracy and prevent confusion, to say nothing of the number, qualification, character and compensation of the agents employed.

The business of receiving, carting, examining, appraising, warehousing and delivering imported merchandise at the port of New York, is fairly divisible into three subdivisions. There are the buildings in which are the offices of the Collector, Naval Officer and Surveyor, wherein clerical work, and work of general administration, are conducted. There are the warehouses in which the merchandise is received and stored, with its complement of storekeepers, including the business of cartage. There is such work as is done out of doors, on the wharves, in weighing, gauging, measuring—which is under the supervision of the Surveyor. And finally there is, at the port of New York, in buildings separate and apart from the premises just described—the appraisers' stores, where all the vast and intricate work of ascertaining foreign values is carried on. These appraisers' stores are not owned by the Government, but a rental is paid therefor. The whole cost of the appraising force at New York, including appraisers, examiners, openers, packers, clerks, messengers, laborers and cartage, during the last fiscal year, is exhibited in the accompanying document "Exhibit B."

I have in my Annual Report already alluded to this subject, and to the inadequate character of the force employed. The present Appraiser at New York, who is at the head of this enormous appraising establishment, or rather at the head of the force appraising such an enormous quantity of merchandise, is, I believe, a competent, upright and courageous officer. He has experience, zeal and fidelity. His salary is four thousand dollars a year, and, small as it is, it is the largest paid to any of the appraising officers at that port. The work of

administration, supervision, examination and actual appraisement, placed upon him by the statute, would be altogether beyond the power of any one man even if the working hours of a day were an hundred instead of eight or ten, and if he had the physical endurance therefor. He is responsible, in theory, for the examination and appraisement of each and every article under all the fourteen schedules. But good administration of such an ad valorem system as ours requires that there be over each of the schedules as competent an appraising officer, whose salary, if the work be courageously and conscientiously performed, cannot, I had almost said, be too large. And as no one man can, in person, examine and appraise each and all of the articles in each schedule, there is needed over each one of the schedules subordinate appraisers, and examiners, whose aptitude and discrimination in the comparison of one fabric with another in order to ascertain foreign value, should command a much larger salary than is now paid to any member of our appraising force.

It must be borne in mind that what an appraiser, under our system, is required to ascertain, is all the facts in regard to values, and to ascertain them as they exist not in one's own city or locality, but in places removed by many thousand miles. The conclusions must necessarily be inferences from relevant facts. To perform that kind of work successfully, one may require facilities different from those required for successful buying and selling.

If our present ad valorem system is to be continued, if there is not to be a large substitution of specific for ad valorem rates, our existing appraising system should be reformed and enlarged. Still more necessary will such reformation and enlargement be if the requirements of the second section of the proposed bill are to be successfully enforced.

I fear that even so large reduction as by one-half of the existing ad valorem rates would not do away with the necessity for such reformation and enlargement. I have shown what happened in 1817, 1840, and 1857 when ad valorem rates were not as high by one-half or two-thirds as now. Whatever successful contrivances are in operation to-day to evade the revenue by false invoices, or by undervaluations, or by any other means, under an ad valorem system, will not cease even if the ad valorem rates shall have been largely reduced. They are incontestably, they are even notoriously inherent in that system. And while no system, not even that of specific rates is free from its own especial difficulties, which in that case are rather difficulties of impact and of distribution than difficulties of administration, it is my plain duty to set before Congress the nature and full extent of those difficulties which environ the administration of such laws as now exist upon our statute-books, accompanied by the ad valorem war rates of our present tariff and impinging upon 4,000 different articles.

Difficulties in Reappraisements.

But the difficulties do not end with what is called, in revenue law, the local appraisement, or the first appraisement. The importer can ask a reappraisal and one of those reappraisers must be a merchant familiar with the character, quantity and foreign value of the merchandise to be appraised. What my predecessor, Mr. Crawford, said in 1817, about merchant appraisers under that system, applies with equal force to the one merchant of the reappraising board under the present system. The General Appraiser at New York receives a salary of three thousand dollars, a mere pittance for one who is *really* competent for such work and such responsibility. Indeed the salary may almost be said to imply unfitness. There have been during many years, and are now, as I am informed, criticism and complaint of the manner in which reappraisements have been made and are conducted at New York. Here again such criticism and complaint are inseparable from the system. The reappraising board consists of only two members,—one of whom, the merchant appraiser, is selected by the Collector. His service is made compulsory by punitive provisions of law. His compensation for the service is trifling. The range and number of persons, even at the great port of New York, who come within the definition and qualifications of the statute, are not large, because the merchant appraiser must be an expert in the particular article under appraisal. The service is of course not desired, and for the reason given by Mr. Crawford not far from three-quarters of a century ago, which was that the service brings the merchant into disagreeable relations with his associates, or rivals, who import, and deal in, a similar article. As the board of reappraisers consists of only two, there is often an inability to come to a decision, and then the whole question of foreign value goes to the Collector, who, although he maybe competent as Collector, may not be, in all particulars, suitable for the decision of such a question. It is not easy to think of a tribunal more unsuitably organized to execute the provisions of the second section of the proposed bill than is a re-appraising board as at present constituted.

There is another consideration connected with the organization and conduct of a reappraising board which will I am sure commend itself to the consideration of Congress. If the forms of law are pursued by appraising officers, and if there is no fraud on the part either of the importer or of the appraising officers, then there is no officer, or tribunal, executive or judicial, to revise the decision as to *value*. The decision of the Collector, as to classification, or rate, or amount of duty can be revised, and set aside, by the Secretary of the Treasury, or the Judicial Department of the Government. While the law has not made appraising officers to be judicial officers

in a constitutional sense, it has required of them the exercise of very large and high faculties of discretion and judgment. The Supreme Court of the United States has, for that reason, on several occasions heretofore spoken of a reappraising officer as a "quasi judge," and "a legislative referee." Many of these phrases, which imply that a reappraisal is a judicial proceeding, had their origin when the appraising law, differed widely and essentially from the present law, and when an appraisal partook more than now of the character of an arbitration. These, and similar expressions used by the Federal Judges, from time to time, constituted almost the only basis of the contention that was addressed to me, during the last summer, to the effect that an importer had a *right* to be present at a reappraisal, to confront opposing witnesses by testimony in his own behalf, to sift, test and reduce by cross-examination testimony offered in opposition to the correctness of his invoice, and to have the aid of counsel. As I have explained in my Annual Report; I felt constrained to resist this contention, and chiefly because it is impracticable for reappraisements to be carried on in the forms and manner of a *lawsuit*. But, having decided that an importer is not entitled of right to be represented on a reappraisal by a lawyer, I stopped the practice which, to some extent, had prevailed by which Special Agents of this Department appeared before the reappraising board in opposition to importers, and thus brought on a contentious litigation. The integrity of the appraising system, and justice to importers as well as the Government, demand that the reappraising board shall be exempt from all undue outside influence, whether exerted by importers or manufacturers, or this Department, when the question of foreign *value* is alone to be determined.

One who is at the head of this Department cannot shut his eyes to the fact that a great deal of the contention over local appraisements, or reappraisements, grows out not merely of strife between rival importer but between our own manufacturers, or their representatives, and foreign manufacturers, or their representatives, who consign goods hither for sale on their account. A question has recently been presented to me by protest and appeal, whether or not a manufacturer in this country, not being an importer, is competent, within the law, to sit as a member of a reappraising board, the inference being that, because a manufacturer of a similar article, he naturally had a selfish personal interest in the levy of the highest possible rate upon an imported article similar to his own. Considerations like these tend to illustrate the difficulties, that may exist in the enforcement of the second section of the proposed bill.

The tendency of my thoughts in respect to reappraisements at the port of New York is to advise appropriate and particular legislation for that port. The appraising system is not now, and never has been, the same in all the collection districts. In those wherein entries are few, and little duty is collected, the Collector, or Naval Officer, as the case may be, is an appraising officer. Even in the larger ports, like Boston, or Philadelphia, or Baltimore, where the business is very much less than at New York, the arrangements of the appraising force are different from those existing at the last-named port. It will be well, I think, to create a reappraising board at the port of New York to consist of three General Appraisers, competent for the important work, and with sufficient salaries. The board should consist of three instead of two, so as to prevent probability of disagreement as when the board consists of only two. The decision of this board should be final, so as to relieve the Collector of the reappraising work which is now thrown upon him. I do not think that abandonment of the present plan of selecting a merchant to be a member of the reappraising board will work any injustice to importers or consumers, or to the Government. It will be within the discretion of Congress to make the tenure of office of the members of this board such as may be thought best. They can be nominated by the President and confirmed by the Senate, as are Justices of the Supreme Court, and Judges of all the other Federal Courts. Federal Judges sitting in Admiralty decide mixed questions of law and fact without the intervention of a jury, and I see no reason why executive officers may not, as reappraisers, be intrusted with functions not more delicate, or important.

Third Section.—This section is a modification of Section 2864 of the Revised Statutes, and of a provision in the law of June 22d, 1874. It covers merchandise obtained by purchase, as well as that obtained otherwise than by purchase. It implies that an invoice of the former must have the same elements as those now required by law. But if the merchandise be obtained otherwise, then, by the proposed third section, the invoice of a manufacturer must contain, "the actual market value at the time of *exportation* to the United States in the principal markets of the country from whence the same has been exported." The present law declares that an invoice of merchandise sent hither by the manufacturer must contain "the actual market value thereof at the time, and place, when and where the same was *procured or manufactured*" The change, it will be seen, is both as to the time and as to the place. I have already intimated the advantage in my opinion of changing the time required in such invoices.

Fourth Section.—It is with some diffidence that I interpose any objection to the fourth section, which proposes that *one-half* of the proceeds of fines, penalties or forfeitures shall be deposited in the Treasury subject to the joint order of the Secretary of the Treasury and the Secretary of State, who are authorized to distribute this fund in their discretion "to meritorious officers of the customs or consular service who shall have been instrumental in the detection or punishment of frauds upon the revenue." If this section should become a law

there will I fear be a practical difficulty in a practical execution thereof at the distant ports by a tribunal sitting in Washington. No work could be more vexing for an executive officer than the distribution of such a fund. Any such law, if deemed necessary and enacted by Congress, should, as did the law of 1789, define exactly what portion of the proceeds of a forfeiture shall be paid to a seizing officer, and what portion shall be paid to an informer, or to informers, by whose information the seizure was made and the forfeiture accomplished. Under the law of 1799, such questions were judicial questions determined by the Court when called upon to distribute the proceeds of the forfeiture paid into the registry of the Court. The facts, being local, should be judicially examined in the same place where they arose, and be disposed of, if need be, by contentious litigation. The Bill (S. B. No. 1153) proposes not only to revive the "Moiety System," but to revive it in a most objectionable form.

Fifth Section.—This fifth section in prescribing the rules for the burden of proof only refers to a suit, or information, "*in rem*," when a seizure is made. It makes no provision for a suit to recover the value of the merchandise when the property cannot be seized.

Sixth Section.—There should be an exhaustive review of existing legislation, and a defining, describing, and identifying of the former laws which, in the opinion of Congress, will be inconsistent with the proposed Bill if it shall become a law.

Specific and Ad Valorem Rates.

It will be apparent, I hope, from what has been said above, and in my Annual Report, that I fully appreciate whatever superiorities, in an ideal system of custom-house taxation, low ad valorem rates may have over specific rates. So long as the disposition of Congress shall be to continue to levy high war duties upon some thousands of imported articles, rather than low duties upon a few, a general application of specific rates would be impossible without inflicting still further hardship and injustice upon the wage-receiving classes in the community, and those who are constrained to live on small incomes. Specific rates levied upon all imported articles, and especially on all articles of clothing, would for them be highly oppressive, unequal and unjust. A system of specific rates must be adjusted, and arranged, with regard to the values, and, therefore, when prices of imported articles are, as now, tending downward, specific rates are obviously increasing without a textual change in the law. I have it also clearly in mind how vexing and unjust is a compound system, made up of ad valorem and specific rates on the same article, and how still more vexing and unjust is a specific rate on a specified article, varying with foreign value, as is the present scale of rates on steel and wool. But we are confronted with the fact that the Treasury must annually obtain a sum hardly less than one hundred and fifty millions of dollars from imported merchandise, which is a sum less by some twenty millions than was received last year. It will be well-nigh impossible, in my opinion, for human wit to levy that amount of tax without inflicting hardship and injustice upon somebody, either importer or consumer, or on some vested interest, whether agricultural or manufacturing. Especially is that true of taxes levied on our coasts, or on our frontier, upon arriving merchandise. The Government is now beset, on one side, with the comparative injustice and hardship upon individuals, and vested interests, inflicted by specific rates if levied on all articles, and, on the other side, by the impossibility of enforcing and collecting high ad valorem rates levied on foreign values without the use of coercive and penal laws quite unsuitable for a free government to put in operation, and which when put in operation are quite likely to demoralize alarmingly not only the officers who are called upon to execute the law, but the importers who are compelled to do business under it. One advantage, and perhaps the chief advantage, of a specific over an ad valorem system, is in the fact that, under the former, duties are levied by a positive test, which can be applied by our officers while the merchandise is in the possession of the Government, and according to a standard which is altogether national and domestic. That would be partially true of an ad valorem system levied upon "home value," but there are constitutional impediments in the way of such a system which appear to be insuperable. But under an ad valorem system, the facts to which the ad valorem rate is to be applied must be gathered in places many thousand miles away, and under circumstances most unfavorable to the administration of justice.

One hears it often said that if our ad valorem rates did not exceed twenty-five or thirty per cent, undervaluation and temptation to undervaluation would disappear, but the records of this Department for the years 1817, 1840, and 1857, do not uphold that conclusion. Of course I am very far from advocating the universal application of specific rates, but I do believe it to be possible for the more experienced and conscientious of our appraising or examining officers in different parts of the country, and for the experts in this Department, to prepare a plan for the prudent enlargement of specific rates which will greatly promote the welfare of the Government, and of the country, and, as a matter of administration, not work injustice to any class in the community beyond the injustice inevitably entailed by any system that levies annually one hundred and fifty millions of dollars tax on imported merchandise of so many kinds, at war rates, and on a scheme

otherwise so unscientific and disorderly. A complete system of rates of duty has not, in the last quarter of a century, as I am informed, been prepared by the official experts in our custom-houses, under the general advice and direction of this Department, and commended by the Secretary to Congress. I have caused a careful examination to be made of the tariff law of March, 1883, to ascertain the number of specifications, ad valorem, specific, and mixed, contained in that enactment, and I present below the result: Schedule. Ad valorem. Specific. Mixed. A 144 CO SKI 30 1 1 32 1 32 CO 3 12 32 11196% UN 235 10 78 29 20 12 1 7 B c D E f 3 G h I j k 75 L, M N 32 1 703 590 86

Consigned Merchandise.

The sending to New York of merchandise by foreign manufacturers and presenting it there for sale, or the taking in this country of orders, on samples, of merchandise to be delivered in New York at duty-paid prices arranged in our currency, is a growing fact which this Government must face in selecting and prescribing rates of duty. Just as manufacturers in other States of our own Union send their merchandise on consignment to their own agents to sell in New York, so do, and so will, European manufacturers. The ledgers of commerce and trade will, more and more, be written and kept, in that city, and laws of taxation, state or national, immediately probable, are not likely to greatly impede or change the current. As buyers in New York do not go to New England to buy her staple manufactures, but find all the elements of buying in New York, so it will naturally be with European productions. If that is to be the case, I do not think our existing ad valorem rates can in the future be honestly, or satisfactorily, worked, under the existing conditions of our invoice law, our appraising law, and the force of consular and appraising officers that we now have. I fear that to begin reform with the enactment of new "Coercive Laws" will be to begin at the wrong end.

Respectfully yours,

Daniel Manning,
Secretary.
To the Honorable
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Appendix.

Appendix A.

Circular.

Application of Section 9, Act of March 3, 1883, to the Ascertainment of Foreign Market Values of Merchandise Imported into the United States.

1883.

Department No. 93. Secretary's Office. TREASURY DEPARTMENT, *Washington, D. C.*, July 7, 1883.
To COLLECTORS OF CUSTOMS AND OTHERS:

The Department has been informed through consular officers that manufacturers of merchandise abroad which is intended for importation into the United States, to be consigned to their agents in this country, may probably claim the right to enter such merchandise at cost price instead of its market value under Section 9 of the Tariff Act of March 3, 1883. That section is as follows:

"If upon the appraisal of imported goods, wares, and merchandise, it shall appear that the true and actual market value and wholesale price thereof, as provided by law, cannot be ascertained to the satisfaction of the appraiser, whether because such goods, wares, and merchandise be consigned for sale by the manufacturer abroad to his agent in the United States, or for any other reason, it shall then be lawful to appraise the same by ascertaining the cost or value of the materials composing such merchandise, at the time and place of manufacture, together with the expense of manufacturing, preparing, and putting up such merchandise for shipment, and in no case shall the value of such goods, wares, and merchandise be appraised at less than the total cost or value thus ascertained."

Section 2854, Revised Statutes, requires that all invoices of imported merchandise—

"shall, at or before the shipment of the merchandise, be produced to the consul, vice-consul, or commercial

agent of the United States nearest the place of shipment, for the use of the United States, and shall have indorsed thereon, when so produced, a declaration signed by the purchaser, manufacturer, owner, or agent, setting forth that the invoice is in all respects true: that it contains, if the merchandise mentioned therein is subject to ad valorem duty, and was obtained by purchase, a true and full statement of the time when and the place where the Same was purchased, and the actual cost thereof, and of all charges thereon; and that no discounts, bounties, or drawbacks are contained in the invoice but such as have actually been allowed thereon; and when obtained in any other manner than by purchase, the actual market value thereof at the time and place when and where the same was procured or manufactured."

Section 2845, Revised Statutes, provides that—

"no merchandise subject to ad valorem duty belonging to a person not residing at the time in the United States, who has not acquired the same in the ordinary mode of bargain and sale, or belonging to the manufacturer, in whole or in part, of the same, shall be admitted to entry, unless the invoice thereof is verified by the oath of the owner, or of one of the owners, administered and authenticated in the mode prescribed in the two preceding sections, and certifying that the invoice contains a true and faithful account of the merchandise, at its fair market value, at the time and place when and where the same was procured or manufactured."

Section 2902, Revised Statutes, is as follows:

"It shall be the duty of the appraisers of the United States, and every of them, and every person who shall act as such appraiser, or of the collector and naval officer, as the case may be, by all reasonable ways and means in his or their power, to ascertain, estimate, and appraise the true and actual market value and wholesale price, any invoice or affidavit thereto to the contrary notwithstanding, of the merchandise, at the time of exportation, and in the principal markets of the country whence the same has been imported into the United States, and the number of such yards, parcels, or quantities, and such actual market value or wholesale price of every of them, as the ease may require."

Neither of these provisions is repealed, but they all remain in full force.

The Department regards Section 9 of the Act of March 3, 1883, as in nowise changing or modifying the requirements of the Revised Statutes as to the duty of manufacturers, owners, or agents in making their declarations to invoices, under Section 2854, Revised Statutes, or as to the verification by the oath of the owner, under Section 2845. Both sections require a statement that the invoice contains a true and faithful account of the merchandise, at its fair market value, at the time and place when and where the same was procured or manufactured.

The oath for the cases under consideration prescribed in the Tariff Act of 1883, is as follows:

"I, _____, do solemnly and truly swear (or affirm) that the entry now delivered by me to the collector of _____ contains a just and true account of goods, wares, and merchandise imported by or on-me signed to me in the _____, whereof _____ is master, from _____; that the said goods, wares, and merchandise were not actually bought by me, or by my agent, in the ordinary mode of bargain and sale, but that, nevertheless, the invoice which I now produce contains a just and faithful valuation of the same, at their fair market value, at the time or times and place or places when and where procured for my account (or for account of myself or partners); that the said invoice contains also a just and faithful account of all the cost for finishing said goods, wares, and merchandise to their present condition, and no other discount, drawback or bounty but such as has been actually allowed on the said goods, wares, and merchandise; that the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I do further solemnly and truly swear (or affirm) that I have not in the said entry or invoice concealed or suppressed anything whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise, and that if at any time hereafter I discover any error in the said invoice, or in the account now produced of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district."

By reference to decisions of the courts it appears that the provisions of section 1) of the act of 1883 are a recognition of a principle already applied to the method which appraisers may adopt in extraordinary cases to ascertain what is the market value.

In the case of *Cliquot's Champagne*, (3 Wallace, U. S. Rep., 125,) the court charged the jury as follows:

"The market value of goods is the price at which the owner of the goods or the producer holds them for sale; the price at which they are freely offered in the market to all the world; such prices as dealers in the goods are willing to receive, and purchasers are made to pay when the goods are bought and sold in the ordinary course of trade. You will perceive, therefore, that the actual cost of the goods is not the standard. On the contrary, that having been the standard, the law has been changed, and for the standard of the cost has been substituted another standard, to wit, the actual market value."

In "Six Cases of Silk Ribbons," (3 Benedict, C. C. Reports, 536,) which was a prosecution for the forfeiture of the goods for false valuation, the court charged the jury as follows:

"The law presumes that there was, at the time and place of the manufacture of the goods seized, an actual market value thereof; and no evidence can be received or considered, under the law and under the Oaths to the invoices, to show there was not, in fact, such actual market value thereof. The cost of the goods will come under consideration, if at all, not as a substitute for market value, but merely as an item of evidence on the question as to what was the actual market value. Therefore, you must assume in this case that there was an actual market value for these goods at the time and place of their manufacture, the only question being to ascertain what such actual market value was. The claimants had no right to adopt any other standard of value than such actual market value, nor do I understand them as claiming that they had such right. They have sworn in the oath on each invoice that such invoice contains the actual market value; and their claim is, not that they had a right to set forth anything except the actual market value, but that the actual market value was the cost, with the manufacturer's profit added, at the percentage named in the testimony, and that such actual market value was no greater according to their idea of actual market value. So, also, the claimants were required to state in their invoices the actual market value of their goods at the time and place of their manufacture, not only without regard to the cost thereof, but without regard to the profit or loss which might result from their consignment thereof, or any loss which maybe shown in the end to have resulted therefrom. If they chose to take the cost and add a profit, and make up the actual market value in that way, and it turns out in the end that that is the actual market value, very well; but if it turns out in the end that that is less than the actual market value, the claimants cannot maintain under the law that they had a right to put in place of the actual market value the cost with the manufacturer's profit added. Nor is the manufacturer relieved or excused from stating in his invoice such actual market value, or justified in adopting any other standard of value, because he may not himself make sales at home of similar goods, but may consign all such goods for sale to foreign markets. Although he may adopt such course of trade, he is, nevertheless, required to state in his invoice the actual market value of such goods at the time and place of their completed manufacture: that is, the price he holds such goods for sale at such time and place, the price at which he then and there freely offers them in the market, such price as he is then and there willing to receive for them, if they are sold in the ordinary course of trade."

The Secretary of the Treasury discusses the method of ascertaining the market value as follows, (Synopsis, 3222:)

"Where no sales are made in the country of production, either for consumption or export, the market value of similar goods of other manufacturers actually sold should be ascertained and betaken into account. In cases where the manufacturer ships all his goods to the United States on consignment for sale, and the market value cannot be ascertained by the methods before indicated, it should be fixed by reference to the market value of the component materials of the goods at the time and place of manufacture, with the expense of manufacture and a fair manufacturer's profit added; and the appraised value in such cases cannot be less than the cost and profit so ascertained.

"It is to be understood that evidence of the cost of production of imported goods is in all cases to be regarded as a proper subject for consideration in determining dutiable values, and appraisers are allowed, under the law, the greatest latitude in procuring information as to what is the true market value of imported merchandise; but it will be borne in mind that duties can in no case be assessed upon an amount less than the invoice or entered value, nor can the appraisement be made at less than that value."

The Department holds that all the old methods of ascertaining the actual market value are still open to the appraiser, and that it is still his duty, by every means in his power, to "ascertain, estimate, and appraise the true and actual market value and wholesale price" of merchandise, "any invoice or affidavit thereto to the contrary notwithstanding," and that the provisions of Section 9 only authorize him, when such value cannot be ascertained to his satisfaction otherwise, to appraise the same by ascertaining the cost or value of the materials as prescribed in that section.

The language of the provision is not imperative, it is merely permissive—"it shall then be lawful to appraise the same by ascertaining the cost or value of the materials," &c. No manufacturer, shipper, owner, or other party has the right to invoice goods procured otherwise than by purchase at any other than the true market value, and in no case is the appraiser required to adopt any but the ordinary method of ascertaining market value.

When he does adopt this method of appraisal, the law expressly requires that "in no case shall the value of such goods, wares, and merchandise be appraised at less than the total cost or value thus ascertained."

Although by section 7 of the tariff act of 1883 all the provisions of law for adding charges to the value of merchandise to make dutiable value are repealed, yet section 9 of the same act provides that when appraisers resort to the method of appraisal described in that section, they are required to add to the cost or value of the materials composing such merchandise at the time and place of manufacture "the expense of manufacturing,

preparing, and putting up such merchandise for shipment." The expense of preparing and putting up merchandise for shipment has always been regarded as among the charges, and the Department holds that, notwithstanding the general repeal of all provisions for charges contained in section 7, the charges for preparing and putting up merchandise for shipment must still be added to make dutiable value whenever the Appraiser makes his appraisal under section 9.

It may further be observed that the method of appraisal contained in Section 9 might, if adopted in some cases, inflict great hardship upon exporters of merchandise. It has sometimes happened that the market value of merchandise, notably silks, by reason of an over-supply, has been less than the actual cost of production. To appraise such merchandise at the cost or value of the material composing it at the time and place of manufacture, with the expense of manufacturing, preparing, and putting up such merchandise for shipment, might fix its value far above the actual market value and wholesale price at the date of exportation, while in another condition of the market the actual market value and wholesale price might be greater than the cost of production with the expense of preparing and putting up the merchandise for shipment.

Appraising officers and parties interested in the importation of merchandise will therefore bear in mind that not only does the law require the true and actual market value of the merchandise to be certified upon the invoice and stated in the entry, but that this is a far more just and equitable method of appraisal than that described in Section 9. and that the method adopted in Section 9 should not be resorted to except in cases where the true and actual market value and wholesale price cannot otherwise be ascertained to the satisfaction of the appraiser. a condition which can but rarely occur.

When the appraiser is compelled to resort to this mode of appraisal, there is nothing in the statute to prevent his adding to the items therein enumerated whatever he deems proper to make the true and actual market value, the only restriction upon his action being that "in no case shall the value of such goods, wares, and merchandise be appraised at *less* than the total cost or value thus ascertained."

H. F. French.
Acting Secretary.

Appendix B.

Statement of the number and designation of officers and employes shown on the records of the Department as being now employed in the appraiser's office at the port of New York, together with the aggregate annual cost of paying their present salaries.

Totals. Per diem. \$3,000 00 4,000 00 30,000 00 \$3,000 4,000 3,000 Salary. Designation. Per annum.
General appraiser Appraiser 37,000 00 \$2,500 00 2,500 00 2,500 00 45,000 00 2,300 00 17,600 00 14,000 00
61,200 00 2,000 00 2,000 00 1,800 00 5,400 00 1,800 00 160.600 (X) 500 500 500 500 300 200 000 800 000
000 800 800 800 Contingei Rent Telephon Addition Cartage c Salaries i T Assistant appraisers, each Class 4.
Chief clerk Clerk Examiner of teas Examiners, each Examiner Examiners, each Do # I Taw-clerk Stenographer
. Examiner of marble Clerks, each 86,100 00 1,600 00 9,600 00 1,600 1,600 1,600 Private secretary Class 3.
Disbursem 11 appra Salaries verifier Salaries o Compensa Rent of b Kent of U New freig Construct New Yorl
dise.... Contingei sample; furnitu Tc Examiners, each Openers and packers, superintendent of. Clerks, each
17,600 00 Class 2. Clerks and verifiers Class 1. Examiners, each Clerk Clerk and verifier Clerks and verifiers,
each 1,400 814,000 00 Premises 1,200 84,800 00 1,200 1,200 00 1,300 1,300 00 1,200 18,000 00 3,200 36,000
00 Samplers, each Class A. Clerk Clerk and verifier Samplers, each Opener and packer in charge Foremen of
openers and packers, each. 1,150 1,150 1,150 Messenger Openers and packers, each Unclassed. 61,300 (X)
81,150 00 ! 1.150 00 2.300 00 83 75 1,173 25 3 75 5,868 75 Square be bert, an Exchange Addition 365 West t
118 South Wall stre 12 Hamilt Havemev 86 West st 40 Burlini 3 Atlanti 1 3 75 1.173 25 250 West 3 00 67,608
00 80,424 25 Clerks, each 82,502 00 29.400 00 2 75 47,."MI 25 79,333 95 8450.257 50 864 840 Messengers,
each Openers and packers, each, Grand total.

Disbursements by the collector and disbursing agent at New York, N. Y., under head of "appraisements" or appraiser's department, during the fiscal year ended June 30, 1885.

RECAPITULATION.

TREASURY DEPARTMENT,

Office of the Supervising Architect, January 26, 1886.

MEMORANDA.

Premises rented in New York City for appraisalment and storage of goods in connection with the customs service.

Premises. Square between West Laisrht, Hubert, and Wasliinjfton streets Exchange place and Beaver street. Additional room 365 West street 118 South street Wall street stores, Brooklyn 12 Hamilton avenue Havemeyer's Bonded Warehouse. 86 West street 40 Burling slip 3 Atlantic street, Brooklyn Use. Appraisers' store. Naval office do Weighers' office.. do do do do Gaugers' office.... do do Period. 3 years from May 1, 1883 do Amount. Anril rent. 864,500 00 10,000 00 1,800 00 1,000 00 400 00 300 00 200 00 180 00 600 00 540 00 300 00 11 months flrom June 1, 1885. 1 year from July 1, 1885 do .do. .do odo odo. do. odo. 79,820 00 1,600 00 81,420 00 Chemical laboratory. 250 West street. 3 years from May 1, 1883.

Overlegislation in 1883.

Second Edition

3d.

Report on the Bills of the Session by the Parliamentary Committee of the

Liberty & Property Defence League,

London: PUBLISHED AT THE OFFICES OF THE LEAGUE, 4, WESTMINSTER CHAMBERS, S.W. 1883.

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- The Right Honorable EARL FORTESCUE.
- CAPTAIN HAMBER.
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Secretary:—

- W. C. CROFTS.

Persons wishing to join the League, are requested to send their subscription (voluntary from one shilling upwards) and address to Messrs. Herries, Farquhar & Co., Bankers, 16, St. James's Street, S. W. Further particulars can be had from the Secretary, W. C. Crofts, No. 4, Westminster Chambers, Victoria Street, London, S. W.

Overlegislation in 1883.

OUT of over a hundred PUBLIC BILLS before Parliament, no fewer

PUBLIC BILLS

than forty are altogether or in part a contravention of the principles for the defence of which this League was established, viz., freedom of contract and Individual liberty *versus* State interference. To such an extent has the pernicious system of overlegislation developed of late years, that it is hardly possible to take up any Bill, 110 matter by whom or by which party brought in, without finding somewhere within it, provisions for the substitution of State coercion for voluntary self-help. Even Mr. Serjeant Simon's Partnerships Bill is not quite free from the taint. While at the other end of the scale we have some fifteen or more Bills which cannot be said to consist of anything else.

The EMPLOYEES' LIABILITY ACT AMENDMENT BILL

EMPLOYERS' LIABILITY ACT (1880) AMENDMENT BILL

is one against which both employers and employed should be on their guard, From the mining districts of the north a protest has already come against this measure, and this not from the masters, but from the men. The Bill proposes to render void any bargain by which masters may agree to insure themselves against, liability for accidents to their work-people by the payment of higher wages or subscription to an accident fund, or both, or otherwise; a system which has hitherto worked well and harmoniously. And in future, if a workman enters into any such agreement, he is to be allowed to accept the higher wages, and when the accident occurs, to repudiate the contract altogether, and to hold his employer liable just as though no bargain had ever been made. Now, apart from the class-hatred thus engendered, it is high time to enter a protest against this system of putting a premium on breach of contract which is fast becoming a feature in our legislation. Thus, by the Ground Game Act, a tenant may get his farm at a lower rent on the understanding that he will forego certain privileges, and

then snap his fingers in his landlord's face, and claim the privileges; and now, by the Bill under consideration, he may take money by way of insurance against an accident happening to himself, and then, if it should happen, claim compensation all the same. Neither masters or men desire this boon, and yet it is to be thrust upon them in the name of philanthropy. But philanthropy which tends to make men dishonest, is not even a kindness in the long run. As a mere question of expediency from the workman's own point of view, is it an advantage to substitute a system of costly litigation, uncertain in its result, and applying only to a particular class of accidents, for a system under which compensation was in *all* cases of accident, instant, certain and without cost, and towards which the employer voluntarily contributed 25 per cent.?

STEAM BOILERS (PERSONS IN CHARGE) BILL.

Manufacturers are to be worried with a thoroughly characteristic "short Act of Parliament" called the STEAM BOILERS (PERSONS IN CHARGE) BILL. Every boiler is to be looked after by a person who is provided with a proper certificate of qualification issued by the Board of Trade, and specifying among other things the color of the grantee's hair and eyes, the state of his complexion, and any other little personal peculiarities which the examiner may consider sufficiently interesting. The Board is to appoint proper examiners for these purposes, of course with suitable salaries; but, lest these gentlemen should give certificates for a consideration, such transactions are in future to render the examiner liable to a penalty of a hundred pounds, if (let us add) he is found out, which, under the circumstances, is extremely unlikely. For fear all the boiler-users in a town should evade the provisions of the Act by employing the same certificated supervisor, it is provided that "no one such person shall undertake the supervision or inspection of a greater number of boilers than may be prescribed by any regulations of the Board of Trade for the time being in force." In order that there shall be no mistake in the interpretation of the Act we are provided with some definitions, of which one is to the effect that a "boiler-user" is, amongst other things, one who does not use a boiler—for example, one who lets a boiler out for hire. But the great objection to this Bill and all those of a like character is that it acts in restraint of progress and invention. In the case of marine engines the system of Government inspection which has now been in operation for some years, has already wrought a very bad effect; the form of boiler has become stereotyped, and marine engines have not kept pace with mechanical knowledge. Naturally, as Sir F. Bramwell has pointed out, inspectors who have nothing to gain and something to lose by trying new experiments, prefer to pass engines and boilers of the old type rather than take the trouble to understand a new construction, or run the risk of sanctioning without understanding it. The same eminent engineer was a member of the Committee of the British Association appointed to consider the question of boiler explosions which reported that "anything like Government inspection would bar progress, and that the best prevention of boiler explosions would be to make coroners' inquests really useful by compelling the coroner to call in to each inquiry two independent engineers of standing." Surely, then, it behoves all persons who believe that the commercial greatness of England is due to the enterprise and untrammelled inventiveness of her mechanical engineers, to oppose all measures on the lines of this meddlesome little Bill, which, however well intended, will probably fail to preserve life, while it will certainly check invention and bar mechanical progress. In support of this view we cannot do better than refer to the evidence of Sir F. Bramwell, before the Royal Commission on Boiler Explosions.

FACTORY AND WORKSHOPS ACT (1878) AMENDMENT BILL

Of still more dangerous tendency, and in all respects less justifiable, is the FACTORY AND WORKSHOPS ACT (1878) AMENDMENT BILL. This Bill contains the following solitary provision:—"In any part of the factory or workshop in which there is carried on the forging, stamping, rolling or hammering of iron or steel for the manufacture of nails, screws, nuts, or bolts, a girl under the age of fourteen years shall not be employed." While the Parliamentary Committee of the League do not dispute the right and duty of the State to interfere for the protection of children whenever such interference is calculated to be effective without indirectly producing evils of greater magnitude; it is of opinion that there are no sufficient grounds for believing that the occupation of nail-making is of such a character as to require the intervention of the State. The promoters of this measure have made no secret of their intention to extend its provisions to women of all ages as soon as the opportunity offers itself. Those who have made enquiries in the nail-making districts as to the origin of this demand, have satisfied themselves that under the mask of philanthropy lurks jealousy of female competition; the women in those parts are strongly opposed to the passing of this petty measure, seeing clearly that under the pretence of doing them a kindness, it only handicaps them in the struggle for existence. They are already at a disadvantage, and they ask only for a fair field and no favor. The right of women to work on equal terms with the stronger sex, is one which will surely not be withheld by the Legislature.

An important question to be dealt with by the legislature this Session is undoubtedly that of PATENTS FOR INVENTIONS.

PATENTS FOR INVENTIONS BILL

The two principal Bills before the House relating to that subject err in the same direction, while both offer decided advantages to the public. Most inventors are now-a-days poor men, and the first condition of a good

Bill is that the cost of taking out a patent should be as small as possible. This condition is fairly satisfied by Mr. Anderson's Bill, if not by that of the Government, and so far all is well. In other respects there is little improvement on the present state of the law, and in one particular, there is a marked retrogression on the lines so characteristic of the times. The good old plan of leaving the responsibility for originality and utility upon the inventor is in one Bill supplanted by the modern system of entrusting these duties to paid examiners to be appointed by the Board of Trade, which will also appoint a comptroller-general of patents, designs and trade marks, and a variety of other clerks and officers, upon whose discriminatory powers inventors will be for the most part dependent. Then this department of the Board of Trade is to provide costly buildings and conveniences for the purpose of competing with private enterprise in the publication of an illustrated journal of invention, and of making a collection or museum of models, which, if of advantage to the inventing class, should be established and supported at the expense of that class. Every application is to be referred by the comptroller to an examiner, who is to report whether the invention is subject matter for a patent, and if so, whether the nature of the invention has been fairly described in the prescribed manner. Now all this is better left to the inventor, or if he dare not trust himself, to his patent agent, who has a reputation to lose, and is therefore far more likely to take pains, and to see that the specification will hold water in an action for infringement or otherwise, than a mere official, even though he be under the direction of the Board of Trade. Then again, the examiner is called in to report whether the complete agrees with the provisional specification, a point upon which the eyes of a respectable patent-agent are wide open. These

PATENTS FOR INVENTIONS (No. 3) BILL.

examiners, according to Mr. Anderson's Bill, are actually to decide whether the invention is likely to be useful, a point upon which the inventor is the only capable judge. Of the two Bills, Mr. Chamberlain's is decidedly the better, and with a few important amendments might be worked up into a sound practical measure. The attention of the President of the Board of Trade might, with advantage, be called to the two following points:—1st, Whether it is not time that patent-right should be recognised as of right (proprietary or contractual) and not of grace; 2nd, Whether, if it is expedient to obtain revenue from patents, it would not be more just and also more profitable to the treasury to tax inventions and not inventors? Now a levy of ten per cent, on the royalties would not only bring in a considerable revenue, but it would be the most cheerfully paid of all the taxes in the country. Inventors would pay only out of clear gain—a great advantage to poor mechanics. It is pleasanter for a man in receipt of a thousand pounds to pay a hundred, than for a man who has labored in vain over his invention to pay a five-pound note. A good Patents Bill will reduce the fees for taking out a patent to the lowest figure compatible with the efficient registration of specifications, and provide for the raising of revenue, if any, in the form of a percentage on royalties. That patents should be encouraged is beyond ail question; England has already fallen far behind the United States in respect of inventiveness, and the only explanation to be given of this is the defective character of our patent law. The greatness of England and her present wealth owe more to the recognition of patent-right by the law than to any other legislative enactment whatever; hence whatever re tillers patenting cheap, easy, simple and safe, is to be approved; and this is best attained by leaving inventors free from official interference, and taxing them no more than is necessary for the protection of their proprietary rights.

The CORN SALES BILL makes it illegal to sell corn by
CORN SALES BILL.

measure of capacity, or by any other measure of weight than the cental or new hundred-weight approved, by the Board of Trade in 1879. Now, although uniformity in the weights and measures in use in a country is very desirable, it by no means follows that interference is justifiable in respect of the mode of measurement, for the law should confine itself to the interpretation of the words signifying units of measure, and leave other matters to custom. We may ask who is injured by the present system? The only effect of the proposed law will be, that people will buy according to the old customary measures and express them in terms of the compulsory units.

Strange to say there is no Bill before Parliament this Session

THREATENED SHIPPING LEGISLATION.

for interfering with SHIP-OWNERS; and the conclusion drawn from this fact by that much State-regulated class was till very lately the natural one that everything which it was possible to do in that direction, had already been done. They have, however, been roused from this state of false security by the assurance of the President of the Board of Trade that if his predecessors have beaten them with rods he is prepared to beat them with scorpions. Neither members of the shipping interest nor other members of this League would raise a hand to resist this threatened legislation, if they believed that it was likely to result in a saving of life and property. It is because such acts of Government interference are not calculated to succeed that they should be resisted. Mr. Chamberlain has himself admitted that the result of past similar legislation has been not only a failure, but actually harmful. He says, "I am sorry to say I must also tell you that interference has not produced the result it

was intended to produce in the security of the lives for which we are in some degree responsible." And he proceeds to quote figures which fully bear out this damaging admission. "I have had the loss of life at sea taken out for the last six years, and I am sorry to say it is an *increasing quantity*. The average from 1877 to 1881 was 368 vessels totally lost, and 1,551 lives per annum. But in this year, 1882, that number increased, for it was 548 ships and 2,883 lives." Thus we have an increase of 180 ships totally lost at sea, and of 1,332 lives lost with them—an increase concurrent with and despite of recent legislation. This is a melancholy result of measures which were undeniably brought in with the best intentions. And yet what does the Board of Trade in face of this evidence propose to do? To bring in *more measures* of the same kind, and based on the same faulty principle.

There are about seventeen Bills interfering more or less with

PAYMENT OF WAGES IN PUBLIC-HOUSE PROHIBITION BILL.

the class of persons called Victuallers, whose function and sin it is to cater for the refreshment of the people. The PAYMENT OF WAGES IN PUBLIC-HOUSES PROHIBITION BILL is a measure the aim of which is to keep work-people out of sight of beer for the one hour or so during which they are receiving their wages, lest the odour of alcohol should overcome their self-control and their common-sense. It is useless to point out that certain classes of persons will be seriously inconvenienced by the Act, such as railway contractors and laborers engaged in loading and unloading ships, and moving trades generally. It is useless to point out that the law has already been in force in the mining districts for a dozen years without any perceptible result beyond inconveniencing all parties; nor is it of any more avail to argue that men who are fit for the franchise may surely be trusted with the custody of their own pounds, shillings and pence for the space of a few minutes. The Bill combines all the weakest features of this kind of measure; for it is not even proof against the simplest evasion. What is to prevent an employer from paying his work-people in the street in front of the public-house if he chooses?

The House of Commons is in possession of what some might

LIQUOR TRAFFIC (SCOTLAND) BILL.

be pardoned for mistaking for a clever caricature of anti-liquor Bills in general, viz: The Liquor Traffic Local Veto (Scotland) Bill, prepared by Mr. McLagan. This Bill empowers any number of householders in any parish, burgh or district, not less than one-tenth, to take a poll of the householders in such burgh, parish or district, for or against the adoption of the Act, and, if earned by a bare majority, then it shall for ever and ever be unlawful to sell, barter or exchange, or otherwise dispose of intoxicating liquors in such burgh, parish or district. But if the majority are opposed to the adoption of the Act, then the minority may every two years plague the rest of the population with a repetition of the proceedings, until, by reason of their importunity, they carry their point. But Bills have been seriously brought in which are hardly less ridiculous than Mr. McLagan's amusing travesty.

The PARLIAMENTARY ELECTIONS (CLOSING OF PUBLIC-

PARLIAMENTARY ELECTIONS (CLOSING PUBLIC-HOUSE)

HOUSES) BILL, is another of those useless and irritating measures, which, without effecting their object, cause untold inconvenience. In this case the annoyance to persons coming up from a distance to vote, will probably result in their not voting at all.

Licensed Victuallers will do well to read Clauses 43 and

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PARLIAMENTARY BILL together, or they will run a good chance of being deceived by the wording of the same. According to the latter Clause, any person who is obliged to come forward as a witness before an election-court, shall be entitled to receive a certificate of indemnity, which shall serve as a guarantee that no legal proceedings shall be instituted against him for any offence under the Acts in connection with the said election, whereby he might otherwise have suffered in respect of his liberty or property; the certificate of indemnity is not to relieve him, however, from any incapacity to which he might be liable—such incapacity being understood throughout the Act as a loss of status, incapacity to vote in such a county or to fill certain offices. But at the end of Clause 43 occur the following words:—"A person disqualified under this Act for holding a license for the sale of intoxicating liquors shall be deemed to be subject to an incapacity within the meaning of this section!" The plain English of this is, that although a Licensed Victualler may obtain such a certificate as would indemnify any other person against loss of liberty or property on account of any misdoings of his own, upon which his own evidence might throw some light, yet in his case, under the head of an incapacity is included disqualification for holding a license. So that, although he is not to be mulcted in liberty or property, his right to carry on his business is taken from him for three years, under the pretext of a *capitis diminutio*. This may be expedient, but it is not honest; and, perhaps, it is even yet a question whether a publican ought not to be treated with the same justice as is meted out to his fellows. By Clause 15 of the same Bill, it is provided that licensed premises shall not be used as committee-rooms, and however expedient such provisions may be, it is clear that besides being generally

inconvenient, it is hard on those whose business partly consists in the letting of such rooms.

SALE OF INTOXICATING LIQUORS (IRELAND) BILL.

Next come a batch of Bills to prohibit the SALE OF INTOXICATING LIQUORS ON SUNDAY. One of these is to amend and make perpetual an Act to that effect passed in 1879 and applying to Ireland.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

This Bill begins with the statement that "it is expedient to amend the said Act, both by making it perpetual and also by extending its provisions to the places exempted, so as that they shall henceforward extend and apply to the whole of Ireland;" a statement which is a mere begging of the question, and wholly unsupported by statistics or any other evidence, and is furthermore in direct contradiction of the public utterances of several of the

SALE OF INTOXICATING LIQUORS ON SUNDAY (No. 2) BILL.

judges of the land, viz.: Lord Justice Fitzgibbon, Baron Dowse, and Judges Harrison and O'Brien, who may be

DITTO CORNWALL

supposed to know something of the facts. Others are to

DITTO DURHAM

apply to divers localities which in no respect differ from the

DITTO ISLE-OF-WIGHT

rest of the country in such a way as to render expedient in

DITTO NORTHUMBERLAND

their case exceptional legislation. Why Yorkshire, Cornwall,

DITTO MONMOUTH

Northumberland, Durham, Monmouth, or the Isle of Wight should be put on a different footing from Lancashire, Middlesex,

DITTO YORKSHIRE

or the Isle of Man it is very difficult to see, and therefore we may rest assured that if these Bills are deserving of support it would be more rational to accept Mr. Stevenson's Bill or Sir J. Pease's Bill to prohibit the sale of intoxicating liquors on Sunday in any part of England. Laws limiting the hours of sale on Sunday have now been in force for some years, and they have not been "attended with great public benefit," but they have caused great inconvenience, and produced a good deal of irritation; add to which that even if they had reduced the total number of arrests for drunkenness in the streets, it would prove nothing more than that if men cannot drink at the public-houses they will drink at home. Again, even supposing the total amount of drunkenness on Sunday had actually been reduced, of which proof is wanting, it still remains an open question whether enforced temperance on one day is not paid for with interest by increased indulgence when the restraint is removed. But let us go further still. Is the man who abstains from strong drink because he cannot get it, any better, more virtuous, or more fitted for overcoming all the temptations of life (and there are thousands of others besides drink) than the man who learns to practice the virtue of moderation by experience? If so, the miscreant languishing in the dungeon to which Justice has consigned him is the most virtuous man in the community. But our legislators cannot, it is alleged be troubled with deep ethical and social problems, they must guide themselves solely by the statistics of crime, and it may be added, if necessary, by the manufactured statistics of crotcheteers. Nevertheless, we cannot shut our eyes to the "fact that self-help, self-reliance, and self-control are far more powerful factors in the evolution of society than all the paternal measures of a mistaken philanthropy. It is for this reason and not from any sympathy with drunkenness and crime that the League is opposed to all measures on the lines of the Bills referred to, and relies for improvement on the operation of public opinion and the natural laws which have already banished drunkenness from the category of tolerated vices in good society. The effect of making that illegal which is not in itself wrong, is to create a class of virtuous law-breakers, and to induce the feeling that law-breaking in itself is not immoral.

INFECTIOUS DISEASES NOTIFICATION BILL.

We must now turn to several Bills affecting not special classes of persons, but the whole community, and foremost among these is the INFECTIOUS DISEASES NOTIFICATION BILL. With the final aim of this Bill all must sympathise. Its object is to secure that due notice be given to the sanitary authorities of the existence and whereabouts of infectious disease; the onus of notifying to the medical officer of health the existence of any infectious disorder in the house, is to rest both on the inmates of the house and also on the medical man in attendance. The former are not to have any other inducement to conform to the requirements of the Act beyond fear of the consequences of offending against the law; but the latter is to receive half-a-crown as informer. Medical men are very naturally strongly opposed to such an arrangement, and prefer to exercise their own discretion as to the expediency at any time of reporting serious cases of infection to the authorities when assistance is necessary in the interest not only of the patient, but of the neighbours and the community at large.

The present practice is for the medical man in attendance to give information to the officer of health, but if notification is made compulsory, the responsibility will practically rest upon the householder or guardian, and thus create a very different condition of things. The first effect of the passing of the proposed measure will be to divert a considerable amount of medical practice from qualified medical practitioners into the hands of quacks, who will have little to lose and something to gain by keeping the true nature of the malady secret. The law has already been in force some time in about twenty-seven towns in England, with results far from satisfactory. The Liverpool Health Committee having appointed a deputation to visit eight of the towns where those provisions are in force in order to make inquiries as to their working, obtained a great amount of evidence hostile to the Acts, none of which appears in their sanitary officer's reports. A member of the deputation has publicly stated that the evidence led him to the conclusion that "positive evils have arisen from the working of the Acts, while but few good results can be proved, and even these are not distinctly traceable to them, because other agencies have been at work. If there is one piece of information more than another which has been impressed upon me by my visit to the different towns, as an effect of the compulsory notification of disease, it is this of the concealment of the more prevalent diseases—measels, scarlet fever, and fevers generally—by the public. The slighter cases of all these diseases are kept secret by the parents or relatives, are unattended by medical men, are not surrounded by disinfecting precautions, because of the tell-tale nature of the latter; and so these slight cases become the *nidus* from which numerous others, more severe ones, spring." Again, unless the notification is to lead to action of some kind it can be of no use to anyone, beyond putting the ratepayers' money into the pockets of medical officers; but it is an open secret that the Bill is intended to pave the way to a more drastic and despotic measure to follow, viz., a compulsory Isolation Bill which would certainly operate most oppressively on the lower class of the community. Surely if the Royal Commission on the Hospitals of the Metropolitan Asylums District Board reported that after an expenditure of four and a half millions sterling, the hospitals of the Board had increased the spread of small-pox, and that the death-rate had doubled since the formation of the Board, it behoves us to think twice, and yet thrice, before sanctioning any further action in the same direction and at such an extravagant cost. At all events, great care should be taken in dealing with matters of this kind affecting the health, lives, and liberty of the people.

VIVISECTION ABOLITION BILL.

It is unnecessary to do more than touch upon some of the more crotchety of the little Bills coming on for consideration by the Legislature. The VIVISECTION ABOLITION BILL is the product of an inconsiderate and over-strained benevolence, and one would have thought that, especially in this age of anaesthetics, the important discoveries of Ferrier, Pasteur and Koch, would have convinced even the most sensitive that it may be right to inflict pain with due precautions, and without unnecessary cruelty for the sake of inestimable results to humanity and the whole sentient world. It would be interesting to learn in what mind Clause 7 had its origin: "This Act shall not apply to invertebrate animals." Why the proud possession of a back-bone should be a condition precedent to kind treatment the Bill sayeth not.

FREE LIBRARIES BILL.

The next Bill affecting all classes of persons to which attention should be directed, is the FREE LIBRARIES BILL, which provides for the purchase of books by persons who do not want them, for the benefit of those who do. It is based throughout on the good old Communistic lines, for which only the angels and the promoters of these Bills are yet ripe: it is more blessed to give than to receive, and most blessed of all to give at other people's expense. The library authority is to be endowed with rather formidable powers. It may buy any lands and buildings it requires, or it may erect or hire, improve, alter, and maintain any building for the purposes of a public library, museum, school of art or school of science, or even a picture-gallery. It may buy books, newspapers, maps, specimens of art and science, and all things incidental to any of the purposes enumerated. And all this is to be done at the expense of the ratepayers, of whom nearly one-half may be strongly opposed to such outlay, and a great many more than half utterly ignorant of what is going to be done with their money. It need hardly be said that the library authority is allowed to borrow on the security of the rates.

The BANKRUPTCY BILL is one which requires to be watched

BANKRUPTCY BILL.

with great care. Whether or no there ought to be any Bankruptcy law is perhaps a question which the League would hardly care to answer. In any case the public should see that from a bad system of voluntaryism we do not pass to a worse system of officialism, and that seems to be the great danger of the Bill. Again, anything which tends to make credit easy for persons who are in straitened circumstances is undesirable, and this any Bankruptcy law will tend to do which tightens the creditor's grip on the honest debtor. The provisions against fraud contained in the Bill are stringent enough, but there is danger of oppression, when, for instance, at a time when absent friends are likely to express their sympathy with an unfortunate bankrupt, or to offer him advice and help in providing for his family, "any post-letters addressed to him shall be re-directed and sent by the post-master to the official receiver." Again, it may be well to guard against conferring excessive powers on

majorities of creditors.

The IMPRISONMENT FOR DEBT BILL is good for the same
IMPRISONMENT FOR DEBT BILL.

reason that the Bankruptcy Bill is bad, and not for the reason which its promoters have in view. It will have the effect of rendering credit less easy among the lower classes of the community. The small tradesman who now trusts the poor laborer or artisan, who has no visible property of any value, does so on the security he has in his person; the debtor who will not exert himself to pay his debts for any other reason, will do so to avoid imprisonment, and the creditor knows this. The Bill should also be supported for another and higher reason; it is desirable that all apparent civil inequality as between class and class should be removed.

BILLS OF SALE (IRELAND) ACT (1879) AMENDMENT BILL.

The BILLS OF SALE (IRELAND) ACT (1879) AMENDMENT BILL contains the provision (Clause 12) that "every bill of sale made or given in consideration of any sum under thirty pounds shall be void," as now in England. This is, no doubt, intended to protect the poor against the rapacity of the unscrupulous money-lender; but the effect, will be the very reverse of that intended. When one person is anxious to borrow and another person is anxious to lend, the only effect of putting obstacles in the way of the transaction is to raise the amount of interest which the lender will be compelled to charge the borrower in order to make himself safe in the long run over a number of cases. One would have thought that the history of the usury laws would have by this time sufficiently illustrated this obvious truth.

BANKING LAWS (SCOTLAND) BILL.

One of the most remarkable Bills before Parliament from the point of view of State-interference is the BANKING LAWS (SCOTLAND) BILL. Its object is to provide for the issue by local banks of notes guaranteed by the State. For this purpose "the bank to which privilege of issue has been so granted shall deposit with the Treasurer (a paid officer of State, to be called Treasurer to the Scotch Banks of Issue) Government securities of the prescribed value to cover such amount of issue as it means to have in circulation." This pre-scribed value is to be such that the Treasurer is satisfied their market value exceeds by at least fifteen per cent, the amount of note-issue for which he grants certificate upon them. Clearly these guaranteed notes will be as good as gold as far as their credit is concerned, for the Bill provides that "in the event of suspension of payment by any such bank" the Treasurer is to seize the securities and apply them to the redemption of the notes, and if there be a deficiency on the realisation and redemption, it shall be made good "out of moneys to be provided by Parliament." Now, therefore, since a deficiency is practically impossible unless there has been fraud on the part of the bank—a not impossible occurrence—the British taxpayer is to guarantee the creditors of these Scotch banks against the fraudulent acts of directors. Surely this will tend to diminish rather than to increase the caution of those whose duty it is to weigh well the credit of bankers.

It is a pity Mr. Serjeant Simon cannot see his way to extending

PARTNERSHIPS BILL.

the principle of his excellent PARTNERSHIPS BILL so as to embrace the whole field of partnerships and joint-stock companies, for nothing could exceed the importance of such a reform in the law which now works with such deadening effect on the legitimate speculation of the country. Millions of pounds are diverted from productive channels into the three per cents, by the terrors of the law of liability.

The THEATRES REGULATION BILL calls attention in its

THEATRES REGULATION BILL.

preamble to the inconvenient and unsatisfactory state of the law, by which certain theatres are licensed by the Lord Chamberlain, and music halls and other places of public entertainment by the magistrates. The Bill proposes to abolish the censorship of plays by the Lord Chamberlain, and to place all places of amusement under the department of the Home Secretary. Although the symmetry of this arrangement is a decided recommendation, it is a question whether the proprietors of these places are not throwing off the rule of King Log to fall under that of King Stork. Inspectors are to survey and continuously inspect all their premises and to report to the Home Secretary as to the manner in which the regulations framed by him are observed, as to the stability of the structure, as to due security against fire, as to facilities of ingress and egress, &c. The Bill deals with two totally distinct questions; there can be no doubt that the common law properly administered is quite competent to deal with all questions of decency, order, and propriety, and requires no supplementing; but the question of stability and security against fire is one which might warrant the interference of the State if the experience of the last two years (to go no further back) justified the belief that State-regulated theatres were better looked after and safer than others. The case of the Ring Theatre at Vienna, for which the State was wholly responsible, and that of the Alhambra, for which the State was in part responsible, hardly warrant that belief. Some of our London theatres are known to be in a dangerous condition and wholly unfit for large assemblages, but the most effective way of bringing their proprietors to their senses is precluded, or virtually so, by the present state of the law of libel. If so amended that truth in such matters shall not be a libel, the public

will not long continue to flock into a building which is continually being advertised as insecure.

LAND LAW (IRELAND) ACT (1881) AMENDMENT BILL.

Interfering between landlord and tenant we have two IRISH LAND LAW BILLS; one brought in by Mr. Parnell, which is too well known to require special exposition, the other by Mr. Givan, which proposes to enact, amongst other things, that any improvement in the value of a holding shall be deemed to be the tenant's Land Law (Ireland) Amendment Bill.

until the contrary is proved; that if the tenant gives his word in writing that he will not part with the holding, nevertheless an assignment shall be a valid and effectual assignment in law, and the Court shall have power to relieve the tenant against the covenant into which he has entered. Should the tenant wish to purchase his holding the whole of the principal sum for the purpose is to be advanced out of the pockets of the British taxpayer; as to one-fourth of the sum, on personal or other security; the whole to be repayable if the tenant wishes, by instalments spreading over sixty-one years. Mr. Givan is good enough to stipulate in Clause 9 that "this Land Law (Ireland) Amendment Act shall not apply to England or Scotland;" and for this we have reason to be grateful.

Then comes Dr. Cameron's SEED ADVANCES (SCOTLAND)

SEED ADVANCES (SCOTLAND BILL).

BILL; by which occupiers of land are to be empowered to borrow money wherewith to purchase seed, the advantage of which is that the deficit on the principal is to be paid by the thrifty ratepayers, and the interest on the whole by the taxpayers of the United Kingdom. Clause 11 makes the provision to which we are now getting accustomed, that persons in receipt of pauper relief are not to be regarded as paupers. Further comment on this Bill is fortunately needless.

The NOTICES OF REMOVAL (SCOTLAND) Bill is only of NOTICES OF REMOVAL (SCOTLAND) BILL.

importance as indicating a determination somewhere to root the tenant more firmly in the soil without reference to the consent of the landlord. One would have thought that owners and occupiers would have found out by this time what amount of notice on either side is most expedient.

THE DISTRESS LAW AMENDMENT BILL, if it becomes law, DISTRESS LAW AMENDMENT BILL.

will render it necessary for the hard-pressed tenant to give a bill of sale to his landlord before he can obtain credit for more than one year's arrears. This provision, which is clearly to the interest of neither party, is put forward in the interest of third parties, but as they know perfectly well beforehand how matters stand, and what amount of general security they possess, it is difficult to see how they will be benefited. There is, doubtless, something to be urged in favor of Clauses 5 and 6, by which the *bona fide* property of third persons is made no longer liable to distress for rent in arrear. Male stock belonging to other persons being on the premises solely for the purposes of breeding, machinery belonging to others, and bona fide lent on hire, are to be totally exempted from such liability; and live stock of all kinds belonging to others, and being on the land for agistment or feeding for full payment, are liable only to the extent of the amount of such payment, and no further. Now, reasonable as this at first sight appears to be, the matter might have been greatly simplified without leaving the door open, as is done by the Bill, to petty frauds on the landlord. A written notice served on the landlord by the third party, to the effect that such and such stock or machinery was about to be placed on the tenant's land for the purposes therein described, and that such stock or machinery would remain his, the third party's property, would surely suffice. And in this way the landlord would not be deceived as to the general assets of his tenant, upon which, if desirable, to allow him time.

TITHE RENT-CHARGE (EXTRAORDINARY) BILL.

The TITHE RENT-CHARGE (EXTRAORDINARY) BILL is almost as extraordinary as its name implies. Farmers in the hop and fruit districts have never ceased to complain that the incidence of this burden falls almost exclusively upon the tenant; but now that it is to cease, the tithe owner is to be compensated at the expense of the landlord. Clause 8 contains the following provision of modern brand:—" Subject to as aforesaid a rent-charge under this Act shall, as between landlord and tenant, be payable by the landlord, *any agreement to the contrary notwithstanding.*"

FLOODS PREVENTION.—One would have thought that

RIVER CONSERVANCY AND FLOODS PREVENTION BILL.

the inhabitants of a river basin would have been able to carry on a war against the elements without an appeal for the paternal help of the central government. Such, however, are the jealousies and disputes existing among the denizens of the upland, midland and lowland regions of the basins that co-operation is held to be out of the question, and some such measure may therefore be necessary in the interests of public health and the preservation of property. Amongst other features of the Bill it may be noticed that the unfortunate land-owner is to be forced to spend money on the improvement of his land against his will, and whether profitable or the

reverse, at the bidding of any sanitary or conservancy authority within any part of the same basin. But this is a small matter; and it is nothing new. The question for the public to consider is, whether it is probable that the Conservancy Boards proposed are likely to exercise the enormous powers to be conferred upon them with economy and justice. If so the Bill is calculated to do good. To begin with, the Local Government Board is to send down an Inspector to measure and map out the district and to ascertain "in what proportion such lowlands and midlands ought respectively to contribute to the expenses of the Conservancy Board, and what uplands (if any) ought to be included in the district, and in what proportion they ought to contribute to any expense of the Conservancy Board." This leaves sufficient margin for extortion and jobbery. As to the powers of the new Boards, they are conferred with no niggardly hand. They are to cleanse, repair, and keep in a due state of efficiency the streams and rivers in their district; to deepen, widen, straighten, embank, extend, alter or otherwise improve the river; and if that will not suffice they are to *make a new one*. It need hardly be said, that the Board has power to borrow on the security of the rates.

AGRICULTURAL TENANTS' COMPENSATION BILL.

There are several other Bills before Parliament affecting the LANDED INTEREST more or less, viz., those brought in by

AGRICULTURAL HOLDINGS BILL.

Messrs. Chaplin, Heneage, and Stavely-Hill, with others in prospect, of which it may be generally stated that they forbid

DITTO, No. 2 BILL.

free contract between full-grown sane persons, for the maintenance of which government and law exist.

GROUND GAME ACT (1880) AMENDMENT BILL.

This Report would not be complete without some reference the GROUND GAME ACT (1880) AMENDMENT BILL. At the time of the granting of the Great Charter who would have believed that six centuries later one of the statutes of the realm would consist of a definition of the word "rabbit-hole?" Yet so it is in this year of grace 1883! "Rabbit-hole shall mean and include the ground within a distance of six inches from and in front of the roofed opening of any rabbit-burrow." And what is a rabbit-burrow? That will probably be defined in another Act next year.

PRIVATE BILLS.

It is not, however, in Public Bills alone that danger to individual liberty and the rights of property is to be looked for and guarded against. It is frequently to be found lurking in obscure corners of PRIVATE BILLS, whose utilitarian and business-like, titles are apt to lull suspicion. Out of 234 Private Bills now before Parliament, there are a number of measures promoted by local bodies for the improvement of their several towns or districts. This class of Improvement Bills furnishes repeated instances of the increasing tendency of local governments, in imitation of the example set in higher quarters, to exceed their normal functions by taking upon themselves the business of traders or regulators of trade within their respective districts. The manufacture of gas, and the storage and supply of that and water, are fast coming to be classed among the first duties of local bodies; and electric lighting seems doomed before long to fall into the same category (*see note*). The replacement of individual enterprise in these matters by corporate monopolies may possibly at the outset be attended by some superficial and immediate advantages. On the other hand it is very certain that the suppression of open competition will tend to weaken the strongest and surest stimulus to progress and invention in these as in all other industries. The fate of telegraphy in England as a monopoly in the hands of the State for the last fifteen years does not lead us to expect very rapid growth under this closed system of conducting trade. On this point it is instructive to note that all the greatest developments in this and in allied branches of applied electricity have in recent years proceeded from the United States, where telegraphy is still left to private enterprise.

There is also a growing inclination on the part of local authorities to seek in this class of Bills for powers of "local option," enabling them to supersede the general law of the land in reference to the rights of person and property by special enactments applicable only to their own areas. The Liverpool Improvement Bill is an instance of the latter class. In the midst of 34 sections, dealing mainly with the construction and management of streets, is one making that city an exception under certain sections of the

Since these words went to press, we find the following strong confirmation of the soundness of this view. A deputation, introduced by Mr. E. Pleydell-Bouverie, and representing Electric Lighting Companies, waited upon the President of the Board of Trade on the 21st inst. (April), to point out the hardships inflicted upon them by certain of the regulations issued "by the Board, with respect to provisional orders for electric lighting. The spokesman contended that the rules thrust obstacles in the way of the successful working of the system, and, moreover, that they were contrary to sound policy, for, if insisted upon, people would not entrust their money to such undertakings. To this remonstrance Mr. Chamberlain, with questionable courtesy, replied that "Mr. Bouverie had spoken with a high sense of conscious virtue, and criticised matters beside the actual

circumstances of the case." Now, attention should be called to the fact that the provisions of the Electric Lighting Bill, passed last year at the instance of the Board of Trade, are open to such abuses as may operate in restraint of electric enterprise by admitting, when in mischievous hands, of undue State interference with the property and profits of shareholders.

Lands' Clauses Consolidation Acts. The first class of cases is typically illustrated by the Burnley Borough Improvement Bill. Embedded in this Bill, amidst a mass of extraneous matter, there is, or rather was, one section which sought to put into the hands of the Corporation of that town unlimited powers for the regulation of unlicensed clubs within their jurisdiction. The full force of these extraordinary powers, which would have been doubtless used as precedents for other places, was destined in the first instance to fall upon the working-classes. In the interest of the liberty not of one class only, but of all, the Parliamentary Committee of the League have the satisfaction of knowing that the petition they presented to the House of Commons, the representations they made there, and the rest of their action in conjunction with the Working Men's Club and Institute Union were instrumental in procuring the withdrawal of this objectionable section.

In conclusion, the Parliamentary Committee of the League express a hope that this short survey of Bills now before Parliament by which liberty is threatened and the rights of property ignored or over-ridden, may induce Members of Parliament to look at the grave matters thus brought before them with a view to arresting the present tendency to substitute State-help for Self-help in the business and other transactions of national life; bearing in mind that although for children and lunatics paternal solicitude is required, the similar treatment of sane grown persons only tends to deteriorate the race in the long run by diminishing self-reliance on the one hand and self-control on the other.

APRIL 18th, 1883.

This Report appears somewhat late in the Session, owing to the impossibility of procuring sooner printed copies of all those Bills before Parliament which it was necessary to examine. Some of the Bills here considered appeared in print for the first time within a few hours of sending this Report to press.

HARMSWORTH & Co., Printers, Tavistock Street, Covent Garden.

Overlegislation in 1884.

Review of the Bills of the Session by the Parliamentary Committee of the Liberty—Property Defence League. Published at the Central Offices of the Liberty and Property Defence League, 4, WESTMINSTER CHAMBERS, LONDON, S.W. 1884.

Liberty—Property Defence League.

For resisting Overlegislation, for maintaining Freedom of Contract, and for advocating Individualism as opposed to Socialism, entirely irrespective of Party Politics.

PARLIAMENTARY COMMITTEE:—

THE RIGHT HON. Lord Bramwell.

Wordsworth Donisthorpe, ESQ.

THE RIGHT HON. THE Earl of Pembroke.

H. C. Stephens, ESQ.

THE RIGHT HON. THE Earl of Wemyss.

Overlegislation In 1884.

Public Bills.

MEMBERS of the League are to be congratulated on the fact

REPRESENTATION OF THE PEOPLE.

that the chief Bill of the Session is not a measure of State interference. On the principles and general objects of this Bill we offer no remarks; not because they are not of the greatest importance, but because, whether it does or does not pass, the principles and action of the League will continue the same, and because these principles are not assailed by the Bill.

The object of this Bill is to repeal that part of Section 4 of

MUNICIPAL CORPORATION (BOROUGH FUNDS).

the Municipal Corporations Act of 1872, which provides that "no expense in promoting or opposing any

Bill in Parliament shall be charged (to the rates) unless such promotion or opposition shall have had the consent of the owners and ratepayers of that district." Now, although it may be objected that this is a question which does not come within the scope of the League's action, and furthermore, that the said Section savours of the principle of the plebiscitum and would not be tolerated in imperial matters; still it behoves members to remember that any measure which enhances the independence of municipal representatives from the direct control of their constituents, *pro tanto* increases the risk of overlegislation and confiscation. These remarks similarly apply to the Government Bill for London Municipal Reform. Though strictly a question of structure, it is impossible to overlook the patent fact that such a local government as that sketched out in the Bill may be easily made an engine of socialism such as the

LONDON GOVERNMENT.

world has not seen; unless, indeed, pressure can be brought to bear on those in charge of it, with the effect of strictly limiting and defining and considerably narrowing its functions. If the new organisation is to be empowered at its option to buy up the water companies, the gas companies, the metropolitan railways, the telephones, &c., to impose octroi duties, to lay out parks, and to raise the education rate to half-a-crown in the pound, we shall find ourselves in the clutches of a monster of our own creation from which we shall be released only when the inevitable financial crash comes. Unfortunately, in addition to these Bills having but an indirect bearing on the principles upon which the action of this Association is based, there are a number of proposed measures of the most paternal and meddling character, some of which are brought in by the Government, some by independent members of the ministerial side, and some by members of the Opposition, and what is of evil import is the fact that of late years an increasing tendency is observable to introduce in Private Bills what would have no chance of becoming law if brought into Parliament in a Public Bill, and, so to speak, in the light of day. Owing to the prevalence of this surreptitious legislation, we have deemed it expedient to devote the second part of this review to unearthing some of the more objectionable of these proposals.

MERCHANT SHIPPING.

In the main the MERCHANT SHIPPING BILL may be regarded as a scheme of State-regulation of marine insurance. No doubt it deals with a variety of other matters of greater or less importance, but all are made subordinate to the main object of prohibiting over-insurance for the sake of gain. Although the wager-policy is illegal, still the owner can, it is alleged, insure his vessel for more than it is worth. Now, surely no one can be foolish enough to suppose that over-insurance can, in itself, be profitable. Insurance means, in the long run, a small payment out of the pocket of the owner for the purpose of supporting a system which shall spread losses over an extended surface. To charge ship-owners with over-insurance, to mean anything, must convey a serious implication, viz., that they have the wish and the means to cause the loss of their ships. To evade the charge of bringing such a reckless and groundless accusation against a high-minded body of traders, by pretending that no such implication was intended is idle. To say that an owner *first* over-insures, and then humanly neglects to take quite the same care and precaution is quite inconsequential, for no owner is stupid enough, blind enough to his own interest, intentionally to over-insure unless he possesses knowledge and means whereby he hopes to profit by the transaction. If it is said that he over-insures unintentionally, owing to a sanguine overvaluation of his own property (which is quite possible), then before any loss or even risk can be traced to such over-insurance it must be shown, firstly, that the owner discovers his mistake, and secondly that he decides to profit by it at the cost of the life and property of others. There is no use in trying to evade this dilemma. Either the Bill is superfluous and mischievous, or the charge brought against shipowners of sacrificing life and property for gain must be substantiated. The very *raison d'etre* of the Bill requires the proof that this allegation is true as a rule or, at least, as a very considerable exception. If it is contended that the exceptions are rare, and extremely rare, but that it is necessary to provide against those exceptions, then the further question arises whether it is expedient to harass and cripple an important national branch of trade in which Englishmen have embarked at least two hundred millions of money—a branch of trade upon which hundreds of thousands of working men are entirely dependent, upon which the whole nation depends for necessaries of life to the extent, among other things, of seven million tons of bread-stuffs in a single year—a branch of trade so delicately co-ordinated that the slightest hitch in any part of its complicated and widely-ramified machinery might at any moment bring about an irreparable dissolution or even collapse;—is it wise to run the risk of driving the carrying trade of the world into the hands of foreigners for the sake of out manoeuvring some two or three undiscovered but possible villains, ogres probably of a morbid imagination, for whom the sufferings of the doomed crew and the grief of the widows and the fatherless awake no remorse, and for whom the criminal law has no terrors? Even should such creatures exist with the will and the power to thus enrich themselves by wholesale murder and robbery, they would find some way to steer their craft through any sunken dangers that the Board of Trade could devise. They alone would take the trouble to master the intricacies of the law, in which the honest and well-meaning would be continually entangled. When we come to examine the *modus operandi* of this Act for the prevention of ship-sinking for the sake of gain, we find that the end is to be gained

chiefly by substituting a system of open policies for the more convenient system of valued policies. Such a retrograde step (for the tendency is in an opposite direction) is calculated to promote litigation, which valued policies are designed to avoid. What is still more remarkable is that this Bill which proposes to supplant the valued policy (denounced as to some extent a wager-policy) by what is described as a contract of indemnity, defeats its own proposed aim. It renders it impossible for a shipowner to indemnify himself for loss. Partial indemnity is all that can under the most favourable circumstances be obtained under the Bill. But a measure so subversive of all English notions of sound statesmanship, so senilely paternal in its method, could not be thoroughly exposed as to all its teeming fallacies and blunders in anything short of a treatise on the economy of insurance. Suffice it to add that indefinite policies are of little use as collateral securities. Bankers who advance money on the security of policies have no time to go into probable values; they must be fixed. The Bill abolishes compulsory pilotage; and doubtless this should be done by a separate Bill, but not without compensation to an excellent body of men whose vested interests should be as sacred as those of commissioned officers in the army. If it is urged in general support of the Bill, as a whole, that nothing is so sacred as human life, that is readily admitted; but we may, and do, daily risk it. No great building, no railway, is made, but at the certain expense of human life. Yet we go on building and laying railways. And, if we wish to remain supreme in shipping, we must risk the loss of some life at sea.

The MARINE INSURANCE BILL, backed by Mr. Norwood and
MARINE INSURANCE.

Mr. Edward Clarke, though probably superfluous, has this merit that it fairly and effectually meets and provides against all the evils of the present customs of the business against which it is possible even to state a case. It would, for example, appear to be an anomaly against which underwriters would have raised their voices without the stimulus of the Board of Trade spur, that where freight has been insured and the vessel lost, the whole gross value of such freight should have to be paid to the insured without any deduction for expenses never incurred, but which would have been incurred had the voyage been completed. Clause 5 of this Bill provides that in future "the insured shall not be entitled to recover in respect to any freight lost without allowing for the proportion of expenses remaining, at the time of the loss, to be incurred in earning such freight." To an outsider this change would seem desirable, but, to quote Bacon, "what is settled by custom, though it be not good, yet at least it is fit;" and it might be as well to introduce as little as possible of compulsion into the law, by inserting the words, "in the absence of any agreement to the contrary." The Bill also empowers the Court in an action on a contract of insurance by valued policy, if the valuation appears *unreasonably* high, to refer the matter to referees to ascertain what would have been the value of the interest of the insured had the policy been an open one. Here the danger lies in the word "unreasonably." How can that be unreasonable which both parties have agreed to? What might appear an excessive valuation of the thing itself may fall far short of what is required to replace such thing in time to take up the threads of commercial relations and to cover loss by inconvenience, &c. A valued policy to a certain extent takes account of these matters, and it may be doubted whether the Court would not feel bound by the literal meaning of the law. However, if this Bill sins at all, it is not on the side of over-indulgence to ship-owners.

METROPOLIS WATER

It is not necessary to vindicate the granting of district monopolies by Act of Parliament in order to find fault with the Water Bill. Nor is it necessary to quarrel with the system of supply by meter which is made obligatory upon the companies and optional to the consumer. A voluntary tendency in this direction is on the other hand visible. Nor, again, is it true that the Bill (which has already met a just doom) would result in a smaller consumption of water by the poorer classes, with increased dirt and disease. The minimum limit of 6,000 gallons to be paid for (according to Schedule III), whether used or not, would sufficiently provide against that danger. Our charge against the Bill is that it advocates a breach of faith. It tampers arbitrarily with property, and secondly, it empowers the Board of Trade to interfere in a variety of minor matters which are no part of the province of a department of the central Government. When the inevitable day of reckoning comes it will be remembered against the City of London, that it has no particular veneration for vested interests. It is needless to go into detail in connection with this confiscatory measure, as it is not likely to reappear.

METROPOLITAN BOARD OF WORKS (FIRE BRIGADE EXPENSES).

The FIRE BRIGADE BILL is a confiscatory measure of the worst order, the object of which is to compel the prudent to pay for the protection of the imprudent from loss by fire. The whole history of the Metropolitan Fire Brigade is one of the best illustrations of the rapid advance and mischievous effects of state-socialism. Fifty years ago, the old parochial fire-engine was practically of no use at all. In 1833, by the voluntary association of Fire Insurance Companies, a fire-engine establishment was founded for the purpose of protecting the property of the prudent, that is the insured. The establishment was efficient and premiums were kept down in consequence. This very well suited the parish authorities, and the voluntary assistance of their private brigade was invariably invoked and accorded without charge in the case of fires in which the companies were in no way

interested. The folly of magnanimity is hereby illustrated. The voluntary contribution of the companies to the extinction of fires was set up as a precedent, and the public was not ashamed to demand as a right what had been willingly rendered as a favor. In 1865, by the Fire Brigade Act, when the Metropolitan Board of Works took over the duties and likewise the stock and plant of the voluntary establishment, the offices were constrained, most unjustly, to contribute largely towards the expenses of the fire brigade. It should hardly require pointing out that this is tantamount to taxing those who insure against fire, for the companies must necessarily raise the premiums in order to keep up the dividends to their normal level. By the Bill now before Parliament the bargain made is set aside, and it is proposed still further to increase the forced contribution of the offices, so that it shall amount to one-fourth of the whole nett expenses of the improved fire brigade, and this notwithstanding the fact that a large proportion of those expenses are incurred in the saving of life, a matter in which the offices are no more interested than the general public. It is to be hoped that some member will point out to Parliament that any measure which tends to raise the cost of fire insurance is a tax on prudence, and therefore that the Bill sins not only against honesty, which is venial now-a-days, but also against national economy.

A separate paper on this subject will be published by the League.

The future of landowners is a gloomy one, so far as their proprietary

LAND:—

rights are concerned. Mr. Bryce's Bill seeks to draw some line between wide fields and wider fields, between hills that

ACCESS TO MOUNTAINS (SCOTLAND).

are high and hills that are high enough to justify separate legislation.

LEASEHOLDERS (FACILITIES OF PURCHASE OF FEE SIMPLE.)

These two Bills, though coming from different points of the political compass, have the same object in view, viz., that of enabling persons having a limited interest in house property to appropriate the residue at the expense of the owner. The proposal is nugatory or unjust. If the freeholder is honestly treated he gets full value; then how does the leaseholder gain? If the leaseholder gains, it is because the freeholder is cheated of the full value. To compel a man to give against his will is called robbery; to compel a man to sell against his will may pass by another name. In any case the precedent has now been established, and it is not necessary to canvass the right of the State to disposses one man for the benefit of (not the common weal but) another man; the question of interest is, why the leaseholder? What has he done that he is to have the option of taking or rejecting whatever of advantage the fee simple of his holding may seem to possess over and above the market value—or rather arbitration value? That is the point. The owner of a London square, say in Mayfair, finds it profitable to keep all the houses in the same style of architecture. He is suddenly deprived of his proprietary right over one of the houses, and a blue and chocolate front with bow windows and a new story surmounted by large letters drives the rest of his tenants to despair and reduced rents. It is not denied that long leases have their disadvantages, though it may be disputed whether even these are not compensated for; but in any case, surely dishonesty is not the cure!

LEASEHOLDERS' ENFRANCHISEMENT,

When Mr. Broadhurst's Bill was before the House of Commons Lord Randolph Churchill, the promoter of its double, while condemning the details, extolled the principle, whereupon Col. Dawnay remarked that if these Bills are to be taken as the outcome of Tory-democracy, it is nothing more or less than socialism pure and simple. That precisely expresses the views of the League. It is quite unnecessary to enter into details as to the *modus operandi* of the rival measures, as neither one nor the other is likely to see the light this Session; though it would be dangerous to prophecy as to the next. Such is the rapid spread of the new evangel of right by might.

PUBLIC HEALTH ACTS AMENDMENT BILL.

This Bill clearly shows the nature of the machinery by which, over a wide field, the rights and liberties of the individual can be quietly evaded. It is proposed largely to increase the power of local authorities over the individual, and, at the same time, to place the former more under the control of the Local Government Board. The Bill suspends the jurisdiction of the ordinary courts of justice, and proposes instead to give judicial authority to the Local Government Board. The chief object of the Bill is to repeal Section 150 of the Public Health Act of 1875, which empowers local authorities to call upon owners or occupiers in any private street to keep it in repair or to execute works therein, and, in default thereof, to carry out such works themselves. By Section 3, owners are deprived of the option they at present possess of themselves effecting such works upon their own property. It is now required that the local authorities should in all cases execute the works themselves. As under the existing law local authorities can require the work to be done in accordance with their plans and sections, and under the direction of their surveyor, no sufficient justification can be shown for this change. The law as it stands at present, so operates as to protect owners from wasteful extravagance, from jobbery, and in many instances, from private malice. Local authorities are already burdened beyond their

capacity with sewage difficulties, and perplexing sanitary questions of various kinds, without these new duties being thrown upon them. Section 5 provides, that if owners make objection, local authorities on their own initiative, may apply to a court of summary jurisdiction or to the Local Government Board. The Local Government Board, "after such local or other enquiry, as they see fit, may make an order determining upon all matters referred to them." The statement of the case being by the Bill thus left in the hands of the local authorities, the latter score a point to the disadvantage of the owners. Any order issued by the Local Government Board is to be binding and conclusive, and the Board is to have exclusive jurisdiction in the case of all objections arising under the Bill. Section 6 empowers the construction of separate sewers for sewage and surface water in new streets. From this it is evident that the promoters of the Bill are ignorant of the operation of the Public Health Act of 1875, whereby local authorities are practically debarred from making the arrangements required for the separate system. It can easily be shown that the enormous waste and other evils proceeding from the present deadlock in the matter of sewage disposal, is mainly attributable to an obstruction actually arising out of the Sanitary Act of 1875. Surely, the consideration of this fact should tend to moderate the appetite for incessant legislation presumedly based upon scientific information, as yet, but imperfectly organised. Such laws, though at the outset abreast of the best experience, quickly become antiquated with the opening up of new fields of knowledge. If they are allowed to remain unmodified in accordance with fresh lights, officialism, mechanical in all its ways, forms its habits upon the numerous sections and subsections. To all expostulations, officialism invariably replies "if nature will not conform to the law, so much the worse for nature; it is our duty to see that the law is complied with."

MORTMAIN LAW AMENDMENT.

Lord Randolph Churchill's attack on the proprietary rights of the "dead hand" does not go to the roots of this difficult question; and, at the same time, it bids fair to serve, if successful, as a dangerous precedent for future State tampering with the proprietary rights of the living. The limits to be placed on the unchangeable will of the departed cannot be settled by converting realty into personalty; any more than Lord Cairns' Act made any appreciable inroad on the alleged evils of entail and tight settlement. The pious Druid who might have left Surrey and Middlesex to the priests of his faith for ever would have bequeathed to the present generation an incubus which would not be lightened by an Act to compel the sale of the whole, and the investment of the proceeds in consols. The problem is as ancient as the old Roman fiction of the "person." By Clause I4 the easy loan nuisance is to be transplanted from Ireland to England, and the State is to find money which is not forthcoming in the open market. On the whole the Bill sins by shirking the main issue, and endeavouring to get over a real difficulty by a socialistic short cut.

When we come to Ireland the position is serious. It is

LAND LAW (IRELAND) ACT (1881)AMENDMENT.

difficult to find fault with the chief measure of the Irish party this Session. It is an honest and consistent development of the crude Act of 1881. It carries to their logical extreme the principles of the Farmers' Alliance and of the Agricultural Holdings Act of last Session. The central idea of this Bill is a simple one. The landlord has no right to receive an increasing rent unless he has contributed towards improvement. If under misapprehension the tenant and his predecessors have gone on paying more than the landlord had any just claim to, it is reasonable that the excess should be deemed to be a debt due by the landlord to the tenant; and if, as it seems, there is no limitation defined by the Bill, so that the calculation may be carried back to the time of Brian Boromhe, or even of Noah-this is merely a trivial question of expediency. It is to be regretted that instead of denouncing this Bill as confiscatory, Mr. Trevelyan could not see his way to explaining in what respect it differs from the Act of 1881 *in principle*.

IRELAND

It is hardly needful to point out how nearly every Bill affecting Ireland is based on some socialistic foundation. Nothing else could be expected of a nation so completely pauperised and demoralised by legislation, than a cry for more alms. While we continue to govern that country with a stick in one hand and a cake in the other, we must not look for any manifestation of self-help and independence.

All the Bills emanating from the Irish quarter evince radical

IRISH LAND COURT OFFICERS (EXCLUSION FROM PARLIAMENT).

discontent with Government in all its branches down to the most trivial matters. The cry is for change for its own sake. The

LORD LIEUTENANT OF IRELAND (DISABILITIES)

officials under the Land Act of 1881, are not subject to disabilities to which they ought to be subject. The Lord-Lieutenant is subject to disabilities to which he ought not to be subject, and both these anomalies are to be removed by Acts of Parliament.

FISHERIES (IRELAND).

The sum of money collected by public subscription, about sixty-two years ago to help the Irish fishermen,

somehow got into the wrong hands; and for "the more efficient and economic administration of the said fund, it should be transferred to the Commissioners of Public Works in Ireland." Anyhow, whoever has benefited out of the charity up to now it is not the West Coast fishermen.

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND)

The experiment is to be tried of sending the people of Dublin, Belfast, Cork, Limerick, and Waterford to bed without their glass of beer on Sundays, like their country neighbours, who have for six years been subjected to this despotic regulation, with the result that drunkenness has, according to the Judges, considerably increased—a natural, though indirect effect, and with the further mischief of breaches and evasions of the law.

SCHOOL, &c., BUILDINGS (IRELAND).

We believe the propriety has been questioned in this country of providing grand pianos and conservatories at the public expense for the instruction of the working-classes in music and botany; but this is as nothing to the magnificence of the School, &c., Buildings (Ireland) Bill, by which the Commissioners of Public Works are actually empowered to make loans to any person for "the acquisition or improvement of a farm not exceeding twenty-five acres in extent, to be used for the purpose of agricultural instruction;" the loan to be repaid in thirty-five years, interest at five per cent!

TREES PLANTING (IRELAND).

Is it true that there are waste lands in Ireland which it would pay to plant with forest trees? Is it true that it would pay landlords to plant trees, which are not planted for want of capital? Is it true that the fisheries (in spite of the fund) do not flourish for

WASTE LAND AFFORESTATION (IRELAND).

want of works requiring capital? Is it true that tramways which would pay cannot get a start for want of investors? If all these statements, made on the authority of Irishmen, are true, then

TRAMWAYS (IRELAND) ACTS AMENDMENT.

clearly the land and the whole country is not labour-starved, but capital-starved. Then what a strange remedy it must be to drive all capital out of the country!

DWELLING-HOUSES INSPECTION

The DWELLING-HOUSES INSPECTION BILL is very objectionable. Houses Clause 10, providing for the annual inspection "at least once in every year" of all buildings existing in every district under a local authority, is monstrous. Besides the most obvious objections, it could be easily shown that—(1) The cost of inspection of all buildings once at least in every year would be enormous. (2) Any such annual inspection would only be very superficial, and would afford no real security; still, the fact of such inspection being annually made, would create an ignorant feeling of safety. Persons appointed as local sanitary inspectors are frequently without any qualification for their duties, and the very wide powers conferred upon them by this Bill would lead to great waste, and perhaps also to extortion and malicious and tyrannical proceedings of various kinds. The Bill is most clumsily drawn, and it is difficult to make out what is intended. Thus, Clause 12 charges owners of property with the "expenses of inspection"—railway fares and refreshments, probably, perhaps more than these—The Bill is hardly likely to become law, but the mania for anything supposed to promote sanitation makes watchfulness necessary. Again, as to cost, 6,000,000 houses will have to be inspected yearly; let ten be inspected daily by each inspector; that is 3,000 each year by each inspector; and even then, what would such limited inspection be worth? And we shall require 2,000 inspectors at say £200 each. This hardly bodes well for a policy of retrenchment!

It has been urged that by its Articles of Association this CONTAGIOUS DISEASES (ANIMALS). League is pledged to oppose the Lords' amendment to the Cattle Diseases Bill on the lines of the resolution carried against the Government on the motion of Mr. Chaplin. This is a mistake. It is not a fact that either side or any section of the community has urged the total abandonment of all State restrictions on the importation of foreign cattle. The question at issue is one of degree, and as such must be left to the decision of experts, and cannot be answered on broad philosophical grounds. This much, on the other hand, may fairly be urged that if the public is generally of opinion that State regulation actually does good in this particular, and that it does no greater harm at the same time, then it behoves the Government to see that the restrictions required shall be as complete and as stringent as possible, so that the credit of the system may not suffer from insufficient carrying out. The breakdown of quarantine in connection with human diseases is not encouraging to those who would pin their faith to it in the matter of animal diseases; and since it is absurd to adopt restrictions at the ports without taking concurrent measures of a drastic character for stamping out the disease inland—measures which work with great friction, irritation and even loss and hardship—it is quite an open question whether the system will long be tolerated by the farmers or the public; but while the experiment is pending, by all means let it be as thorough, as demonstrative as possible. For it must not be forgotten that there is this point of difference between human quarantine and similar modes of protection against the diseases affecting the lower animals, that whereas wholesale murder may be resorted to in the one case, it would hardly meet with public approval in

the other. A limp half-hearted measure will prove nothing. By the results of a strong measure the system will stand or fall. In any case let us have no shilly-shally. Weak-kneed legislation invariably produces none of the looked for good, and all the evil; and is slower in bringing about the needful reaction.

HACKNEY CARRIAGE LAWS (METROPOLIS). By the Cab Bill, a Board is to be formed consisting of two commissioners, some cab-owners and cab-drivers, with judicial and executive powers over the whole cab organisation in London. It is empowered to limit the number of licensed cabs plying for hire according to its discretion, thus creating a formidable monopoly; to fix cab-fares, "make bye-laws, rules, and regulations necessary to the working of cabs, "and deal with a variety of other matters "for the improvement of cabs and better conduct of the owners and drivers. "It is hardly necessary to say that, after a dozen amending Acts and several reconstructions of this remarkable Board, the total repeal of the Act and abolition of the Board would be imperatively required within a few years. The true tendency is precisely in the opposite direction.

It is surely a monstrous thing that the time of Imperial Parliament **FRESHWATER FISHERIES ACT AMENDMENT.** should be taken up with determining the size of the mesh of nets used for catching different kinds of fish. If this kind of legislation is deemed to be necessary at all, surely it should be relegated to the boards of conservators in the local fishery districts to settle at their own discretion and without the guidance of the central legislature. If the boards are not to be trusted with this function the sooner they are reconstructed the better. Certain Amendments before Parliament carry this attention to minute detail almost into the region of the ludicrous. That the Imperial Legislature should lay down the law as to the precise length of a full-grown carp or perch; that it should solemnly pronounce 10 inches to be the regulation length of chub, 13 inches of barbel, 8 of tench, and 18 of jack-this is a proceeding which almost recalls the dispute between the Big-endians and Little-endians in Lilliput. At any rate, it is absurd to assume that one member of Parliament out of a hundred knows whether or not conservators should be empowered to enforce the use of a mesh larger than two or three inches from knot to knot measured wet, or to allow one less than one inch. These are the trifling details which the Bill, like many others of its kind, brings within the sphere of Parliamentary action. We are asked to believe that the Government favours the two-inch limit, but that the country, through its representatives, prefers the three-inch.

SALMON (WEEKLY CLOSE TIME). (IRELAND).

The **IRISH SALMON FISHING BILL** draws attention in its preamble to the fact that under the existing law fishermen are not allowed to fish for salmon and trout in any other way than by single rod and line from six o'clock on Saturday morning till six o'clock on the following Monday morning. Now this, again, is a matter of detail with which the local authorities are, or should be, quite competent to deal, without relying on the special providence of the imperial legislature. If, like a close season and other restrictions believed to be beneficial to the fisheries, this particular restriction is good, then it is clearly unwise to put it in the power of a majority of persons who cannot possibly know much of the question to pander to the impatience and prejudice of the ignorant and shortsighted, who are at all times ready to kill the goose that lays the golden egg; on the other hand, if the restriction is mischievous, it is unjust to allow that same majority to place obstacles in the way of the poorest class of British subjects in their efforts to earn daily bread.

REGISTRATION OF FIRMS.

Bills for the registration of land, of firms, of bills of exchange, &c., seem to be coming into vogue; so much the better, so long as the compulsory clause is omitted. This is, unfortunately, not the case with Mr. Norwood's Bill for the compulsory registration of firms-a precaution which will bring about false security and can easily be evaded. Facilities for voluntary registration are desirable enough.

REPRESSIVE LEGISLATION.

It is exactly 300 years since tobacco-smoking was proclaimed in this country, and although in the opinion of many the evils resulting from excessive indulgence in the "noxious weed" are not so obvious or so serious as those resulting from excessive drinking, still the outcome of repressive measures in the one case may serve as a warning to those who are clamouring for similar repressive measures in the other. Exactly a century after smoking was interdicted it was found necessary to pass a Bill to prohibit the growth of tobacco in the British Islands. A hundred years later the revenue from the enormous duties on the importation of foreign and colonial tobacco was so great, that a heavy excise had to be levied on home-grown leaf, and in 1829 there was not a county in Ireland that did not grow largely for the English market. In 1831, for fiscal reasons, the growth of tobacco was again forbidden in Ireland, and the revenue from this source is now so large, that he would be a daring Chancellor of the Exchequer who would hint at dispensing with it.

It would also be well to consider another remarkable phenomenon

SELF-HELP.

. After centuries of futile spasmodic anti-drink legislation, a semi-fanatical voluntary movement is set on foot with the same object, but with this very different result, that within a few months the consumption of spirits in the country is reduced by millions of pounds' worth. Surely this is significant. And yet again this year

we find ourselves face to face with the same enemies of individualism and liberty in the matter of drink that were left for dead last Session. There are no less than sixteen Bills before Parliament proposing to interfere more or less with the liquor traffic in one direction or another. Sabbatarian teetotalism alone is represented by no less than ten of these, headed by Mr. Stevenson's Bill for the whole of England.

Fortunately talked out on second reading, April 2nd.

The Sale of Spirits Bill is one of that incessant series

SALE OF SPIRITS (MIXED TRADERS).

of capricious tamperings with the liquor trade which does more to unsettle investments, and to drive the trade into the hands of shifty hand-to-mouth speculators than anything else. In these days it is positively dangerous to lay out money on refreshment premises or stores where alcohol in any form can be purchased, with the expectation of realising reasonable dividends. Everything must be calculated so as to recoup the outlay in a short period, and exorbitant prices, or, what is worse, adulterated articles are the inevitable result. The Bill in question should, in order to be understood, be styled the Women's Drunkenness Prevention Bill. One day a measure is brought in, with the best intentions, to enable women to purchase the occasional bottle of cooking brandy without the annoyance and temptation of going or sending to the public-house; and the next day grocers' licences are denounced as leading to secret drinking by housewives. The one thing which never seems to enter the head of the political hydromaniac is, that if men or women want to drink alcohol, drink it they will while they have the money. With respect to these drink Bills, we have nothing to add to what we said last Session, and it is useless to reiterate arguments to those who will not listen to them. It is probable that those most immediately affected will be driven into the foremost ranks in the coming struggle and will throw in their lot with liberty and individualism as opposed to State-socialism.

RE-APPEARANCES.

The resurrection of the innocents is a phenomenon to which we are getting accustomed, nor is it necessary to go through again all that we urged last Session against the following Bills; it will suffice if we call to mind their leading features.

EMPLOYERS' LIABILITY ACT (1880) AMENDMENT.

First comes the Bill to prevent prudent working men from accepting a higher wage as a set-off against dangerous employment, in lieu of the law-suit provided by the Act of 1880. It will be remembered that the League presented petitions to the House of Commons against this Bill, signed by 1,219 Burt's own constituents in the borough of Morpeth, together with similar ones from different parts of the country. In fact, the action of the League so far damaged the prospects of the Bill that the Government considered it prudent to throw it over, and to pledge itself not to take further action in the matter before the expiration of the seven years originally allowed. Consequently, it has not been deemed necessary to take any further steps in view of the re-introduction of this mischievous measure.

CANAL BOATS ACT (1870) AMENDMENT.

The Bill backed by Mr. Burt, Mr. S. Morley, and others to Act amend the celebrated Act for supplying air to the dwellers on the river, and known as the CANAL BOATS ACT, 1877, is worthy of its predecessor. No child under 13 is allowed to be employed on a canal boat until it has passed the third standard. The powers given by the principal Act of entering boats for purposes of inspection "by day," are to be extended so as to allow of such entry "by night." Of course the Bill bristles with the customary fines, of which one half goes to the sneak who informs, "provided that where the sanitary authority are the informers they shall be entitled to the whole of the fines recorded." Gipsies and persons living in travelling road-side vans will be surprised to learn that by Section 11 of the Bill, temporary dwellings come under the head of "canal boats." When Lord Beaconsfield described the hansom cabs as the gondolas of London, he little dreamt that travelling menageries would become canal boats by Act of Parliament.

The Bill to provide literature for the studios at other peoples'

FREE LIBRARIES.

expense again raises its benevolently socialistic head. As also does the Bill to prohibit scientific research for the benefit of

VIVISECTION PROHIBITION.

humanity at the cost of some pain to the lower orders of sentient beings. The theatres and music halls are still beseeching the Home Secretary to reign over them in place of the magistrates

THEATRES, &C., REGULATIONS.

and the Lord Chamberlain-a reasonable request, but one for which they seem willing to pay a heavy price, viz., subordination to the tyranny and extortions of a gang of inspectors with wide powers. While Sir Alexander Gordon still bravely struggles to impose his definition of a rabbit-hole on a stiff-necked generation.

If we are called upon to explain the position of the League

GROUND GAME ACT(1880) AMENDMENT.

with respect to State interference with weights and measures (a question which in our early parliamentary history seems to have baffled the ingenuity of legislators year after year) we should say that the State should confine itself to ascertaining the interpretation placed by custom (whether uniformly or with local variations) on the several standards of weight and measure, and to declaring its intention, in the event of disputes involving the true meaning of such terms, to adopt such or such an interpretation in the absence of evidence showing the clear intention of both parties to accept a different one. By this method little by little the adopted standard would in time spread over the whole country in which such presumption existed, without unduly shocking and harassing provincial sections of the present generation for the speedier benefit of posterity. To make every contract null and void in which corn is sold in any other than the Board of Trade central is surely a rough and drastic mode of hurrying on a reform which is spontaneously taking place with marked rapidity owing to the extension of markets. The Bill is an example of how people, with one object, lose sight of all other considerations.

STEAM ENGINES AND BOILERS

The Boiler Bill, for the purpose of inspiring the public with false security by granting certificates to persons in charge of engines, and for shifting responsibility from the shoulders on which it now properly rests on to the shoulders of the State, *i.e.*, no one in particular, is another Bill of the most mischievous type. The fallacy of State-interference with steam boilers has been so thoroughly exposed by Sir Frederic Bramwell, that we can only suppose the promoters of this Bill must be unacquainted with his evidence and arguments, or incapable of appreciating either.

Private Bills.

Our wonder and admiration would be great if we were told

MUNICIPAL DUTIES.

that there was a company or association which undertakes the maintenance and management of water-works, telegraphs, sewage-farms, art galleries, quarries, cemeteries, policemen, docks, libraries, race-courses, gas-works, gravel-pits, telephones, Turkish baths, fire engines, museums, promenade piers, swimming baths, lavatories, recreation grounds, markets, drinking fountains, hospitals, and wash-houses; which manufactures gas pipes and water taps, and conducts the business of fire insurance, friendly societies, and advertising contractors; which supplies nurses for the sick, bands of music and shows for the healthy, gas stoves for the indigent and books for the studious; which prescribes for the size of vehicles, the width of their wheels and the speed at which they may go, for the muzzling of dogs, the lighting of streets, the mixing of mortar, the hours for bathing, the cleansing and mending of roads, the size of windows and the height of rooms, the weighing of coal, the thickness of walls and the strength of joists, the carriage of dead donkeys, the height of houses, the quality of their material and workmanship and the building of ovens; which examines into the fitness of plumbers, newspaper sellers, hawkers, cattle drovers, bathing women, butchers, and dealers in old clothes; draws up routes and time tables for omnibuses, fixes the fares of cabs; and supervises the navigation of steam launches and pleasure boats, and the movements of travelling menageries and itinerant musicians; which decides what diseases are infectious, how strong halters ought to be, and when and where carters should put on their drags. That a single body of men could be found to perform all these functions would be wonderful enough even if they had received special training for the work, and if they devoted their whole time and energies to it as a means of livelihood. But when we learn that this mountain of duties is undertaken as a pleasure or as a hobby in the intervals of their daily work by men who come to the task as amateurs, mostly in middle life, our astonishment increases. At the same time, misgivings occur to onlookers as to the prudence of untrained men attempting so much, and some fears for the muddle which such heroic meddling may possibly produce.

IMPROVEMENT BILLS.

In the minds of the hard-working professional and businessmen who compose municipal corporations and local boards, and who are found willing to devote to multifarious public functions the residue of time and energy left over from their own private work, no such anxieties and diffidence seem to exist. Every Session of Parliament sees the introduction of the customary batch of "Corporation Improvement or Extension" Bills; and with the annual increase in their number goes an extension of the range of subjects with which they severally affect to deal. Out of some 294 Private Bills now before Parliament thirty-two are introduced by municipal bodies; seven of which are exclusively concerned with municipal schemes for the storage and supply of water, one with gas, and twenty-four fall under the general head of "Improvement and Extension" Bills, dealing in ill-digested medlies with almost every conceivable subject. The following Bills are those of the latter class that are perhaps the most remarkable, *viz.*:—Birkenhead Corporation, West Derby Local Board, Dewsbury

Improvement, Jarrow Corporation, Leicester Corporation, Leeds Corporation, Cardiff Corporation, Windsor Corporation, Ventnor Local Board, Glasgow Corporation, Southampton Corporation, Llanfrechfa Upper Local Board, York Extension and Improvement, Bristol Corporation, Belfast Improvement, Brighton Improvement, Chester Improvement, Croydon Corporation and the Metropolitan Board of Works (Various Powers).

Amidst the diversity of ends sought after by these various bodies

COMPULSORY NOTIFICATION OF DISEASE

three or four are common to several of them; Jarrow, Dewsbury, Croydon, Chester, West Derby and Brighton, seem bent upon stamping out infectious diseases. Judging from the dire pains and penalties laid down, and the despotic interference with individual liberty authorised by their Bills, it would almost seem that this is to be effected at all hazards. Perhaps the most elaborate machinery for this purpose is that proposed by Brighton. Brighton considers that small-pox, cholera, typhus, typhoid, scarlet, relapsing, continued and puerpural fevers, scarlatina and diphtheria are infectious. But about this opinions differ. Chester rejects scarlet fever and continued fever, while admitting all the others as infectious. Dewsbury agrees with Brighton in allowing all but continued fever, in whose place it instates whooping cough erysipelas and measles. Measles is also included in the list by Jarrow, scarlatina being rejected; and Croydon, while denying the claim to relapsing fever, is not content with simple cholera but must have a special form of the diseases all to itself which it calls "infectious cholera." Each body reserves to itself the right from time to time to brand as infectious any diseases it thinks fit. On the appearance of any one of these diseases in any house the fact will have to be notified to the local authorities by the inmates and (with the exception of West Derby) by the medical man in attendance, with the alternative in both cases, if preferred, of a payment of £10 if this happens at Brighton; £5 if at Croydon, Chester and Jarrow; and of only £2 if at Dewsbury. At Brighton and Chester the municipality on their own initiative

FORCIBLE REMOVAL TO HOSPITAL.

, or *at the instigation of any private medical practitioner*, having obtained a magistrate's order, may forcibly remove the sick patient from his own house to the general hospital, or to one specially provided by the municipality for infectious diseases, at his own cost or that of his relatives. If the latter in any way impede this order being carried out they will have to pay £10 for their audacity. The authorities at Brighton or Chester, or anywhere else where parental instincts have not been scared by "State education," show a black ignorance of human nature if they imagine for one moment that even in the most poverty-stricken family £10 will count for more than nothing when the abduction or may be life of a favourite sick child is at stake. In such a case we venture to predict that the extremest penalty a man can pay would be paid by any officials who ventured to carry out such an order. West Derby and Dewsbury, probably with this difficulty before their eyes, undertake, the latter to send nurses to the sick, and both of them to provide temporary house accommodation for the healthy members of any family where an infectious disease

CLOSURE OF PRIVATE HOUSES.

has broken out. At Brighton the municipality may shut up any private school in the neighbourhood of any house where disease exists, and may publicly declare such house an "infected place," and forbid anyone to enter it under pain of £5. If the house happens to be a shop dealing in "articles liable to retain infection," or a workshop where such articles are manipulated, the authorities may close it to the public. Should the householder or shopkeeper kick against any of these restrictions he will in each case have to pay-£5, and to continue paying £2 a day until he becomes compliant. In return for all these sacrifices in the interest of the public good, the municipality, while agreeing to compensation for "direct material and pecuniary loss," will not undertake to make good any "consequential loss or damage." It would certainly puzzle many a better economist than a town councillor to decide in such a case where the

FORCIBLE BURIAL.

"direct" ends and the "consequential" begins. If during life the sick person has escaped the cruelty of "forcible removal," and if in spite of the precautions of the private doctors and public authorities, the disease proves fatal, there still remains the indignity of "forcible burial" after death. At Brighton, Jarrow, West Derby and Dewsbury a magistrate on the certificate of *any private practitioner* may authorise the municipal authorities to forcibly remove the body for immediate burial, and to charge the expenses to the relatives; and then, without their permission, to proceed to disinfect the house. Any opposition to these outrages will have to be made at the risk of paying £5.

Of course, all these elaborate devices for summarily dragooning infection out of existence are prompted by the best intentions. But, like a great deal of the soft-hearted legislation of the present day, it could hardly be better devised for defeating its own end. The malignity and areas of all these infectious diseases are steadily being lessened in each succeeding generation by causes more radical than any spasmodic and superficial legislation can bring to bear upon them. All life tables and bills of mortality show this. Insight into the origin of disease is yearly on the increase, and with it the art of meeting it successfully in the course of ordinary medical

practice. The spontaneous adoption by the mass of the population of conditions more in conformity with the laws of health, though far from universal, is slowly and inevitably becoming more general. All attempts to artificially quicken this progress towards a better state of general health are just as mistaken and mischievous as those which aim at forcing on a better state of morals by Act of Parliament. It is obvious that the first effect of this raid upon infectious diseases, as noted by this Committee when reporting upon the Infectious Diseases Notification Bill of last Session, will be "to divert a considerable amount of medical practice from qualified medical practitioners into the hands of quacks, who will have little to lose and something to gain by keeping the true nature of the malady secret." It is not likely that the petty shopkeeper or dairyman will deliberately assist in the destruction of his own business connection by playing into the hands of that branch of the profession who will consider it a matter of duty and etiquette to label his house as an "infected place." Supposing it may be that some good would be done, is it worth the price—the constant and intolerable interference it involves?

ARTISANS' DWELLINGS

It would seem that the recent sensational exaggeration connected with the question of the "Housing of the Poor," and the "Bitter Cry" of the metropolitan slums, has not been without its effect in some of the provincial centres, where we find what are probably premonitory symptoms of future wholesale socialistic action in the matter. The Belfast Improvement Bill, the Leicester Corporation Bill, the Dewsbury Improvement Bill, and the Birkenhead Corporation Bill each contain sections identically worded, whereby the several municipalities, previous to demolishing, for the purpose of public improvements, fifteen or more houses occupied by the "labouring classes," are authorised to provide sufficient accommodation for them elsewhere. Should it be deemed necessary, the municipality may, out of the funds and rates, and on land belonging to the town, build industrial dwellings, and let them out in tenements to the working-classes. In the particular case of the Metropolitan Board of Works (Various Powers) Bill, the Board (and, in a certain contingency, the South-Eastern Railway) is bound to find similar accommodation on land of their own for the working-classes unhoused by the demolitions for the street between Southwark Bridge Road and Blackman Street. Until this is done the new street is not to be thrown open to the public; and in no case can any buildings be pulled down without the consent of the Home Secretary. It is very doubtful whether this well-meant solicitude for the comfort of the inhabitants of condemned rookeries will not defeat its own purpose. Nothing has done more to open up squalid districts, and to bring into their midst purer air and better food supplies, than the street and market improvements and railway extensions of late years. As far as the element of cost is concerned, and other things equal, the direction of least resistance for these reforms is through the lowest class of urban property. The temporary discomfort of the comparatively few displaced is out of all proportion to the permanent benefit conferred upon the surrounding districts by these clearances for new arteries. The red tape and the costly responsibilities, which in these Bills meet the street and railway reformers almost before their work is begun, will only serve to protract the existence of a class of dwellings it is as much the interest of the inhabitants themselves as of the general public to efface unconditionally and as quickly and with as little friction as possible.

Judging from the charge of "over-pressure" brought against

CASUAL EMPLOYMENT OF CHILDREN.

the School Board system, one would have thought that the State has already more than sufficient control over the hours of childhood. This is evidently not the opinion of some portions of the community. Chester, York, Dewsbury and Cardiff do not consider it a healthy tendency that the pupil of the State pedagogue, after spending the greater part of his day indoors in qualifying himself for clerk's work should, during the few remaining hours before he goes to bed, go in for a little light trading on his own account or on that of his parents in the open air. In the above towns no

NEWSPAPER BOYS.

boy, unless he is ten years old, can sell matches or newspapers in the streets at any time of the day; and until he is fourteen he cannot do so after nine in the evening in summer and seven in winter at Cardiff and Dewsbury, and eight at York and Chester, unless he has a certificate of efficiency from the School Board. If he has the bad luck to be caught in the act, his father or mother will have to pay £2, and he may have to spend the night in the custody of the police or a "School Board man." The idea, of course, in all this is that the boy will probably be driven to stay at home to learn his lessons for the next day, or will go to bed; whereas the certainty is that he will loaf about listlessly, picking up bad habits in the slums and back alleys instead of turning honest pennies in the street. At Belfast, if after emerging from

NEWSPAPER LICENSES.

the mill of the Elementary Education Act he takes permanently to the business of a street news vendor, he will not even then find himself free from official control. Every year he will have to take out a licence costing him 2s. 6d., or, if he dispenses with it, will have to pay £1 every time he is caught selling a newspaper. And it is to be remembered that all this is to be in an Act of Parliament—the law of the land, which cannot be undone by

bye-laws, however inconvenient.

MARINE STORE ALERS.

The web of officialism certainly seems to be enveloping every duty in life. The study of these private Bills, equally with that of the public Bills, almost opens up the prospect of an age, when in this country, like in China at the present time, worth will be estimated by the number of certificates possessed; and when the history of the individual's life will be that of the examinations he has undergone from childhood to old age. At Jarrow and Dewsbury yearly licenses will be required by dealers in marine-stores and old clothes, rag and bone merchants, and sellers of old metal. The first attempt to transact any business of this kind without a license will cost £20 if discovered; and for every succeeding attempt £5 will have to be paid. Similar penalties will visit the dealer if, after having secured his license he fails to conform to the conditions it carries with it. Fines of £20 and £5 per day will stare him in the face if he omits to enter in a book a minute description of every article he buys, the time at which he bought it, and the name and address and occupation of the person who sold it to him; or if he fails to point out to the authorities the particular rooms in his house he intends to use for business purposes; or if he does not notify to them within twenty-four hours, any change in his address or even the appropriation for trade uses of any room in his own house not previously specified; or if he does not take good care to have his name in full painted on the shop-front "in Roman capital letters, six inches in height, and of a proportionate and proper breadth, *at all times* plainly and distinctly visible and legible." It is hard to see how the latter condition can be completely fulfilled unless luminous paint be used. By Section 61 of the Jarrow Bill, those who "only *occasionally* deal in second-hand marine stores," are to be exempt from all the above regulations; and it is just, of course, to these "occasional dealers," that the burglar, cracksman, and pickpocket will resort to dispose of their "occasional" windfalls. This proposal to forcibly enlist the members of a special trade as supernumerary police detectives, must be recognised as the local outcome of the same motive which inspired the abortive Pawnbrokers' Bill of last Session. No doubt there is a small percentage of traders engaged in the by-ways of commerce through whose hands a certain amount of property of questionable pedigree finds its way into the regular market. The energies and ingenuity of the police cannot be better employed than in attempting to intercept this illicit traffic at its source. It is a difficult task probably. Still society is justified in expecting them to rise to the occasion with improved organisation and methods of their own. The authorities at Scotland Yard, and in the local centres, show a lack of resource, and a great ignorance of proportion, when they call in outsiders to their aid; and when in order to detect, without extra trouble to themselves, a fraction of evil doers, they subject a whole mass of honest traders to most irksome and degrading regulations. At Jarrow, West

LICENSES.

Derby and Dewsbury, no slaughter-house in future is to be conducted without a license from the municipal authorities. At Ventnor, Chester and York every one who intends to sell marketable commodities from door to door will have to be licensed and to pay for the privilege. If the fishwife or costermonger at

MARKET-WOMEN.

Chester venture out in an unlicensed condition with a basket or hand-cart, they will have to pay £2 a time for doing so, and to look on while their goods are seized and forfeited by the corporation officers. Those who undertake to drive cattle for hire

CATTLE DROVERS.

within the boundaries of Bristol or York will have to buy a license and obtain a badge from the city authorities, the latter in return fixing their hours of work and scale of payment. A

BOWLING-GREENS.

justice's license, fixing the days and hours of opening, will be required by any one at Bristol who intends to open a bowling-green or skittle-alley, or to accommodate the public with facilities for playing at bagatelle, dominoes, quoits or "brasses" (whatever these may be), even although he does not seek for permission to sell fermented liquors on his premises. For doing so without authority he will have to pay £5 a day. The same danger awaits the too venturesome caterer at Chester, York, Leicester and Dewsbury. Any one before going in for the luxury of a steam launch or *private* pleasure boat on the Dee, at Chester, will have to obtain a license from the city authorities, who will impose conditions as to the speed he may travel and the mode of

BATHING-WOMEN.

navigating his craft. If a bathing-woman ventures to ply her calling at Brighton without a certificate she will have to pay £2. Should any keeper of a common lodging-house at Croydon go away for a night he will have to leave a registered substitute in his place "to manage, control and exercise proper supervision" over the

PLUMBERS.

lodgers. At Cardiff no one will be allowed to practice as a plumber unless he can get himself licensed as a "competent person;" and a license will be required by any one who lets out for hire a cart or waggon for the conveyance of "merchandise, goods or chattels."

BUILDING REGULATIONS:—

Municipal supervision of the planning and construction of private houses is, and has been for a long time past, everywhere the rule. Still, novelties and new refinements in the minuteness of regulations seem to be prevalently on the increase. In some

WOODEN BUILDINGS.

places it is clearly the opinion that the "age of wood" in the evolution of habitations is a thing of the past, and that wooden buildings, and even half-timbered construction, are survivals or reversions calling for extinction. At Birkenhead no wood is to be used "in or about any external wall." At West Derby the erection of a wooden building will bring with it a penalty of £20; at Dewsbury the offence is more heinous, the fine being £50; while at Jarrow it is rated as low as £5 in the first instance, and £2 a day during continuance. Both at the latter place, and at Dewsbury, the corporations, on demolishing buildings of this description, do not promise to compensate the owner, as with more justice is the case at Birkenhead and West Derby. They even go to the extent of actually proposing, for the purpose of compensating the occupier, to defraud the owner of the holding of the ground rent due to him in respect of the land on which the condemned tenements stood. One would almost have thought that wood as a material for walls might have been left to die a natural death, without being thus hustled out of existence in its last moments. The size of the joists and rafters; the quality of

MATERIALS AND WORKMANSHIP.

all the building materials and of their workmanship; the arrangement of the tanks and cisterns; the height of the building and of the rooms; the construction of the oven; the laying of a damp course; the materials for the roof; the ingredients of the mortar; all or some of these details in connection with the construction of each private house it is the part of the municipal authorities to regulate at West Derby, Bristol, Chester, Belfast, Brighton, Dewsbury, and Birkenhead, armed with penalties ranging from £5 up to £5°. By Section 172 of the Chester Improvement

MATERIALS AND STABLES.

Bill, rooms lighted solely by a borrowed light will cease to exist; and in every room that has no fireplace there will have to be some special method of ventilation. In the same city no one will be able to keep pigs unless the sty is at least fifteen yards away from the house. By Section 154 of the Brighton Improvement Bill no room over a stable is to be used as dwelling, sleeping, or even working room. The penalty for so doing is fixed at £5, and £2 per diem during the continuance of the forbidden practice. If this enactment should ultimately extend to London, there will certainly be a large eviction of the dwellers in the mews of the West-end; and nothing but the exemption of Government establishments from the control of the local authorities would save Knightsbridge and half the cavalry barracks in the country from the necessity of thorough internal re-arrangement.

In spite of the rigid limits within which cabmen and omnibus

OMNIBUS DRIVERS.

drivers are universally confined, we find here and there indications of a spirit of originality still surviving. At Bristol, Belfast, Brighton and Dewsbury bus-drivers have apparently developed a propensity for emphasising their presence in the streets by the beating of drums, a practice which the Bills of those places now before Parliament seek to stamp out by a penalty of £5. The Croydon bus-driver has hit upon an entirely unique idea in "the ringing of bells," which the corporation Bill, if it passes, will nip

COAL DEALERS.

in the bud. Unless he wishes to pay £10, the coal-dealer at York will have to label all the heaps of coal in his yard by their proper names. Inspectors will, when requested, weigh the coals for the buyers to see that they do not get short measure; and coal-porters will carry the coals to the customers' houses at rates fixed by the city authorities. At Brighton and Dewsbury the coals will not be weighed at the dealers' yards, but at the door of the customer in scales which the dealer must carry with him. At Chester

ADVERTISEMENTS.

and Belfast the authorities will regulate the posting of advertisements on hoardings and on the backs of "sandwich men," and the size and construction of advertising vans; while at Dewsbury

CARRIAGE OF DEAD ANIMALS.

they will provide and maintain advertisement boards themselves. The carriage of the body of a dead animal through the streets without a "sufficient cloth" will be treated as an offence at Belfast, Brighton and Dewsbury.

SPECIALITIES.

In the midst of many ideas of municipal duties held in common by two or more of these bodies, there are some crotchets peculiar to one or the other. At Jarrow it will in future be dangerous for the greengrocer to pluck a fowl or skin a rabbit in the front shop, for the Bill enacts that if anyone dresses any animal within public view he will be fined £5. At Ventnor a penalty of £2 will await the hotel porter, lodging-house keeper, tradesman, bathing-machine proprietor, carriage driver, or boatman, who, by word of mouth, hand-bill, or otherwise, solicits any visitor for his patronage. To loiter in the streets there, or to burn garden refuse in the open air, are offences that will be assessed at a £5 penalty. A penalty will be visited upon anyone who exhibits an entire

horse in the streets of Chester. We would advise the authorities at Brighton to call to mind that what is food to one man is poison to another (and conversely) before enforcing Section 159 of their Bill, which will visit with imprisonment

UNWHOLESOME FOOD

any one who sells "unwholesome" food. In the same Bill penalties of £2 will be meted out to any one who ties his horse to any pillar, post, tree, or railing; or who throws any soap-suds or potato-peelings into the street; or who bathes at any times other than those appointed by the municipality. In future the triumphal entry of the circus or the menagerie within the boundaries of Brighton will only be made on sufferance. By Section

PROCESSIONS.

169 of the Bill, without the consent of the Corporation, no assembly of persons will be allowed to meet or join "in procession, on foot, or on horses, elephants, camels, dromedaries, mules, or other animals, or in vehicles." By Section 57 of the Croydon Corporation Bill, if any one in the markets or fairs makes use of "any expression of cursing or swearing," he will be fined £2. By Section 73 of the same Bill, the municipality will regulate the width of vehicles, and of the tires of their wheels, the use of skidpans on descending hills, and "the leaving of stones

USE OF DRAGS.

in the streets of the Borough for the scotching of wheels." Should any one on Sunday cry any goods for sale, or ring any

SUNDAY HAWKING.

bell for that purpose in the street, Section 77 will let him in for a: £5 fine.

Perhaps the Belfast Improvement Bill is the best instance of

BELFAST IMPROVEMENT BILL.

the minuteness with which it is possible (or thought to be possible) for municipal foresight to make things pleasant for every one all round in the streets and public places. According to this Bill no one, unless he is willing in each case to pay £2, will be allowed in the streets to feed, train, or break his horse or other animal, nor to rub up any part of his carriage, nor to lead his bull unless with a "sufficient" halter, nor to frighten his sheep with his collie, nor to drive a cart used for goods faster than at a "common walk," nor to draw any weighty article except on a wheeled cart "proper for that purpose," nor to drive a timber waggon unless he is more than eighteen years old, nor to leave a basket on the pavement, nor (and so good-bye to the Belfast muffin-man and old clothes buyer) to ring any bell or shout for the purpose of selling or collecting any article whatever, nor to blow a horn or any other "noisy instrument," nor to burn any cork or wash any tub, nor to beat any rug or mat between eight in the morning and six in the evening.

PUBLIC AMUSEMENTS AND CONVENIENCES.

As a set-off to the stepmotherly severity of municipalities we must note the grandmotherly solicitude some of them evince for their protege's comfort and amusement. If with one hand they apply pains, penalties, and imprisonment; with the other, at any rate, they supply *panem et circenses*. At Jarrow, Chester, Dewsbury and Brighton, baths, wash-houses and lavatories are to be maintained out of the public rates, while Jarrow and Brighton, in addition, undertake respectively to supply Turkish baths and drinking fountains. Ventnor and Brighton are prepared to provide bands of music and "exhibitions performances and amusements for the recreation of the inhabitants." Glasgow is to make, maintain and work tramways. Brighton is to acquire and keep up all cemeteries, and (dismal conception!) to lay them out as "pleasure grounds." The Llanfrechfa Upper Local Board and the Dewsbury Corporation are to supply water pipes, valves, cocks and cisterns. Jarrow is to erect warehouses, sheds, cranes and other machinery. Belfast will contribute to the support of the hospital, and Cardiff to that of the local university out of the public funds. The former will establish works for making and supplying gas stoves, meters, pipes and gas engines, as will also Dewsbury. Leicester will provide out of the rates a free library, museum and art gallery; and Brighton will build and maintain arcades, bazaars, conservatories, recreation grounds, reading rooms, lifts and elevators for the use and amusement of its inhabitants, and will purchase and manage the race-course.

WATER AND GAS.

For many years past the manufacture of gas and the storage and supply of that and water have been falling into the hands of municipal bodies. In addition to the seven Bills now before Parliament dealing exclusively with municipal water-works schemes, three of the above-mentioned places, Llanfrechfa, Croydon, and Cardiff, besides the miscellaneous mass of duties sketched out in their Improvement Bills just noticed, intend to take over from private companies, or themselves make and maintain complete systems of water supply. But in these and all other municipal Improvement Bills of this Session, it is instructive to note there is not a word about gas; and of the six Private Bills dealing exclusively with gas, only one, that of the rural sanitary authority of King's Norton, has been promoted by a public body. Until the struggle now proceeding between gas and electricity is decisively brought to a close, we may be tolerably sure that a waiting game will be the order of the day. At the

finish, the victor may confidently look forward to being swallowed up by the ogre of municipal monopoly; and Parliament will be flooded by a torrent of Corporation Electric Lighting Bills. The Electric Lighting Act of 1882 may be regarded as the first step in this process. Its provisions which virtually empower municipal bodies to force electric companies to sell to the community their works at a loss, have a twofold effect of completely paralysing further private enterprise in this direction, and of depreciating the value of the plant already erected. This suspense is no doubt agreeable to municipalities who are hatching their schemes; but, meantime, London and other large towns have to put up with experimental and fragmentary systems of electric lighting, or to do without it altogether. Many who have not yet reached middle-life can remember the time when trading in gas and water was not yet deemed a municipal function; and when each community relied upon private enterprise and competition for the supply of these commodities. Beyond the general modern craze to substitute collective action for that of the individual, there never was any reason why municipal bodies should have taken it into their heads to thus overstep their normal duties. The companies did their work with satisfaction to the public and profit to themselves; and this cannot be said of their monopolist successors. Anyone who has had any experience of provincial towns, knows that in many instances if the corporation gas is cheap it is at the same time nasty. That economy of management is not an accompaniment of municipal trading is shown by the fact that the corporation of Manchester, since they first acquired the monopoly of supplying the city with water in 1858, have up to September last contrived to lose £110,000 in the experiment. The only argument of any weight against allowing these public wants to be supplied by the competition of private companies, is that of the inconvenience arising from the frequent breaking up of the streets. Perhaps if municipal bodies, instead of interfering with other people's business, had twenty-five years ago turned their ingenuity to devising some system of subways for the conveyance of gas, water, and other necessaries by private companies at competition rents, this difficulty would long since have disappeared, and they would now be in possession of a source of revenue independent of taxation.

LOCAL GOVERNMENT.

A great deal of all this reads like an ancient chapter out of the statute-book. It has its amusing side, no doubt; but, taken altogether, it does not suggest very hopeful reflections. We can afford to laugh at the overlegislation of the middle ages, as an amusing reminiscence. But when we find a recrudescence of a similar state of things in our own clay, and in which we are the unwilling actors, it is not so easy to make merry without misgivings. It is true that the development of local self-government now, as heretofore, is the growth of decentralisation at the expense of centralisation. Equally true is it that local government, rightly interpreted, has appropriate functions, distinct from those of central government. If decentralisation were travelling on in a direct line to complete development under the conditions peculiar to itself, its motion might without harm persist until it was spent. But this is not so. Local self-government, as opposed to central government, no longer represents, as at the outset, the antagonism of two classes with conflicting political interests. At the present day the direction of each is vested in the same hands, and the motives and ends in view are identical in both cases. At the same time the functions which exclusively belong to local government have not been parted off from those which are foreign to it. If there is any difference still left between local and central government it is nothing more than that of degree, of greater and less.

The unsoundness of the prevailing notions as to the limits of State duties, and the evil effects of political action based upon them, have been continuously insisted upon during the past two years by the Liberty and Property Defence League. The foregoing examination of a certain class of Private Bills makes it clear that the imperial government has in the various local centres an increasing number of faithful imitators. The absurdities of overlegislation, and the first essays in Socialism as perpetrated at Westminster, are copied and multiplied in miniature in every guildhall and council chamber throughout the country. The reaction going on between the central and the local governments only seems to exaggerate the tendency everywhere to indiscriminate official supervision and interference. To a considerable extent already municipal centres have become the nurseries for parliament; and, in the future, we may expect this to be still more the case. In face of this it is of the highest importance that the limits of local autonomy should be approximately defined. Decentralisation, as at present practised, is little else than the reversal of the process of integration which has given us our comprehensive national life. The breaking up of uniformity in the administration of the laws of the land and the concession of "local option" in reference to questions in which all parts of the community are identically interested cannot continue indefinitely. If national unity is to be maintained a line must be drawn somewhere in this process of what physiologists term "retrograde metamorphosis." Unless we look forward to the time when decentralisation shall have reached its limits in reducing us again to the family unit as the centre of government, we must make a stand against this tendency of every Great and Little Peddlington to become a law unto itself. With this possible outlook before us the consideration of Bills promoted by local bodies attains an importance equal to that of the consideration of Bills initiated by the central legislature. That is to say, before passing judgment on any Private Bill we must ascertain whether it creates any new offences not recognised by the general law of the

land. With this precaution Private Bills may be left to take care of themselves, and decisions as to the general question of overlegislation will be confined to the area covered by Public Bills.

DEFINITIONS.

In concluding this survey, the extension of the principle of "local option," even into the domain of our mother tongue, deserves a passing notice. If the definition of terms, as practised by the draughtsmen of these Bills, is to be allowed to go on in its capricious course unchecked, we may possibly find ourselves by-and-by landed in a babel of dialects where our common language is no longer understood. Partly owing to the slovenly practice of stuffing old Acts with new offences, and partly owing to their eagerness to manufacture as many criminals as possible at the expenditure of a single word, the promoters of these Bills are driven to strange shifts. The new connotations thus acquired by some familiar terms are ridiculous enough. Thus a hansom becomes an omnibus, a cart becomes a wheelbarrow, a bicycle becomes a tricycle, and a tricycle becomes a carriage. A warehouse is transformed into a foundry, a house into a factory, an outhouse into a "domestic building," an omnibus conductor into a driver, and a garden into a disorderly house. The Ventnor Local Board degenerate into "undertakers;" while the Llanfrechfa Upper Local Board, in the course of their struggle with the phraseology of their own Bill, come to regard the "centre of the railway" as the same thing as the "centre of the reservoir;" where for the present we propose to leave them.

Self-Help versus State-Help.

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THE League opposes all attempts to introduce the State as competitor or regulator into the various

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During the last 15 years all interests in the country have successively suffered at the hands of the State an increasing loss of their self-government. These apparently disconnected invasions of individual freedom of action by the central authority are in reality so many instances of a general movement towards State-Socialism, the deadening effect of which on all branches of industry and originality the working classes will be the first to feel.

Each interest conducting its self-defence without any reference to the others has, on every occasion, hitherto failed to oppose successfully the full force of this movement concentrated in turn against itself by the permanent officials and the government in power for the time being.

The League resists every particular case of this common evil by securing the co-operation of all persons individually opposed to the principle of State-Socialism in all or *any one* of its instances, and by focussing into a system of mutual defence the forces of the "Defence Associations or Societies" of the various interests of the country.

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Persons wishing to join the League are requested to send their subscription (voluntary from five shillings upwards) and address to Messrs. Herries, Farquhar Co., Bankers, 16, St. James's Street, S.W. Particulars and Publications of the League, can be had from the Secretary, W. C. Crofts, at the Central Offices.

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The Crime of Poverty.

Twenty-fifth Thousand.

An Address, Delivered in the Opera House,—AT—Burlington, Iowa, April 1st, 1885,

—BY—Henry George,

Under the Auspices of Burlington Assembly, Knights of Labor, No. 3135, who appointed Brothers IV. A.

Emmons, Max E. Poppe, John C. Meader, Geo. H. Batchelor and James Love, a Committee of Arrangements.

The Address occupied two hours in its deliver)' and was very accurately reported.

This copy is presented with the compliments of The Knights of Labor of America.

Burlington Iowa: Bishop Bros. Peinting Co., 1885.

"The foxes have holes, and the birds of the air have nests; but the Son of man hath not where to lay his head."

—*Jems, the Carpenter's Son.*

"The rent of land, therefor, considered as the price paid for the use of land is naturally a monopoly price." *

* * * * *

"As soon as the land of any country has all become private property, the landlord's love to reap where they have not sowed, and demand a rent even for its natural produce."

—*Adam Smith.*

"The rise of our rents is squeezed out of the very blood, and vitals and dwellings of the tenants."

—*Dean Swift.*

"There should be but one tax, and that upon land—"

—*Von Humboldt*

"If the bulk of the human race are always to remain as at present, slaves to toil in which they have no interest, and therefore feel no interest—drudging from early morning till late at night for bare necessities and with all the intellectual and moral deficiencies which that implies—without resources either in mind or feeling—untaught, for they cannot be better taught than fed; selfish, for all their thoughts are required for themselves; without interests or sentiments as citizens and members of society, and with a sense of injustice rankling in their minds, equally for what they have not and what others have; I know not what there is which should make a person of any capacity of reason concern himself about the destinies of the human race."

—*John Stuart Mill.*

"It is my firm conviction that, at the present moment, the best and most needed service that can be done to the human race, is the promulgation of sound doctrines in regard to the land, with the view to its eventual, and I hope, speedy resumption by the people, whose inalienable and indispensable heritage it is."

—*Wm. Webster.*

—The—Crime of Poverty

Introductory.

The orator was introduced to the audience by Brother James Love, one of the committee, in the following words:

LADIES AND GENTLEMEN:—I appear in this introductory place to-night as a workingman, the representative and spokesman of a large body of workingmen, very greatly dissatisfied with their social condition.

In looking broadly over our own land and Europe we observe a still greater dissatisfaction. We see that in spite of steam and the mighty powers born of this century, that labor is prostrate. That labor saving machines do not lessen our cares. That the difficulties of life seem ever to increase. That failure is the rule and success the exception. That great combinations of capital and great workshops are reducing the independent worker to an unhappy servitude. That factories are filled with children. That woman struggle for the barest subsistence. That strikes and outbreaks are of daily occurrence. That tramps become more numerous, and that insanity increases.

We have overthrown despotisms, but the man with the ballot is no better off than before.

"Man is born free," exclaims Rousseau, "but he is everywhere in chains."

Believing these results to come from excessive population has beclouded the philosophers. The endeavor to reconcile them to the tenderness of Jesus has degraded Christianity.

But there is dawning upon us a notion that these social wrongs are based upon the denial of a great truth: the truth that the earth belongs to the whole human race and not to a part of it. That the earth is the Lord's and the fulness thereof, in which all of his children, every living soul, has an equality of right.

The thought of more than a hundred years has been moving towards this, till it culminates, in our own day and in our own land, in a man with the reasoning genius of Newton, Shakespearian command of language, and the broad human sympathy of St. Francis, who bears the completed message of peace to an anxious and overwrought world.

This man who has transformed a "political economy that is dark and despairing, to a new science radiant with hope," I now have the great honor to present to you—our loved fellow-countryman Henry George.

The Speech.

LADIES AND GENTLEMEN:—I propose to talk to you to-night of the Crime of Poverty. I cannot, in a short time, hope to convince you of much; but the thing of things I should like to show you is that poverty is a crime. I do not mean that it is a crime to be poor. Murder is a crime; but it is not a crime to be murdered; and a man who is in poverty. I look upon, not as a criminal in himself, so much as the victim of a crime for which others, as well perhaps as himself, are responsible. (Applause.) That poverty is a curse, the bitterest of curses, we all know. Carlyle was right when he said that the hell of which Englishmen are most afraid is the hell of poverty; and this is true, not of Englishmen alone, but of people all over the civilized world, no matter what their nationality. It is to escape this hell that we strive and strain and struggle; and work on often times in blind habit long after the necessity for work is gone. The curse born of poverty is not confined to the poor alone: it runs through all classes, even to the very rich. They, too, suffer; they must suffer; for there cannot be suffering in a community from which any class can totally escape. The vice, the crime, the ignorance, the meanness, born of poverty, poison, so to speak, the very air which rich and poor alike must breathe. Poverty is the mother of ignorance, the breeder of crime. I walked down one of your streets this morning, and I saw three men going along with their hands chained together. I knew for certain that those men were not rich men; and, although I do not know the offense for which they were carried in chains through your streets, this I think I can safely say, that, if you trace it up you will find it in some way to spring from poverty. Nine-tenths of human misery, I think you will find, if you look, to be due to poverty. If a man chooses to be poor, he commits no crime in being poor, provided his poverty hurts no one but himself. If a man has others dependent upon him; if there are a wife and children whom it is his duty to support, then, if he voluntarily chooses poverty, it is a crime—aye, and I think that, in most cases, the men who have no one to support but themselves are men that are shirking their duty. A woman comes into the world for every man; and for every man who lives a single life, caring only for himself, there is some woman who is deprived of her natural supporter. (Applause.) But while a man who chooses to be poor cannot be charged with crime, it is certainly a crime to force poverty on others. And it seems to me clear that the great majority of those who suffer from poverty are poor not from their own particular faults, but because of conditions imposed by society at large. Therefore I hold that poverty is a crime—not an individual crime but a social crime, a crime for which we all, poor as well as rich, are responsible.

Two or three weeks ago, I went one Sunday evening to the church of a famous Brooklyn preacher. Mr. Sankey was singing and something like a revival was going on there. The clergyman told some anecdotes connected with the revival, and recounted some of the reasons why men failed to become christians. One case he mentioned struck me. He said that he had noticed on the outskirts of the congregation, night after night, a man who listened intently and who gradually moved forward. One night, the clergyman said, he went to him

and said, "My brother, are you not ready to become a christian?" The man said, no, he was not. He said it, not in a defiant tone, but in a sorrowful tone; the clergyman asked him why, whether he did not believe in the truths he had been hearing? Yes, he believed them all. Why, then, wouldn't he become a christian-? "Well," he said, "I can't join the church without giving up my business; and it is necessary for the support of my wife and children. If I give that up, I don't know how in the world I can get along. I had a hard time before I found my present business, and I cannot afford to give it up. Yet I can't become a christian without giving it up." The clergyman asked, "are you a rum-seller?" No, he was not a rum-seller. Well, the clergyman said, he didn't know what in the world the man could be; it seemed to him that a rum-seller was the only man who does a business that would prevent his becoming a christian; and he finally said: "What is your business?" The man said, "I sell soap," "Soap!" exclaimed the clergyman, "you sell soap? How in the world does that prevent your becoming a christian?" "Well," the man said, "it is this way; the soap I sell is one of these patent soaps that are extensively advertised as enabling you to clean clothes very quickly, as containing no deleterious compound whatever. Every cake of the soap that I sell is wrapped in a paper on which is printed a statement that it contains no injurious chemicals, whereas the truth of the matter is that it does, and that though it will take the dirt out of clothes pretty quickly, it will, in a little while, rot them completely out. I have to make my living in this way; and I cannot feel that I can become a christian if I sell that soap." The minister went on, describing how he labored unsuccessfully with that man, and finally wound up by saying: "he stuck to his soap and lost his soul." (Laughter.) But, if that man lost his soul was it his fault alone? Whose fault is it that social conditions are such that men have to make that terrible choice between what conscience tells them is right, and the necessity of earning a living? I hold that it is the fault of society; that it is the fault of us all. Pestilence is a curse. The man who would bring cholera to this country, or the man who, having the power to prevent its coming here, would make no effort to do so, would be guilty of a crime. Poverty is worse than cholera; poverty kills more people than pestilence, even in the best of times. Look at the death statistics of our cities; see where the deaths come quickest; see where it is that the little children die like flies—it is in the poorer quarters. And the man who looks with careless eyes upon the ravages of this pestilence, the man who does not set himself to stay and eradicate it, he, I say, is guilty of a crime. (Applause.) If poverty is appointed by the power which is above us all, then it is no crime; but if poverty is unnecessary, then it is a crime for which society is responsible and for which society must suffer. I hold, and I think no one who looks at the facts can fail to see, that poverty is utterly unnecessary. It is not by the decree of the Almighty, but it is because of our own injustice, our own selfishness, our own ignorance, that this scourge, worse than any pestilence, ravages our civilization, bringing want and suffering and degradation, destroying souls as well as bodies. (Applause.) Look over the world, in this hey-day of nineteenth century civilization. In every civilized country under the sun you will find men and women whose condition is worse than that of the savage: men and women and little children with whom the veriest savage could not afford to exchange. Even in this new city of yours with virgin soil around you, you have had this winter to institute a relief society. Your roads have been filled with tramps, fifteen, I am told, at one time taking shelter in a round house here. As here, so everywhere; and poverty is deepest where wealth most abounds. What more unnatural than this? There is nothing in nature like this poverty which to-day curses us. We see rapine in nature; we see one species destroying another; but as a general thing animals do not feed on their own kind; and, wherever we see one kind enjoying plenty all individuals of that kind share it. No man, I think, ever saw a herd of buffalo, of which a few were fat and the great majority lean. No man ever saw a flock of birds, of which two or three were swimming in grease and the others all skin and bone. Nor in savage life is there anything like the poverty that festers in our civilization. In a rude state of society there are seasons of want, seasons when people starve; but they are seasons when the earth has refused to yield her increase, when the rain has not fallen from the heavens, or when the land has been swept by some foe—not when there is plenty; and yet the peculiar characteristic of this modern poverty of ours is that it is deepest where wealth most abounds. Why, to-day, while over the civilized world there is so much distress, so much want, what is the cry that goes up? What is the current explanation of the hard times? Overproduction! (Applause.; There are so many clothes that men must go ragged, so much coal that in the bitter winters people have to shiver, such over-filled granaries that people actually die by starvation! Want due to overproduction! Was a greater absurdity ever uttered? How can there be overproduction till all have enough? It is not overproduction; it is unjust distribution. (Applause.) Poverty necessary! Why, think of the enormous powers that are latent in the human brain! Think how invention enables us to do with the power of one man what not long ago could not be done by the power of a thousand. Think that in England alone the steam machinery in operation is said to exert a productive force greater than the physical force of the population of the world, were they all adults. And yet we have only begun to invent and discover. We have not yet utilized all that has already been invented and discovered. And look at the powers of the earth. They have hardly been touched. In every direction as we look new resources seem to open. Man's ability to produce wealth seems almost infinite—we can set no bounds to it. Look at the power that is flowing by your city in the current of the Mississippi that might be set at work for

you. So in every direction energy that we might utilize goes to waste; resources that we might draw upon are untouched. Yet men are delving and straining to satisfy mere animal wants; women are working, working, working their lives away, and too frequently turning in despair from that hard struggle to cast away all that makes the charm of woman.

If the animals can reason what must they think of us? Look at one of those great ocean steamers plowing her way across the Atlantic, against wind, against wave, absolutely setting at defiance the utmost power of the elements. If the gulls that hover over her were thinking beings could they imagine that the animal that could create such a structure as that could actually want for enough to eat? Yet, so it is. How many even of those of us who find life easiest are there who really live a rational life? Think of it, you who believe that there is only one life for man—what a fool at the very best is a man to pass his life in this struggle to merely live? And you who believe, as I believe, that this is not the last of man, that this is a life that opens but another life, think how nine-tenths, aye, I do not know but ninety-nine-hundredths of all our vital powers are spent in a mere effort to get a living; or to heap together that which we cannot by any possibility! take away. Take the life of the average workingman. Is that the life for which the human brain was intended and the human heart was made? Look at the factories scattered through our country. They are little better than penitentiaries. I read in the New York papers a while ago that the girls at the Yonkers factories had struck. The papers said that the girls did not seem to know why they had struck, and intimated that it must be just for the fun of striking. Then came out the girl's side of the story and it appeared that they had struck against the rules in force. They were fined if they spoke to one another, and they were fined still more heavily if they laughed. There was a heavy fine for being a minute late, I visited a lady in Philadelphia who had been a forewoman in various factories, and I asked her, "Is it possible that such rules are enforced?" She said it was so in Philadelphia. There is a fine for speaking to your next neighbor, a fine for laughing; and she told me that the girls in one place where she was employed were fined ten cents a minute for being late, though many of them had to come for miles in winter storms. She told me of one poor girl who really worked hard one week and made \$3.50; but the fines against her were \$5.25. (Laughter.) That seems ridiculous; it is ridiculous, but it is pathetic and it is shameful. But take the cases of those even who are comparatively independent and well off. Here is a man working hour after hour, day after day, week after week, in doing one thing over and over again, and for what? Just to live. He is working ten hours a day in order that he may sleep eight and may have two or three hours for himself when he is tired out and all his faculties are exhausted. That is not a reasonable life; that is not a life for a being possessed of the powers that are in man, and I think every man must have felt it for himself. I know that when I first went to my trade I thought to myself that it was incredible that a man was created to work all day long just to live. I used to read the Scientific American, and as invention after invention was heralded in that paper I used to think to myself that when I became a man it would not be necessary to work so hard. But on the contrary the struggle for existence has become more and more intense. People who want to prove the contrary get up masses of statistics to show that the condition of the working classes is improving. Improvement that you have to take a statistical microscope to discover does not amount to anything. (Applause.) But there is not improvement. Improvement! Why, according to the last report of the Michigan bureau of labor statistics, as I read yesterday in a Detroit paper, taking all the trades, including some of the very high priced ones, where the wages are from \$0 to \$7 a day, the average earnings amount to \$1.77, and, taking out waste time, to \$1.40. Now, when you consider how a man can live and bring up a family on \$1.40 a day, even in Michigan, I do not think you will conclude that the condition of the working classes can have very much improved. Here is a broad general fact that is asserted by all who have investigated the question, by such men as Hallam. The historian, and Prof. Thorold Rogers, who has made a study of the history of prices as they were five centuries ago. When all the productive arts were in the most primitive state, when the most prolific of our modern vegetables had not been introduced, when the breeds of cattle were small and poor, when there were hardly any roads and transportation was exceedingly difficult, when all manufacturing was done by hand—in that rude time the condition of the laborers of England was far better than it is to-day. In those rude times no man need fear want save when actual famine came, and owing to the difficulties of transportation the plenty of one district could not relieve the scarcity of another. Save in such times no man need fear want. Pauperism, such as exists in modern times, was absolutely unknown. Everyone save the physically disabled, could make a living, and the poorest lived in rude plenty. But perhaps the most astonishing fact brought to light by this investigation is that at that time, under those conditions, in those "dark ages," as we call them, the working day was only eight hours. While with all our modern inventions and improvements, our working classes have been agitating and struggling in vain to get the working day reduced to eight hours. (Applause.) Do these facts show improvement? Why, in the rudest state of society in the most primitive state of the arts the labor of the natural bread-winner will suffice to provide a living for himself and for those who are dependent upon him. Amid all our inventions there are large bodies of men who cannot do this. What is the most astonishing thing in our civilization? Why, the most astonishing thing to those Sioux chiefs who were recently brought from the far west and taken through our manufacturing

cities in the east, was not the marvelous inventions that enabled machinery to act almost as if it had intellect; it was not the growth of our cities; it was not the speed with which the railway car whirled along, it was not the telegraph or the telephone that most astonished them, but the fact that amid this marvelous development of productive power they found little children at work. And astonishing that ought to be to us; a most astounding thing! Talk about improvement in the condition of the working classes, when the facts are that a larger and larger proportion of women and children are forced to toil. Why, I am told that, even here in your own city, there are children of 13 and 14 working in factories. In Detroit, according to the report of the Michigan Bureau of Labor Statistics, one half of the children of school age do not go to school. In New Jersey, the report made to the legislature discloses an amount of misery and ignorance that is appalling. Children are growing up there, compelled to monotonous toil when they ought to be at play, children who do not know how to play; children who have been so long accustomed to work that they have become used to it; children growing up in such ignorance that they do not know what country New Jersey is in, that they never heard of George Washington, that some of them think Europe is in New York. Such facts are appalling; they mean that the very foundations of the republic are being sapped. The dangerous man is not the man who tries to excite discontent; the dangerous man is the man who says that all is as it ought to be. Such a state of things cannot continue; such tendencies as we see at work here cannot go on without bringing at last an overwhelming crash. (Applause.)

I say that all this poverty and the ignorance that flows from it is unnecessary; I say that there is no natural reason why we should not all be rich, in the sense, not of having more than each other, but in the sense of all having enough to completely satisfy all physical wants; of all having enough to get such an easy living that we could develop the better part of humanity. (Applause.) There is no reason why wealth should not be so abundant, that no one should think of such a thing as little children at work, or a woman compelled to a toil that nature never intended her to perform; wealth so abundant that there would be no cause for that harrassing fear that sometimes paralyzes even those who are not considered "the poor," the fear that every man of us has probably felt, that if sickness should smite him, or if he should be taken away, those whom he loves better than his life would become charges upon charity. (Applause.) "Consider the lilies of the field, how they grow; they toil not, neither do they spin." I believe that in a really christian community, in a society that honored not with the lips but with the act, the doctrines of Jesus, no one would have occasion to worry about physical needs any more than do the lilies of the field. There is enough and to spare. The trouble is that, in this mad struggle, we trample in the mire what has been provided in sufficiency for us all; trample it in the mire while we tear and rend each other.

There is a cause for this poverty; and, if you trace it down, you will find its root in a primary injustice. Look over the world to day—poverty everywhere. The cause must be a common one. You cannot attribute it to the tariff, or to the form of government, or to this thing or to that in which nations differ; because, as deep poverty is common to them all the cause that produces it must be a common cause. What is that common cause? There is one sufficient cause that is common to all nations; and that is the appropriation as the property of some of that natural element on which and from which all must live. (Applause.) Take that fact I have spoken of, that appalling fact that, even now, it is harder to live than it was in the ages dark and rude five centuries ago—how do you explain it? There is no difficulty in finding the cause. Whoever reads the history of England, or the history of any other civilized nation (but I speak of the history of England because that is the history with which we are best acquainted) will see the reason. For century after century a parliament composed of aristocrats and employers passed laws endeavoring to reduce wages, but in vain. Men could not be crowded down to wages that gave a mere living because the bounty of nature was not wholly shut up from them, because some remains of the recognition of the truth that all men have equal rights on the earth still existed; because the land of that country, that which was held in private possession, was only held on a tenure derived from the nation, and for a rent payable, back to the nation. The church lands supported the expenses of public worship, of the maintenance of seminaries and the care of the poor; the crown lands defrayed the expenses of the civil list; and from a third portion of the lands, those held under the military tenures, the army was provided for. There was no national debt in England at that time. They carried on wars for hundreds of years, but at the charge of the land-owners. And more important still, there remained every where, and you can see in every old English town their traces to this day the common lands to which any of the neighborhood was free. It was as those lands were enclosed; it was as the commons were gradually monopolized, as the church lands were made the prey of greedy courtiers, as the crown lands were given away as absolute property to the favorites of the king, as the military tenants shirked their rents and laid the expenses they had agreed to defray, upon the nation, in taxation that bore upon industry and upon thrift—it was then that poverty began to deepen, and the tramp appeared in England; just as to-day he is appearing in our new states.

Now, think of it—is not land monopolization a sufficient reason for poverty? What is man? In the first place, he is an animal, a land animal who cannot live without land. All that man produces comes from land: all productive labor, in the final analysis, consists in working up land; or materials are drawn from land, into such

forms as fit them for the satisfaction of human wants and desires. Why, man's very body is drawn from the land. Children of the soil, we come from the land, and to the land we must return.. Take away from man all that belongs to the land, and what have you but a disembodied spirit? Therefore he who holds the land on which and from which another man must live, is that man's master; and the man is his slave. (Applause.) The man who holds the land on which I must live can command me to life or to death just as absolutely as though I were his chattel. Talk about abolishing slavery—we have not abolished slavery (applause); we have only abolished one rude form of It, chattel slavery. There is a deeper and a more insidious form, a more cursed form yet before us to abolish, in this industrial slavery that makes a man a virtual slave, while taunting him and mocking him with the name of freedom. Poverty! want! they will sting as much as the lash. Slavery! God knows there are horrors enough in slavery; but there are deeper horrors in our civilized society to-day. Bad as chattel slavery was it did not drive slave mothers to kill their children, yet you may read in official reports, that the system of child insurance which has taken root so strongly in England, and which is now spreading over our eastern states, has perceptibly and largely increased the rate of child mortality!—What does that mean?

Robinson Crusoe, as you know, when he rescued Friday from the cannibals, made him his slave. Friday had to serve Crusoe. But, supposing Crusoe had said. "Oh, man and brother, I am very glad to see you, and I welcome you to this island, and you shall be a free and independent citizen, with just as much to say as I have—except that this island is mine, (applause) and of course, as I can do as I please with my own property, you must not use it save upon my terms." Friday would have been just as much Crusoe's slave as though he had called him one. Friday was not a fish, he could not swim off through the sea; he was not a bird, and could not fly off through the air; if he lived at all, he had to live on that island. And if that island was Crusoe's, Crusoe was his master to life or death. A friend of mine, who believes as I do upon this question, was talking a while ago with another friend of mine who is a greenbacker, but who had not paid much attention to the land question. Our greenback friend said, "Yes, yes, the land question is an important question; oh, I admit the land question is a very important question; but then there are other important questions. There is this question and that question, and the other question; and there is the money question. The money question is a very important question; it is a more important question than the land question. You give me all the money, and you can take all the land." My friend said, "Well, suppose you had all the money in the world and I had all the land in the world. What would you do if I were to give you notice to quit?" (Laughter and applause.) Do you know that I do not think that the average man realizes what land is? I know a little girl who has been going to school for some time, studying geography, and all that sort of thing; and one day she said to me: "Here is something about the surface of the earth. I wonder what the surface of the earth looks like?" "Well," I said, "look out into the yard there. That is the surface of the earth." She said, "That the surface] of the earth? Our yard the surface of the earth? Why, I never thought of it!" "That is very much not the case not only with grown men, but with such wise beings as newspaper editors. (Applause.) They seem to think, when you talk of land, that you always refer to farms; to think that the land question is a question that relates entirely to farmers, as though land had no other use than growing crops. Now, I should like to know how a man could even edit a newspaper without having the use of some land. He might swing himself by straps and go up in a balloon, but he could not even then get along without land. What supports the balloon in the air? Land; the surface? of the earth. Let the earth drop, and what would become of the balloon? The air that supports the balloon is supported in turn by land. So it is with everything else men can do. Whether a man is working away three thousand feet under the surface of the earth, or whether he is working up in the top of one of those immense buildings that they have in New York, whether he is plowing the soil or sailing across the ocean, he is still using land. Land! Why, in owning a piece of ground, what do you own? The lawyers will tell you that you own from the center of the earth right up to heaven: and, so far as all human purposes go, you do. In New York they are building houses 18 and 14 stories high. What are men, living in those upper stories, paying for? There is a friend of mine who has an office in one of them, and he estimates that he pays by the cubic foot for air. (Laughter.) Well, the man who owns the surface of the land has the renting of the air up there, and would have if the buildings were carried up for miles.

This land question is the bottom question. Man is a land animal. Suppose you want to build a house; can you build it without a place to put it? What is it built of? Stone, or mortar, or wood, or iron—they all come from the earth. Think of any article of wealth you choose, any of those things which men struggle for, where do they come from? From the land. It is the bottom question. The land question is simply the labor question; and when some men own that element from which all wealth must be drawn, and upon which all must live; then they have the power of living without work, and, therefore, those who do work get less of the products of work. Did you ever think of the utter absurdity and strangeness of the fact, that all over the civilized world, the working classes are the poor classes? Go into any city in the world, and get into a cab and ask the man to drive you where the working people live; he won't take you to where the fine houses are; he will take you, on the contrary, into the squalid quarters, the poorer quarters. Did you ever think how curious that is? Think for a moment how it would strike a rational being who had never been on the earth before, if such an intelligence

could come down, and you were to explain to him how we live on earth, how houses and food and clothing, and all the many things we need, were all produced by work, would he not think that the working people would be the people who lived in the finest houses and had most of every thing that work produces? Yet, whether you look him to London or Paris or New York, or even to Burlington, he would find that those called the working people were the people who live in the poorest houses. All this is strange—just think of it. We naturally despise poverty; and it is reasonable that we should. I do not say—I distinctly repudiate it—that the people who are poor are poor always from their own fault, or even in most cases; but it ought to be so. If any good man or woman could create a world, it would be a sort of a World in which no one would be poor unless he was lazy or vicious. But that is just precisely the kind of a world this is; that is just precisely the kind of a world the Creator has made. Nature gives to labor, and to labor alone; there must be human work before any article of wealth can be produced; and in the natural state of things the man who toiled honestly and well would be the rich man, and he who did not work would be poor. We have so reversed the order of nature that we are accustomed to think of the working man as a poor man. And if you trace it out I believe you will see that the primary cause of this is that we compel those who work to pay others for permission to do so. You may buy a coat, a horse, a house; there you are paying the seller for labor exerted, for something that he has produced, or that he has got from the man who did produce it; but when you pay a man for land, what are you paying him for? You are paying for something that no man has produced; you pay him for something that was here before man was, or for a value that was created, not by him individually, but by the community of which you are a part. What is the reason that the land here, where we stand tonight, is worth more than it was twenty-five years ago? What is the reason that land in the center of New York, that once could be bought by the mile for a jug of whisky, is now worth so much that, though you were to cover it with gold, you would not have its value? Is it not because of the increase of population? Take away that population, and where would the value of the land be? Look at it in any way you please.

We talk about overproduction. How can there be such a thing as overproduction while people want? All these things that are said to be over produced are desired by many people. Why do they not get them? They do not get them because they have not the means to buy them; not that they do not want them. Why have not they the means to buy them? They earn too little. When the great masses of men have to work for an average of \$1.40 a day, it is no wonder that great quantities of goods cannot be sold. Now why is it that men have to work for such low wages? Because if they were to demand higher wages there are plenty of unemployed men ready to step into their places. It is this mass of unemployed men who compel that fierce competition that drives wages down to the point of bare subsistence. Why is it that there are men who cannot get employment? Did you ever think what a strange thing it is that men cannot find employment? Adam had no difficulty in finding employment; neither had Robinson Crusoe; the finding of employment was the last thing that troubled them. If men cannot find an employer why cannot they employ themselves? Simply because they are shut out from the element on which human labor can alone be exerted; men are compelled to compete with each other for the wages of an employer, because they have been robbed of the natural opportunities of employing themselves; because they cannot find a piece of God's world on which to work without paying some other human creature for the privilege. I do not mean to say that even after you had set right this fundamental injustice, there would not be many things to do; but this I do mean to say, that our treatment of land lies at the bottom of all social questions. This I do mean to say, that, do what you please, reform as you may, you never can get rid of wide spread poverty so long as the element on which and from which all men must live is made the private property of some men. (Applause.) It is utterly impossible. Reform government—get taxes down to the minimum—build railroads; institute co-operative stores; divide profits, if you choose, between employers and employed—and what will be the result? The result will be that the land will increase in value—that will be the result—that and nothing else. Experience shows this. Do not all improvements simply increase the value of land—the price that some must pay others for the privilege of living? Consider the matter. I say it with all reverence, and merely say it because I wish to impress a truth upon your minds—it is utterly impossible, so long as His laws are what they are, that God himself could relieve poverty—utterly impossible. Think of it and you will see. Men pray to the Almighty to relieve poverty. But poverty comes not from God's laws—it is blasphemy of the worst kind to say that; it comes from man's injustice to his fellows. Supposing the Almighty were to hear the prayer, how could He carry out the request, so long as His laws are what they are? Consider—the Almighty gives us nothing of the things that constitute wealth; He merely gives us the raw material, which must be utilized by man to produce wealth. Does he not give us enough of that now? How could He relieve poverty even if He were to give us more? Supposing in answer to these prayers He were to increase the power of the sun: or the virtue of the soil? Supposing He were to make plants more prolific, or animals to produce after their kind more abundantly? Who would get the benefit of it? Take a country where land is completely monopolized, as it is in most of the civilized countries—who would get the benefit of it? Simply the land owners. And even if God in answer to prayer were to send down out of the heavens those things that men require, who would get the

benefit? In the old Testament we are told that when the Israelites journeyed through the desert, they were hungered, and that God sent down out of the heavens—manna. There was enough for all of them, and they all took it and were relieved, But supposing that desert had been held as private property, as the soil of Great Britain is held, as the soil even of our new states is being held, Suppose that one of the Israelites had a square mile, and another one had twenty square miles, and another one had a hundred square miles, and the great majority of the Israelites did not have enough to set the soles of their feet upon, which they could call their own—what would be come of the manna? What good would it have done to the majority? Not a whit. Though God had sent down manna enough for all, that manna would have been the property of the land-holders: they would have employed some of the others perhaps, to gather it up into heaps for them, and would have sold it to their hungry bretheren. (Laughter and applause) Consider it; this purchase and sale of manna might have gone on until the majority of Israelites had given all they had, even to the clothes off their backs. What then? Well, then they would not have anything left to buy manna with, and the consequences would have been that while they went hungry the manna would be lying in great heaps, and the land-owners would be complaining of the over production of manna. (Applause.) There would be a great harvest of manna and hungry people, just precisely the phenomenon that we see to-day (Applause.) I cannot go over all the points J would like to try, but I wish to call your attention to the utter absurdity of private property in land! Why, consider it, the idea of a man's selling the earth—the earth our common mother. A man selling that which no man produced—a man passing title from one generation to another. Why, it is the most absurd thing in the world. Why, did you ever think of it? What right has a dead man to land? For whom was this earth created? It was created for the living, certainly, not for the dead. Well, now we treat it as though it was created for the dead. Where do our land titles come from? They come from men who for the most part are past and gone. Here in this new country you get a little nearer the original source; but go to the eastern states and go back over the Atlantic. There you may clearly see the power that comes from landownership. As I say the man that owns the land is the master of those who must live on it, here is a modern instance: you who are familiar with the history of the Scottish church know that in the forties there was a disruption in the church. You who have read Hugh Miller's work on "The Cruise of the Betsey" know something about it; how a great body, led by Dr. Chalmers came out from the established church and said they would set up a Free Church. In the established church were a great many of the land-owners. Some of them like the Duke of Buccleugh, owning miles and miles of land on which no common Scotsman had a right to put his foot, save by the Duke of Buccleugh's permission, These land-owners refused not only to allow these Free Churchmen to have ground upon which to erect a church, but they would not let them stand on their land and worship God. You who have read "The Cruise of the Betsey" know that it is the story of a clergyman who was obliged to make his home in a boat on that wild sea because he was not allowed to have land enough to live on. In many places the people had to take the sacrament with the tide coming to their knees—many a man lost his life worshipping on the roads in rain and snow. They were not permitted to go on Mr. Landlord's land and, worship God and had to take to the roads. The Duke of Buccleugh stood out for seven years compelling people to worship in the roads, until finally relenting a little, he allowed them to worship God in a gravel pit; whereupon they passed a resolution of thanks to His Grace (Laughter.) But that is not what I wanted to tell you. The thing that struck me was this significant fact: As soon as the disruption occurred the Free Church composed of a great many able men, at once sent a delegation to the landlords to ask permission for Scotmen to worship God in Scotland and in their own way. This delegation set out for London—They had to go to London, England, to get permission for Scotsmen to worship God in Scotland and in their own native home! But that is not the most absurd thing. In one place where they were refused land upon which to stand and Worship God, the late land-owner had died and his estate was in the hands of the trustees, and the answer of the trustees was, that so far as they were concerned they would exceedingly like to allow them to have a place to put up a church to worship God, but they could not conscientiously do it because they knew that such a course would be very displeasing to the late Mr. Monaltie! Now this dead man had gone to heaven, let us hope; at any rate he had gone away from this world, but lest it might displease him men yet living could not worship God. Is it possible for absurdity to go any further? You may say that those Scotch people are very absurd people, but they are not a whit more so than we are. I read only a little while ago of some Long Island fisherman who had been paying as rent for the privilege of fishing there, a certain part of the catch. They paid it because they believed that James II, a dead man (laughter) centuries ago, a man who never put his foot in America, a king who was kicked off the English throne, had said they had to pay it, and they got up a committee, went to the county town and searched the records. They could not find anything in the records to show that James II had ever ordered that they should give any of their fish to any body, and so they refused to pay any longer. But if they had found that James II had really said they should they would have gone on paying. Can anything be more absurd? There is a square in New York—Stuyvesant Square; that is locked up at six o'clock every evening, even on the long Summer evenings. Why is it locked up? Why are the children not allowed to play there? Why because old Mr. Stuyvesant, dead and gone I don't know how many years ago, so

willed it. Now can anything be more absurd? Yet that is not any more absurd than our land titles. From whom do they come? Dead man after dead man. Suppose you get on the cars here going to Council Bluffs or Chicago. You find a passenger with his baggage strewn over the seats. You say: "Will you give me a seat if you please, sir?" He replies: "No; I bought this seat?" "Bought this seat? From whom did you buy it?" "I bought it from the man who got out at the last station." (Laughter and applause.) That is the way we manage this earth of ours. Is it not a self-evident truth, as Thomas Jefferson said, that "the land belongs in usufruct to the living," and that they who have died have left it, and have no power to say how it shall be disposed of? (Applause.) Title to land! Where can a man get any title which makes the earth his property? There is a sacred right to property—sacred because ordained by the laws of nature, that is to say by the laws of God, and necessary to social order and civilization. That is the right of property in things produced by labor; it rests on the right of a man to himself. That which a man produces, that is his against all the world, to give or to keep, to lend, to sell or to bequeath; but how can he get such a right to land when it was here before he came? Individual claims to land rest only on appropriation. I read in a recent number of the Nineteenth Century possibly some of you may have read it, an article by an ex-prime minister of Australia in which there was a little story that attracted my attention. It was of a man named Galahard, who in the early days got up to the top of a high hill in one of the finest parts of western Australia. He got up there looked all around, and made his proclamation: "All the land that is in my sight from the top of this hill I claim for myself; and all the land that is out of sight I claim for my son John." (Laughter and applause.) That story is of universal application. Land titles everywhere come from just such appropriations. Now, under certain circumstances, appropriation can give a right. You invite a company of gentlemen to dinner and you say to them: "Be seated gentlemen," and I get into this chair. Well, that seat for the time being is mine by the right of appropriation, it would be very un-gentlemanly, it would be very wrong for any one of the other guest to come up and say: "Get out of that chair; I want to sit there!" But that right of possession, which is good so far as the chair is concerned, for the time, does not give me a right to appropriate all there is on the table before me. Grant that a man has a right to appropriate such natural elements as he can use, has he any right to appropriate more than he can use? Has a guest in such a case as I have supposed a right to appropriate more than he needs and make other people stand up? That is what is done. Why, look all over this country—look at this town or any other town. If men only took what they wanted to use we should all have enough; but they take what they do not want to use at all. Here are a lot of Englishmen coming over here and getting titles to our land in vast tracts; what do they want with our land? They do not want it at all; it is not the land they want; they have no use for American land. What they want is the income that they know they can in a little while get from it. Where does that income come from? It comes from labor, from the labor of American citizens. (Applause.) What we are selling to these people is our children not land. (Applause.) Poverty! Can there be any doubt of its cause? Go into the old countries—go into western Ireland, into the highlands of Scotland; there are purely primitive communities. There you will find people as poor as poor can be—living year after year on oatmeal or on potatoes, and often going hungry. I could tell you many a pathetic story. Speaking to a Scottish physician who was telling me how this diet was inducing among these people a disease similar to that which from the same cause is ravaging Italy (the Pellagra), I said to him: "There is plenty of fish; why don't they catch fish? There is plenty of game, I know the laws are against it, but cannot they take it on the sly?" "That," he said "never enters their heads. Why, if a man was even suspected of having a taste for trout or grouse he would have to leave at once. "There is no difficulty in discovering what makes those people poor. They have no right to anything that nature gives them. All they can make above a living they must pay to the landlord. They not only have to pay for the land that they use, but they have to pay for the seaweed that comes ashore and for the turf they dig from the bogs. They dare not improve, for any improvements they make are made an excuse for putting up the rent. These people who work hard live in hovels, and the landlords, who do not work at all—oh! they live in luxury in London or Paris. If they have hunting boxes there, why they are magnificent castles as compared with the hovels in which the men live who do the work. Is there any question as to the cause of poverty there? Now go into the cities and what do you see? Why, you see even a lower depth of poverty; aye, if I would point out the worst of the evils of land monopoly I would not take you to Connemara; I would not take you to Skye or Kintire—I would take you to Dublin or Glasgow or London. There is something worse than physical deprivation, something worse than starvation; and that is the degradation of the mind, the death of the soul. That is what you will find in those cities. (A voice: that is true.) Now, what is the cause of that? Why it is plainly to be seen; the people driven off the land in the country are driven into the slums of the cities. For every man that is driven off the land the demand for the produce of the workmen of the cities is lessened; and the man himself with his wife and children, is forced among those workmen to compete upon any terms for a bare living and force wages down. Get work he must or starve—get work he must or do that which those people, so long as they maintain their manly feelings, dread more than death, go to the almshouses. That is the reason, here as in Great Britain, that the cities are overcrowded. Open the land that is locked up, that is held by dogs in the manger, who will not use it themselves

and will not allow anybody else to use it, and you would see no more of tramps and hear no more of overproduction. (Applause.) The utter absurdity of this thing of private property in land! I defy any one to show me any good from it, look where you please. Go out in the new lands, where my attention was first called to it, or go to the heart of the capital of the world—London. Every-where when your eyes are once opened, you will see its inequality and you will see its absurdity. You do not have to go farther than Burlington. You have here a most beautiful site for a city, but the city itself as compared with what it might be is a miserable straggling town. (Applause) A gentleman showed me to-day a big hole alongside one of your streets. The place has been filled up all around it and this hole is left. It is neither pretty nor useful. Why does that hole stay there? Well, it stays there because somebody claims it as his private property. (Laughter.) There is a man, this gentleman told me, who wished to grade another lot and wanted somewhere to put the dirt he took off it, and he offered to buy this hole so that he might fill it up. Now it would have been a good thing for Burlington to have it filled up, a good thing for you all—your town would look better, and you yourself would be in no danger of tumbling into it some dark night. Why, my friend pointed out to me another similar hole in which water had collected and told me that two children had been drowned there. And he likewise told me that a drunken man some years ago had fallen into such a hole and had brought suit against the city which cost you taxpayers some \$11,000. Clearly it is to the interest of you all to have that particular hole I am talking of filled up. The man who wanted to fill it up offered the hole owner \$300. But the hole owner refused the offer and declared that he will hold out until he can get \$ 1,000; and in the meanwhile that unsightly and dangerous hole must remain. That is but an illustration of private property in land.

You may see the same thing all over this country. See how injuriously in the agricultural districts this thing of private property in land affects the roads and the distances between the people. A man does not take what land he wants, what he can use, but he takes all he can get, and the consequence is that his next neighbor has to go further along, people are separated from each other further than they ought to be, to the increased difficulty of production, to the loss of neighborhood and companionship. They have more roads to maintain than they can decently maintain; they must do more work to get the same result, and life is in every way harder and drearier.

When you come to the cities it is just the other way. In the country the people are too much scattered; in the great cities they are too crowded. Go to a city like New York and there they are jammed together like sardines in a box, living family upon family, one above the other. It is an unnatural and unwholesome life. How can you have anything like a home in a tenement room, or two or three rooms? How can children be brought up healthily with no place to play? Two or three weeks ago I read of a New York judge who fined two little boys five dollars for playing hop scotch on the street—where else could they play? Private property in land had robbed them of all place to play. Even a temperance man who had investigated the subject, said that in his opinion the gin palaces of London were a positive good in this, that they enabled the people whose abodes were dark and squalid rooms to see a little brightness and thus prevent them from going wholly mad. What is the reason for this over-crowding of cities? There is no natural reason. Take New York, one-half its area is not built upon. Why then, must people crowd together as they do there? Simply because of private ownership of land. There is plenty of room to build houses and plenty of people who want to build houses, but before anybody can build a house a blackmail price must be paid to some dog in the manger. It costs in many cases more to get vacant ground upon which to build a house than it does to build the house. And then what happens to the man who pays this blackmail and builds a house? Down comes the tax gatherer and fines him for building the house. (Applause.)

It is so all over the United States—the men who improve, the men who turn the prairie into farms and the desert into gardens, the men who beautify your cities, are taxed and fined for having done these things. Now, nothing is clearer than that the people of New York want more houses; and I think that even here in Burlington you could get along with more houses. Why, then, should you fine a man who builds one? Look all over this country—the bulk of the taxation rests upon the improver; the man who puts up a building, or establishes a factory, or cultivates a farm, he is taxed for it; and not merely taxed for it, but I think in nine cases out of ten the land which he uses, the bare land, is taxed more than the adjoining lot or the adjoining 160 acres that some speculator is holding as a mere dog in the manger, not using it himself and not allowing anybody else to use it. (Applause.)

I am talking too long; but let me in a few words point out the way of getting rid of land monopoly, securing the right of all to the elements which are necessary for life. We could not divide the land. In a rude state of society, as among the ancient Hebrews, giving each family its lot and making it inalienable we might secure something like equality. But in a complex civilization that will not suffice. It is not, however, necessary to divide up the land. All that is necessary is to divide up the income that comes from the land. In that way we can secure absolute equality; nor could the adoption of this principle involve any rude shock or violent change. It can be brought about gradually and easily by abolishing taxes that now rests upon capital, labor and improvements and raising all our public revenues by the taxation of land values; and the longer you think of it

the clearer you will see that in every possible way will it be a benefit. Now, supposing we should abolish all other taxes direct and indirect, substituting for them a tax upon land values, what would be the effect? In the first place it would be to kill speculative values. It would be to remove from the newer parts of the country the bulk of the taxation and put it on the richer parts. It would be to exempt the pioneer from taxation and make the larger cities pay more of it. It would be to relieve energy and enterprise, capital and labor, from all those burdens that now bear upon them. What a start, that would give to production! In the second place we could, from the value of the land, not merely pay all the present expenses of the government but we could do infinitely more. In the city of San Francisco James Lick left a few blocks of ground to be used for public purposes there, and the rent amounts to so much, that out of it will be built the largest telescope in the world, large public baths and other public buildings; and various costly works. If, instead of these few blocks, the whole value of the land upon which the city is built had accrued to San Francisco what could she not do? So in this little town, where land values are very low as compared with such cities as Chicago and San Francisco, you could do many things for mutual benefit and public improvement did you appropriate to public purposes the land values that now go to individuals. You could have a great free library; you could have an art gallery; you could get yourselves a public park, a magnificent public park too. You have here one of the finest natural sites for a beautiful town I know of, and I have traveled much. You might make on this site a city that it would be a pleasure to live in. You will not as you go now—oh, no! Why, the very fact that you have a magnificent view here will cause somebody to hold on all the more tightly to the land that commands this view and charge higher prices for it. The state of New York wants to buy a strip of land so as to enable the people to see Niagara, but what a price she must pay for it. Look at all the great cities, in Philadelphia for instance, in order to build their great city hall they had to block up the only two wide streets they had in the city. Everywhere you go you may see how private property in land prevents public as well as private improvement.

But I have not time to enter into further details. I can only ask you to think upon this thing, and the more you will see its desirability. As an English friend of mine puts it: "no taxes and a pension for everybody;" and why should it not be? To take land values for public purposes is not really to impose a tax, but to take for public purposes a value created by the community. And out of the fund which would thus accrue from the common property, we might without degradation to anybody, provide enough to actually secure from want all who were deprived of their natural protectors or met with accident, or any man who should grow so old that he could not work. All prating that is heard from some quarters about its hurting the common people to give them what they do not work for is humbug. The truth is, that anything that injures self respect, degrades, does harm; but if you give it as a right, as something to which every citizen is entitled to, it does not degrade. Charity schools do degrade children that are sent them, but public schools do not.

But all such benefits as these while great, would be incidental. The great thing would be that the reform I propose would tend to open opportunities to labor and enable men to provide employment for themselves. That is the great advantage. We should gain the enormous productive power that is going to waste all over the country, the power of idle hands who would gladly be at work. And that removed then you would see wages begin to mount. It is not that every one would turn farmer, or everyone would build himself a house if he had an opportunity for doing so, but so many could and would, as to relieve the pressure on the labor market and provide employment for all others. And as wages mounted to the higher levels then you would see the productive power increased. The country where wages are high is the country of greatest productive powers. Where wages are highest, there will invention be most active; there will labor be most intelligent; there will be the greatest yield for the expenditure of exertion. (Applause.) The more you think of it the more clearly you will see what I say is true. I cannot hope to convince you in talking for an hour or two, but I shall be content if I shall put you upon inquiry. Think for yourselves; ask yourselves whether this wide spread fact of poverty is not a crime, and a crime for which every one of us, man and woman, who does not do what he or she can do to call attention to it and do away with it is responsible.

For information about the Knights of Labor, and how to organize an Assembly, address Frederick Turner, Gen'l Secretary, lock box 834, Philadelphia, Penn.; or F. W. Rockwell, organizer, Burlington, Iowa.

The defrauded millions demand that the great weight of taxation shall be removed from the products of labor; they demand free access to the bounties of Nature, with the battle-cry: "All Tax Upon Land."

Eurekamen!!

Glory be to God in the Highest and on Earth Peace!

Nature gives us our own bodies and the surface of the earth. One is as necessary to existence as the other. Chattel slavery denies freedom of the body. Individual ownership of the land denies the freedom of the earth. The last is finally more destructive of human happiness than the first. All the infinite variety of things that men

produce for themselves, whether potatoes or watch springs are, in the last analysis, the result, not of labor alone, but of the two factors labor and land; *Labor exerted upon Land*. (Capital is really labor, the stored tip results of labor.) Laborers and land owners must, therefore, divide all production between them; land owners taking one portion and laborers the remainder. When you observe that everywhere land values or rents are steadily rising, while wages and interest remain about the same, do you not see the meaning? The increased productive power of workingmen, that comes from increased population, division of labor steam power and the mighty inventions of this century, mostly increases rent, adds to the selling price of ground, while it adds little to the incomes of the workers. That is, land owners are taking an enormously increasing share. Land values in England during the past 400 years have increased very greatly. Agricultural lands perhaps fifty times, mineral lands much more, and mercantile lands, the lands of cities, *more than one thousand times, while the inequalities of conditions are constantly growing wider*. Can you not see the connection?

When it was known that the sandy lands of Florida would produce enormous crops of oranges, wages did not rise, but the bare unimproved land was soon selling at \$20 to \$40 or even \$60 an acre. The vast oil wealth of western Pennsylvania that supplies the world, has not increased wages there or bettered the condition of the workmen, but that sterile mountain land in some places is sold at \$3,000 or \$4,000 an acre. Steam has added to the powers of workingmen everywhere enormously, yet, as in Florida and Pennsylvania, it increases mainly the share of the land owner. But when gold was discovered in California in 1848, *the land there was not yet monopolized* and wages rose to \$20 a day for the lowest kind of labor. *Land being a monopoly* in the hands of private owners will for ever prevent the advancement of labor.

The land of the United States belongs to the *whole people* of the United States, and the rental value of it should be a common fund for the benefit of all. Rent when taken by individuals is in effect simply *robbery*. *By properly taxing land, abolishing the heavy burden of all other taxes* we get this great revenue, at the same time destroying speculative rent or land prices, thus opening up all *unused* lands, both in city and country, to the free access of all. Workingmen may thus employ *themselves* without being robbed by blackmailing landlords; and this ability to employ themselves will make wages always *tend upward* as they naturally should.

This philosophy comes in contact with fixed *habits* of thought; but oh! let us urge you brethren, to study the land question. Read George's Social Problems and Progress and Poverty, but commence by reading chapter 7 of "The Land Question." It is the great and coming question, and when *The Knights of Labor* unite upon this, the day of their deliverance is at hand, the jubilee trumpet shortly shall sound. The Committee of 3135.

Clear The Way!

By Charles Mackay.

Men of thought, be up and stirring night and day.
Sow the seed-withdraw the curtain-*clear the way!*
Men of action, aid and cheer them, as ye may.
There's a fount about to stream,
There's a light about to beam,
There's a warmth about to glow,
There's a flower about to blow,
There's a midnight blackness changing into gray.
Men of thought and men of action, *clear the way!*

Once the welcome light has broken, who shall say
What the unimagined glories of the day?
What the evil that shall perish in its ray?
Aid the dawning tongue and pen.
Aid it, hopes of honest men;
Aid it, paper; aid it, type;
Aid it for the hour is ripe,
And our earnest must not slacken into play.

Men of thought and men of action, *clear the way!*

Lo! a cloud's about to vanish from the day
And a brazen wrong to crumble into clay.,
Lo! the right's about to conquer, *clear the way!*
With the right shall many more
Enter smiling at the door;
With the giant wrong shall fall
Many others, great and small.,
That for ages long have held us for their prey.
Men of thought and men of action, *clear the way!*

Howard Association Report.

October, 1884.

THE HOWARD ASSOCIATION WAS INSTITUTED (UNDER THE PATRONGE OF LATE LORD BROUGHAM) FOR THE PROMOTION OF THE BEST METHODS OF CRIME PREVENTION AND PENAL TREATMENT.

Treasurer—Alderman R. N. Fowler, M.P.

Secretary—William Tallack, 5, Bishopsgate Without, London, E.C.

London, E.C. Office: 5, Bishopsgate Street Without,

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- BENJAMIN WHITWORTH, Esq., M.P.

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The Howard Association.

Annual Report.

October, 1884.

The Great Social Problem.

THE special degree of attention which, in so many quarters, has been directed, during the past year, to the great social problem of the best methods of ameliorating the condition of the overcrowded masses of the population, renders it appropriate for the Committee of the Howard Association to make some reference to their own long and steadily continued action in this direction. They have always urged that in regard to questions of crime and pauperism, the best mode of procedure is to endeavour to *prevent* them. With this conviction, they have systematically directed a considerable portion of their efforts to the collection of facts, and the persevering diffusion (through the public press and otherwise) of information and suggestions, illustrative of the best practical modes of promoting those social conditions which tend to diminish crime and increase order and morality. In particular they have repeatedly sought to increase the attention of thoughtful persons to those first principles in relation to these subjects which are so apt to be often overlooked, and especially during times of more than usually sensational interest is such questions.

Thus, in 1880, they prepared and very widely circulated a paper entitled "OVERCROWDING AND CRIME,"

This, with other papers and reports, issued from time to time by the Howard Association, is out of prints, but may be referred to in various libraries, as for example those of the British Museum, the statistical society, &c.

in which it was especially pointed out that what is wanted is neither the wholesale destruction, nor construction, of the dwellings of the poor, at public expense, but rather the simple yet strong remedy of the appointment, by the Government, of "officers armed with *effectual powers* to prevent the erection of dwellings unfit for human habitation, and to make fit those now unfit, *at the expense of the owners*. "In their annual Report for the same year, the Committee further dwelt upon the absurdity and injustice of encouraging the owners of squalid human styes in their criminal neglect by actual compensation, as was largely done by recent legislation, and especially by "Cross's Act." As well might a butcher be compensated for being forbidden to sell rotten meat, or a careless chemist for no longer dispensing arsenic promiscuously. The owners of all houses should simply be required to maintain them in necessary sanitary condition, or to shut them up *until* so fitted for habitation. Inasmuch as the members of many of the Vestries, or other local bodies, are themselves pecuniarily ointerested in the maintenance of such slums, therefore the Committee, in their issue of 1880, specially urged the appointment of officers, or "A Ediles," "armed with effectual powers"—that is, to be responsible to the central Government, or LOCAL GOVERNMENT BOARD, and not, as hitherto, to the Vestries merely.

But this was a chief practical conclusion subsequently arrived at by the best writers and speakers during the general discussion of the same question in 1883-84.

One of the ablest of these writers and speakers, Mr. SAMUEL SMITH, M.P. (a valued member of the Howard Association) has during 1884, added some practical contributions to this controversy, as by pointing out that actual harm would be done if the Communistic system of providing very cheap dwellings for the poor, at the public expense, were adopted. The great cities, especially London, would thus offer further temptations to very poor people from the provinces and from abroad to crowd into them. Then the labour market in these cities would be still more overcrowded, wages further lowered, and poverty consequently increased. The natural laws of supply and demand operate more wisely and mercifully, in the long run, than artificial interferences with them, however well-meant. Only the supply must be a sanitary one, and not of legalised slums and fever dens. Many landlords, and some Members of Parliament, specially amenable to vested interests, cannot see, or will not adopt, the obvious simple remedy. They resemble the slaveholder, whose invincible ignorance of the rights of liberty was illustrated by placing a coin over the word "God." So, often, pecuniary interests blind the eyes and will to what is due to both God and man. The Legislature of New South Wales appears to have more promptly seen the way to obviate much of the evil of unsanitary dwellings. They compel the owners of slums to destroy or renovate them, and entirely at their own private cost, such cost being some degree of just compensation to the public for the sin of having permitted these slums to exist.

The lately appointed English ROYAL COMMISSION on the DWELLINGS OF THE POOR may be expected to collect and publish many interesting details of information. But it is not likely to issue any final general recommendation more practical than one for the enforcement of landlords' responsibilities and of the abundant sanitary provisions of existing laws, by means of independent inspectors and local officers, responsible mainly to the Central Government.

It is a first principle of Social Science that the sources of overcrowded squalor and vice are to be found mainly in such causes as Irreligion, INTEMPERANCE, and IMPROVIDENCE. To some extent the nature of the dwelling moulds the nature of the people. But, in far greater and more general degree, the habits of the latter affect the state of the former. Some years ago, many of the best houses in Boston (U.S.A.), the former

residences of rich merchants who have betaken themselves to the suburbs, came into the possession of persons who let them out, in rooms and tenements, to a poor and squalid class of the population. The result was a speedy dilapidation of these fine old houses, which became as filthy and shabby as other slums. A similar effect has been produced, in many neat new cottages at Walthamstow, Tottenham and other suburbs of London, through their treatment by a morally low class of tenants. If millions of money were expended on new dwellings for such people it would be a huge waste. The first thing to be done is to promote, by individual and church effort, the extension of EDUCATION, TEMPERANCE, and RELIGION.

In 1876 the Howard Association prepared and very widely diffused another paper on this great social problem, as regards some of its most fundamental points. It was entitled "MODES OF DIMINISHING INTEMPERANCE," and received the special commendation of the late Archbishop of CANTERBURY (Dr. TAIT), the present Bishop of London, and the late Dean of WESTMINSTER (Dr. STANLEY). Amongst the needed reforms therein advocated were a more effectual restriction of those chief causes of drunkenness and poverty, the excessively superabundant licensed houses for the sale of alcoholic drinks. The Committee then remarked:—"Without even changing the existing body of Licensing Magistrates, it would be very advantageous to select from their present lists, small committees of not more than three Justices for each Division of every County, to whom should be absolutely committed the granting and control of all Licenses in the district, *without any appeal to the Quarter Sessions, and without any collateral grants of Licenses by the Excise.* Members of Quarter Sessions are apt to have no knowledge of local wants, and a mere Excise body may have no conscience. Hence, LOCAL OPTION, in some form, is essential."

The Committee, on the same occasion, drew attention to the great success, over a limited area, which had already attended the efforts of the local Magistracy and Police (but stimulated mainly by several energetic teetotalers) at LUTON, in Bedfordshire, to resolutely enforce the provisions of the existing "PREVENTION OF CRIME ACT," so far as applicable to low public-houses harbouring disorderly characters.

The Committee added the following remark, which is as much applicable now as in 1876:—

"Yet, in various large places, the Liquor Traffic influence can so far control both the Magistracy and the Police as to secure a general laxity of supervision. Hence the appointment of INDEPENDENT INSPECTORS, by the GOVERNMENT, or by LOCAL OPTION COMMITTEES, or local MUNICIPAL BODIES, to act as general supervisors (similar to the Inspectors of Factories, &c.), and to have power to summon defaulters before the Courts, would be a further check on existing evils."

As to SUNDAY DRINKING, it was added that if the total closing of public-houses on that day could not be secured, at any rate there should be a considerable extra charge for licenses to sell liquor on Sundays, and permitted on only a very limited scale.

Both in the paper quoted and in the Annual Report of the Howard Association for 1876, the Committee dwelt at some length on the importance of affording greater facilities and encouragement to the poorer classes for acquiring habits of Thrift. Their Report of that year, in particular, contained a suggestion which has, *since*, been extensively and prominently taken up in other quarters, namely, the desirability of establishing a NATIONAL CLUB, or at least some further provision for the promotion of Thrift by Government aid.

The Committee then urged that, in view of the bitter disappointment and misery occasioned to thousands of helpless and ignorant victims of insolvent or fraudulent "Friendly Societies" and private Clubs, there should be established a GOVERNMENT CLUB universally accessible to all contributors, and securing regular assistance in the time of sickness and old age. Of course there would be practical difficulties, and imposture would have to be carefully guarded against. But the Committee thought that most of these difficulties would be obviated by the adoption of three general principles.

Firstly, that the provision obtainable through such a Club should be limited to amounts sufficient to obviate destitution. Secondly, that the *bonâ fide* nature of sickness, or incapacity, in regard to claims on the Club, should be established not only by the non receipt of, any pay for work, but by the certificate of some *impartial* local authority. And, thirdly, that the remuneration of the local doctors employed in connection with such a Government Club should be made, at least in part, dependent on the absence rather than the presence of claims on the ground of disease; an additional stimulus to the prevention of sickness and the detection of imposture being thus afforded.

Other modes and aspects of Thrift, Temperance, &c., were also dwelt upon by the Committee at that time, as also subsequently.

The Committee have reason to believe that their persevering action in these and similar directions has usefully contributed to increase the public interest and practical efforts in reference to such questions.

It is interesting to observe that the Great Social Problem is not only being studied, as to its yet unsolved difficulties, but it is also being practically solved to no inconsiderable extent, and in many directions, by the respective action of both organized and individual efforts, each of which is essential in its place. But there has been, there is, and there will be, little if any real progress, apart from a *religious* basis. Hence the special

success which has attended the labours of the LONDON CITY MISSION, the SALVATION ARMY, and numerous CHURCHES and CHAPELS whose ministers and members have for years past pursued a persevering course of *local* elevation of the poor. Many of these have been very effective, though comparatively little known, as compared with other similar movements.

Mr. WILLIAM CUFF, an active pastor of a large East End chapel, recently summed up the practical aspects of the subject thus:—"I have no new method to argue into existence as a means of reaching the people and changing their condition. I have but little confidence in anything the Law can do for the people except it is to put bit and bridle on the burning mouth of the drink traffic and sweep away half the public-houses. You may pull down the shanties and build model houses with next to no rent; but if you do not, and cannot, *change the people themselves*, the 'Bitter Cry' will mock your effort, and this social and moral corruption will rot and fester still. EDUCATION will do something; but I do not rest in the dream of Mr. G. R. Sims that it will change the condition. EMIGRATION does not touch the real sore place in the body politic; and I have no hope that it will. If I am so negative in all this, what is the positive position I would take and would urge on others? My reply is explicit and emphatic—*Just what we have taken*; and as much more, on the *same* lines, as is possible. I plead that no spasm of excitement be allowed to turn us away from old and well-tried methods to new and uncertain ones. Let every Church foster her best life and use her best gifts and graces for *purely home mission work* and the change in the condition of the people will be marked and marvellous. We need not despair, with the GOSPEL in our hands and God at our back, pledged, by every sacred word of promise and love, to help us. Let us do our proper work and carry the Gospel to every house, and every man, woman and child. If we search for their souls, as for a treasure, we shall find them in gutter, alley and slum-poor, hard and prejudiced; but responsive to the touch of a noble sympathy and *capable of being won back to God*."

Another practical solver of the Great Social Problem, and on a large scale, Mr. C. H. SPURGEON, lately gave almost an identical experience with the above. He said, "I have no new specific for the betterment of the world, no new specific, only to keep on as *we* are going; only *more* so. Especially more City Missionaries, more house-to-house and room-to-room Visitation."

The Kent Justices and the Howard Association.

Amongst the gratifying indications that the labours of the Howard Association, in various directions, are exercising a beneficial influence and meeting? with acceptance by practical men, the Committee may mention that in a pamphlet issued last year by order of the ANNUAL GENERAL SESSIONS OF KENT, and signed by a Committee of eight local magistrates, namely, Earl SYDNEY, EARL STANHOPE, Viscount Hardinge, Mr. John G. Talbot, M.P., Mr. WALTER H. JAMES, M.P., Hon. J. S. GATHORNE-HARDY, Mr. J. E. LENNARD, and Mr. A. BEATTIE, there is given more than two pages of quotation from a pamphlet on Vagrancy prepared by the Howard Association in the preceding year; and the Justices add:—

"Your Committee would recommend the perusal, by individual members of the Court, of the Report of the Howard Association before referred to; the object of that Report being the education of the public mind in reference to the causes and prevention of the constantly increasing evils of Vagrancy and its attendant consequences."

A second pamphlet, signed by the same eight noblemen and gentlemen, was issued by order of the COURT OF SESSIONS FOR KENT, at Maidstone, six months later, in which the Justices remark:—

"Your Committee are very desirous that the attention of BOARDS OF GUARDIANS should be directed to the extracts from a Report recently issued by the Howard Association, which are quoted in the last Report of the Committee of Justices, upon Vagrancy, in the County of Kent, with regard to the evils of INDISCRIMINATE ALMSGIVING; and they would urge them to adopt every means in their power to induce the public to discontinue the practice."

The Royal Commission on Reformatories, &c.

During the past year there has been issued a comprehensive Report from the ROYAL COMMISSION ON REFORMATORIES AND INDUSTRIAL SCHOOLS, containing much valuable evidence and many practical suggestions. Considering the special importance of all which relates to the prevention of crime, or its arrest in its earliest stages, the Committee of the Howard Association have devoted their endeavours to promote and extend the circulation and knowledge of that Report in other countries, and especially in the British Colonies

and the United States. Grateful acknowledgments have been received from State officers and private philanthropists in these countries.

At home, also, the Committee have sought to utilise this Report in various ways. There is one point upon which more emphatic and decided recommendations would have been desirable, although the Commissioners have not been wholly silent upon it, namely, the importance of better classification in the establishments reported on, and in particular an entire separation between the younger children and the elder youth.

By means of letters in the newspapers and to influential persons, the Committee have urged the necessity for public attention to this point. Their views have received repeated confirmation and approval from some of the ablest and most experienced managers of Reformatories and Industrial Schools.

The Chaplain of one of the largest Reformatories writes to the Committee:—

"The evils resulting from a promiscuous intercourse of the elder and younger boys in Reformatories can hardly be described in words. The corruption to which I allude is the root of almost every outbreak of insubordination, incendiarism and so forth, of which we so frequently hear, in connection with Reformatories. You will be doing good service to the State by continuing to draw the attention of the public to this most important subject."

Amongst the letters received in relation to this subject is one from Captain Brooks, the efficient Superintendent of the LARGE INDUSTRIAL SCHOOL for boys, for MIDDLESEX, at FELTHAM. His position and experience give special value to his opinions. The Committee, however, are not prepared to endorse them in their entirety, though heartily uniting with much that he expresses. As to the mischief wrought by the drunken and vicious parents who have insisted upon resuming their control over their children, on leaving Feltham, this has resulted in their ruin so often as to impress Captain Brooks strongly on the question. Even on the occasion of their visits to the children on Bank Holidays, so many of the parents and "friends" used to arrive drunk that it was found necessary to forbid their visits on such days. Captain Brook's letter is as follows:—

(feltham experience.)

"MIDDLESEX INDUSTRIAL SCHOOL, FELTHAM,

"21st April, 1884.

"DEAR SIR,

"I regret that several pressing matters have delayed my reply to yours of the 15th instant.

"The longer I live, the more I am convinced that the *first* and *primary* point to attain, in order to render the Reformatory and Industrial School System in any way a satisfactory success, is to abolish the power of control of the parents of the children detained in them, absolutely and entirely, and to substitute that of the Managers, in their place, subject to such qualifying conditions as may seem desirable.

"When you have cleared the ground by this Act—and an Act with one clause would accomplish it—a system of classification could be easily proceeded with.

"Schools might be arranged as follows:—(1) *Reformatories*, for children over 14 and under 16 years of age; for vicious children between 12 and 14:—these last however to be sent to certain special Reformatories. (2) *Industrial Schools*, for children under 14 found wandering, vagrant, &c., to be sent to one set of schools, and those charged with theft to another set, so as to keep the two types of children separate and distinct.

"As to internal arrangement I always think that system is best which is best managed. I know of large schools excellently managed, and of schools on the so-called family system in an infamous state, and *vice versa*.

"But what I hasten to arrive at is the result to be attained by the abolition of paternal control, and it is the one on which the whole system hangs, viz.:—the ultimate disposal of the children.

"My panacea is a well-established system of Emigration, and a large development, in the Colonies, of the Boarding-out System, to be extended to all *Industrial Schools*, retaining no child in England, except under very special circumstances, after 15, but at that age sending them to small home-like Dep—oring;ts in the Colonies, where they could be easily placed out in suitable situations;—the demand for children of that age, *previously trained to habits of industry*, is simply without limit.

"The disposal of Boys from Reformatories requires much more discrimination: some, no doubt, should be emigrated, but some would, if sent, bring discredit on the system, and the best provision for these, if they could be got to stick to it, would be the sea; in any case no child should be detained in a reformatory over 18 years of age; many are now so detained until 21! and I consider this to be productive of the greatest evils.

"But abolish parental control and twenty times as much good will be effected than is the case at present—socially, financially and morally.

"I hope you will some day find time to run down and pay us another visit; about June the place looks very

pretty.

"Very faithfully yours,

"J. ROWLAND BROOKS.

"To Mr. W. Tallack."

Friendless and Pauper Children.

In further promotion of the interests of neglected children, the Committee have recently prepared and widely circulated, a paper entitled "*The Supervision of Pauper and Friendless Children*," treating of the greater economy and efficiency of the individualising principle of management, with systematic supervision by a combination of voluntary with official action, as compared with the costly pauperising tendencies of barrack-like institutions for such children and of excessive expenditure upon their support.

This paper has been very favourably received by the press and by persons practically interested in the subject.

In connection with this question, it may be here mentioned that in their last year's Report, the Committee, always anxious to make just acknowledgment of well-meant efforts, took occasion to observe that "it is due to the District Schools, for Pauper Children, to state that they give a much better industrial training and settlement to *Boys* than is usually obtainable by Boarding-out. But in regard to *Girls* the case is different." Hereupon Miss JOANNA M. HILL, an active member of a Committee of Supervision of children boarded out at King's Norton Union, near Birmingham, has written to inform the Committee that this concession to the merits of the District Schools is too generous to that class of institutions as compared with boarding-out. And the Committee are now informed that around Birmingham it is found, in practice, that boys who are boarded out in carefully-selected cottage homes are as well trained in industrial skill as in the far more costly establishments and schools. (The same correspondent has forwarded a copy of a new pamphlet which the Committee are glad to recommend as being one of the best and most comprehensive upon this question, entitled "*The Education of Pauper Children, Industrially and otherwise*," by Rev. J. O. Bevan, Chaplain to the Aston Union Workhouse, near Birmingham, to be hail of the Author, price 6d.)

The latest annual report of the King's Norton Union Committee states that "The Hoarding-out System prepares the boys, almost without exception, to be fit to earn their own living without any expensive training in special trades, at 13 years of age, instead of retaining them until 14 or 15, which seems to be necessary under other systems. Not one of the 31 boys who have been boarded-out under our charge, and, having ceased to be paupers on attaining 13 years of age, has since become chargeable to the rates for any cause whatsoever."

But not merely in the general oversight but also in the original selection of children for Boarding-out, is great care essential. An esteemed member of the Howard Association, residing in Westmorland, writes to the Committee:—"The unhealthiness of the children sent down here (from the cities) goes far to defeat the labour and expense which is undergone for them. This refers to the *Girls*. Few are fit to go into service on a par with other girls. My impression is that the most indifferent in health and constitution are sent down here."—Very favourable reports, however, are the general result of the system.

In dealing with neglected children, grave difficulties present themselves on every hand, and it is especially needful to endeavour so to act as to avoid an increase of pauperisation by the very means designed to relieve destitution.

The aged, the infirm, the blind, the orphan, these and such as these are objects for charity. Yet even in these cases some care is requisite that the gifts bestowed do not obviate any measure of self-help still possible. But where free education, free board and lodging and clothing, all at the expense of the hard-working and honest tax-payer are offered by wholesale to the families of the improvident, the intemperate and the indolent, they will be sure to accept such offers greedily and spend the money, thus saved to themselves, in further vice and drunkenness.

Both in Great Britain and the United States, there is a large and dangerous amount of practical Communism extending into the management of PAUPER SCHOOLS, REFORMATORIES, INDUSTRIAL SCHOOLS, and last, but not least, even into the BOARD SCHOOLS. The honest and hard-working classes of tax-payers need more jealously to watch their own interests in these matters. Scores of thousands of wilfully neglected children will be increasingly supplied by willingly improvident parents to the perniciously too hospitable doors of such institutions.

It is in view of the increasing dangers of this wholesale public pauperisation, under the guise of a false benevolence, that the Committee of the Howard Association continue to advocate more discrimination, and

more economy in these directions. Hence they have promoted the Boarding-out of Pauper Children, which costs about £12 per annum, or even less, rather than the £25 or £30 each, which is now annually expended upon upwards of ten thousand children in the Metropolitan district alone. The boarded-out children are found to be free from the ophthalmia, itch, and other diseases which infest the best Pauper District Schools, whilst they (especially the girls) also become more self-helpful in after-life than the inmates of the latter.

An active member of the Committee of a large Industrial School, near Manchester, lately wrote to the Howard Association deprecating some of their criticisms upon the costliness of many such establishments. He stated that 80 per cent, or more of the children ultimately turn *out* well. This is so far good. But the point which he appeared, like many other kind-hearted men, to quite overlook, and which is of still greater importance, is how best to prevent so many children from being turned in to pauper schools and similar institutions.

There are two other modes of aid to destitute children which may be cordially recommended.

The first of these is the opening of suitable reading and recreation rooms, supplied with light and warmth, for use in wet and inclement weather. A WESLEYAN MINISTER recently made the experiment of hiring a large room for the winter, with fire, gas, and a few books and periodicals. He allowed a certain number of poor boys and girls the free use of this room, on condition of quietness and good behaviour. These conditions were well observed and at the end of the season the poor children most gratefully thanked their benefactor for the welcome and truly useful boon he had bestowed upon them.

The municipal authorities of BIRMINGHAM have on various occasions utilized some of the Board School Booms and Bingley Hall for somewhat similar objects. Doubtless in many cases the recipients of such accommodation would willingly pay a small amount towards the expenses. But a more general provision of accommodation and recreation in this direction is as yet one of the chief desiderata of modern philanthropy. It is to be hoped that the coming few years may largely solve the problem.

Another way of helping this class of children is to be found in the praiseworthy action already begun by several Municipal bodies, as at BRADFORD, NOTTINGHAM, BIRMINGHAM, LEICESTER, &c., in promoting local bye-laws against the employment of very young children in selling papers, &c., in the streets at night. The BIRMINGHAM bye-law forbids any parent to send a child, under twelve years of age, for street traffic, after nine o'clock. In one or two cases such occupation of any children, under eight or ten years, is forbidden at any hour.

But, finally, every form of juvenile destitution and neglect is mainly the result of parental INTEMPERANCE. Hence the *most* effective of all counteractives consists in the best means for promoting TEMPERANCE, with its attendant train of industrious, thrifty, and moral habits.

British Prisons.

The Warders.

The Prison System of Great Britain, notwithstanding various important improvements which have been made during the past half-century, still requires a constant vigilance on the part of the public. It is one of the objects of the Howard Association to promote and maintain this, especially as to certain points of the administration.

One of these is the position and treatment of the WARDERS, to which during the past year the Committee have continued to direct attention. For notwithstanding the efforts already put forth for improvements in this direction, as to the insufficient numbers, and the too-prolonged hours of duty of these officers, their condition still needs further amelioration at the hands of the chief authorities. However, it is gratifying to notice some progress during the past year.

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT, Mr. JOHN T. HIBBERT, M.P., in a courteous letter to the Secretary of the Howard Association, dated May 5, 1884, wrote as follows:—"With respect to your remarks about the necessity for an increase of the number of Warders, I am glad to say that we have just authorised the appointment of twenty-one additional Warders for night duty, and asked the Treasury to assent to the provision of a free meal for the night warders."

About the same time the LORD MAYOR OF LONDON, MR. ROBERT N. FOWLER, at the request of this Association, drew the further attention of the Home Office to the matter, in the House of Commons, and was informed that besides the increase of night warders, the higher ranks of subordinate warders have had some additional leave of absence. It was added that the Treasury officers of the Government are of opinion that if it be desirable to alter the general terms of retirement for the convict service, it should be done by special legislation. This the Secretary of State is not prepared at present to undertake.

It is to be hoped that from time to time further improvements may be secured in reference to the selection

and condition of these officers.

A still larger proportion of Warders to prisoners is one of the pressing needs of some of the prisons, especially those for convicts.

Official Prison Reports.

The Committee's attention has also been drawn to the need for more respectful attention on the part of the Commissioners of Local Gaols to the reports and recommendations of the Visiting Justices of those establishments.

It is essential for the better administration of prisons that *all* the Reports of the Local Visiting Committees of Magistrates to the Home Office should be made public. At present the whole system, both as to the Commissioners' procedure and the observations and recommendations of the Justices, are too much covered by a dense cloud of mystery and concealment. Grave abuses may take place inside prisons, against which the existing system of nominal oversight is no effectual preventive or check.

The reports or letters forwarded to the Secretary of State from the unpaid, but officially appointed, Visitors of Convict Prisons, should also be printed with the Directors' annual Blue Book.

Further, the *sub*-reports sent to the Home Office from the Governors, Chaplains and Medical officers of prisons, should be printed with the annual Reports, and *in full*. Until this is done, the Reports on Prisons, as now issued yearly by the British Government, will continue to possess very limited authority, and to deserve only a qualified reliance.

As to the OFFICIAL STATISTICS of Prisons, in particular, these are of such a character, that the Committee have, during the past year, felt it their duty to draw public attention, in various journals, to some of the figures published in the REPORT of the COMMISSIONERS of LOCAL GAOLS for 1883.

For instance, in that Report, there are enormous sums credited to the "profit" of the prison labour in the respective gaols, from the simple process of pumping the daily supplies of water either by the treadwheel or by hand labour. Stafford Gaol, with a daily average of 559 prisoners throughout the past year, is credited with the extreme estimate of £897 for "pumping water," and an additional £503 for the ordinary work of "cleaning" (sweeping, brushing, scouring, &c.). At Salford Gaol, Manchester, with 963 prisoners, only £31 is credited for "pumping," but the "cleaning" amounts to £620. Liverpool (Walton) Gaol credits £301 for "pumping," and £321 for "nursing," whilst its "cleaning" is £881. At Devizes (eighty-five inmates), under the euphemistic expression of "grinding corn," the treadwheel is credited with £97, and a further £27 for "pumping water." Coldbath Fields (London) takes credit for £229 for "stoking," and the very easy and almost valueless work of "sorting and tearing old paper" is estimated as worth £433. Many more similarly swollen "returns" appear in this report, which is as objectionable by its omission of needful information as by its insertion of what is worse than unnecessary. One can but wonder how any Department of State could have seriously entertained such figures, to say nothing of actually publishing them.

It is obvious that, by such a mode of managing figures and manufacturing "values," there need be scarcely any limit to the "satisfactory" returns of prisons—*upon paper*.

Whereas in reality, the industrial earnings and profits of English prisons have materially diminished under the Commissioners. Such prisons as those of HULL, SALFORD, BEDFORD, and DURHAM, and various others, which were once hives of useful industry, have experienced a very great falling off in this respect during the past five years, so far as *bonâ fide*, results are the test.

Mr. Peek, in the *Contemporary Review*, on Prisons.

The Committee desire to refer, with grateful satisfaction, to a valuable paper upon the general subject of English Prison administration, by their esteemed colleague, Mr. Francis Peek, which appeared in the *Contemporary Review* for July, 1884, entitled "OFFICIAL OPTIMISM.—PRISON REPORTS." It has been favourably noticed by influential journals, and merits attentive perusal. With a fair and courteous disposition to the authorities, but in plain-spoken terms, it points out the unreliability of the British Official Reports on Prisons, as hitherto prepared and published, also the chief defects of the existing system of Prison Administration.

Insane and Weak-Minded Prisoners.

The Secretary of this Association has during recent visits to prisons, repeatedly had brought under his notice the grave inconveniences resulting from the considerable number of insane or weak-minded persons who are received into the local gaols. This involves, in many cases, the placing of prisoners in association, three or more in a cell, *by night* as well as by day—a most objectionable, but now very common, practice in English gaols.

More power ought to be given to the local officers promptly to send such prisoners to Asylums, or some other place more suitable than a prison.

This class appears to be on the increase. The problem of their best disposal must claim serious attention from the Medical Officers of prisons.

If prisoners, whether in the convict establishments or in the local gaols, require special medical attention, on the grounds of insanity, or doubtful sanity, they should be also removed to some place suitable to the circumstances of such persons. This has, to a considerable extent, been done, with regard to convicts. But better arrangements are urgently needed in the Local Gaols in this direction.

More uniformity also in the exercise of Medical functions, in general, is requisite. Serious injury to the discipline is experienced in some prisons for want of the individual peculiarities of the local Surgeon being guided, or even controlled, if necessary, by the advice of a, superior Medical authority.

The PRISON HOSPITALS, also, may well claim some effort to brighten them a little and to diminish the excessive dulness and gloom which are apt to characterize them.

Prison Architecture.

Wormwood Scrubbs.

English Prison Architecture has hitherto been, on the whole, the best of its class in the world. And one of the very best instances is to be found in the new prison for convicts at WORMWOOD Scrubbs, near London—a prison of which also it may be remarked that it is under the management of a Governor, Captain W. TALBOT HARVEY, so efficient and firmly humane, that if all prison officers were like him there would be little need for either Home Office interference or Howard Association criticism. Yet the congregate system of that, as of other prisons, is open to serious objection. But Captain Harvey is one of those men, too rarely found, who can administer any system with success. Wormwood Scrubbs has been almost entirely constructed by convict labour. Its lofty gateway is ornamented with large medallions of JOHN HOWARD and ELIZABETH FRY—FIGURES at least not inappropriate in connection with the present administration of this establishment.

But a retrogression appears to have recently commenced in some other places. For example, the new wing at YORK CASTLE prison is, especially in respect of *light* and *ventilation*, a very inferior construction. Even the generally well-built new prison at Barlinnie, near Glasgow, is defective as to insufficient light in the cells. The sanitary influence of sunshine and light is very important, both in prisons and everywhere else. Some prisons, however, are excellently lighted, but many English prison cells are so dark that their inmates can hardly see to read. Even criminals may justly claim a sufficiency of light and air. At Wormwood Scrubbs, Sir E. Du Cane has introduced a praiseworthy improvement by substituting transparent glass in the upper portions of the windows, instead of the very opaque glass too common in other prisons.

Convict Classification.

The Committee have reason to know that their Reports and their communications to the newspapers, during the past two years in particular, have received respectful attention from influential authorities. Amongst the points to which they have directed special attention, is the necessity for a further classification of convicts; and in this some progress is now being made by the Directors of the Prisons.

Whilst the recommendation of this Committee that convicts not previously convicted should be placed in prisons wholly devoted to that class has not yet been fully acted upon, yet it is being approximated to by the formation of a "star" class in certain prisons, for those convicts only who are undergoing their first committal. A further step in the right direction is also being taken by removing many of these to one particular prison, at Chattenden, near Chatham, which has thus practically become an establishment for a distinct category of prisoners.

The Committee are reliably informed that this experiment has so far worked well. They therefore now

recommend that the process be carried still further, and that the next class of convicts, those with only two committals, or at least those of decidedly less criminality than the worst and habitual offenders, should also be separated from the latter.

But whilst the Committee thus gratefully acknowledge the action of the authorities in this direction, they remain of opinion that a still better mode of classification, and, indeed, the only truly successful one, is that which consists in the total separation of prisoners from *each other*, but accompanied by the essential concomitant of a great increase of useful intercourse both with the official custodians and suitable volunteer visitors.

Of course this would necessarily involve a revolution also in the length of sentences. Two or three years' *separate* (but not solitary) confinement would be incomparably more deterrent, more reformatory and more economical, than five, seven, ten, or more years in the existing gangs.

The frequency of burglaries and murderous attacks upon the Police by discharged convicts during the past year, points to the absolute necessity for further attention both to classification in the prisons, and to oversight after discharge.

Prisoners' Appeals.

The strong representations made by the Howard Association, as to the need for some effectual provision for securing attention to the appeals of prisoners, especially convicts, appear to have received serious notice from the Home Office. Sir William Harcourt, at any rate, has given personal attention to such appeals, to an extent unknown to his predecessors. Indeed the Committee have of late received complaints, from trustworthy sources, that the freedom of appeal has been carried too far in some instances, and that both superior and subordinate officers have had false charges brought against them, with impunity, by prisoners, to their serious detriment and annoyance. Such charges also, when in various instances proved to have been false, have not brought upon their authors the restrictions or the punishments which were deserved. This appears to call for practical attention by the Home Secretary. It is obvious that if reckless and revengeful convicts are allowed, with impunity, to send to the Secretary of State, not merely frivolous but wholly false complaints, they will both injure the character of meritorious officers and also inflict serious wrong upon those of their fellow-prisoners who may occasionally have real causes for complaint. For the permission of impunity to a number of false representations tends to bring into discredit and neglect the statements of others absolutely deserving attention by their truthfulness.

It is impossible that any Secretary of State, or indeed any body of Commissioners resident in London, can give adequate and discriminating attention to the *details* of many hundred prison appeals. Hence further provision should be made for their examination and disposal by *impartial local* visitors, or referees, willing to give due time and effort to such duties.

The recent appointment of two or three official visitors to each Convict Prison was a step in the right direction, but for certain obvious reasons it has only been partially successful, as yet.

It may be noted that in SCOTLAND there is some considerable degree of local selection and responsibility as to Prison Visitors. And in Scotch prisons consequently, there have been fewer inconveniences resulting. But the attention of the Government is requisite to the circumstance that two of the chief Scotch prisons, those of PERTH (General Prison) and BARLINNIE (Glasgow) have *no* "visitors." This should be promptly remedied.

British Prison Officers.

The Committee have recently learnt, with much regret, that in various cases where Warders or other Officers have, on quitting the prison service, applied for employment elsewhere, they have been rejected, from a mistaken idea that from the mere fact of their having been employed in the custody of criminals they must have been so harsh and brutal as to be unfit for ordinary civil occupations. It affords the Committee pleasure to bear testimony to the fact that there are to be found amongst the officers, both higher and subordinate, of British Prisons, many of the kindest and most considerate of persons. Of course there are also "some black sheep" there, as everywhere; but, especially of late years, a marked improvement has taken place in the selection of these officers. Their duties, especially those of the Warders, are of the most harassing and often very irritating character. Hence the Committee would afresh express a hope that the Home Office authorities will further consider what may be done to lessen this strain and friction.

And on the other hand, the attention of the Warders themselves may also be usefully directed to the importance, even in their own interests, of cultivating such a conscientious and considerate mode of discharging

their duties as may raise their reputation as a class, both within the prison walls and amongst the public in general.

The CHAPLAINS in particular can render important services to the Warders, and through them to the prisoners, by devoting more sympathetic attention to the former than has hitherto been generally the case. The duties of the Chaplains are often perhaps even *more* influential through the Warders and other Officers than as directly influencing the prisoners.

It is however to be noted that at present the unintermitting pressure of the Warders' duties does not afford time for such attention on the part of the Chaplains. It is well deserving the consideration of the Home Office authorities whether they cannot devise arrangements whereby the moral and intellectual improvement of the Warders may not receive more definite and more leisurely attention than hitherto. (A little progress is being made, in the direction of Officers' reading-rooms.)

Lectures to the subordinate officers by some experienced Governor, or other authority, are also very desirable. On one occasion something of this nature was tried and with decidedly good effect. Amongst the wise counsels then given, by a veteran officer, was the supremely practical one of a daily regard to their own individual responsibility to God, with the suggestion that it would tend to afford them peace, on laying their heads on their pillows at night, to reflect that during the past day they had each done some service for God by a conscientious endeavour to cherish a merciful consideration towards those, who, however erring, are still His creatures, objects of His Divine compassion.

Irish Prisons' Commission.

Sir William Harcourt has shown considerable ability as Home Secretary, but has manifested a persistent sensitiveness as to public criticisms on his prison administration, which has led him into observations, especially on newspaper comments, singularly inappropriate. One of his favourite allusions is to irresponsible critics in the press. So far as the criticisms of the Howard Association are concerned, they have been decisively vindicated by its Chairman, Mr. Francis Peek, in the columns of the *Contemporary Review* for July, 1884.

But Sir William's high ground of official prison optimism is also cut from beneath his feet by the admissions made in the Report of the Royal Commission on Irish Prisons, issued in August, 1884. That body, of which Sir Richard Cross, the ex-Home Secretary, was Chairman, can certainly not be termed an irresponsible one. But its revelations are very damaging indeed to the character of the prison administration. Amongst other very objection-able features of the Irish Prison *regime*, the Commissioners state—

- 1.—That the chiefs of the Prison Department have been on such bad terms with one another that "It is in evidence that there has been for some time an *entire suspension of communication, except in writing*, between the Chairman of the Board and the Inspector of the District!"(parag. 29). The Commissioners however comment on this strange state of things, and similar matters, in a tone of extremely mild expostulation. They further remark (parag. 56),"We have observed, with regret, that there is considerable friction in the relation of some Medical Officers with the Board."
- 2.—That after seven years' entire control of the Irish Prisons by their present administrators, "many "of them "fail to fulfil the requirements of the present day,"and "only five "are up to the modern standard of arrangement (parag. 4).
- 3.—That the cost, both of officers and prisoners, is excessive. For example, each convict at Lusk now costs the taxpayer "about £86 a-head "per annum! (parag. 119). [Under Sir Walter Crofton it was less than £30 per head.]
- 4.—The Commissioners remark, "One of the most serious points which has been brought under our notice is the *large* number of prisoners *certified to be insane* in the Irish Convict Prisons!"(parag. 124).
- 5.—And yet, whilst such is the case, it is also stated that "an excessive number of punishments appear to have been inflicted, but these were cases of refractory prisoners whose mental condition may be described as the borderland between sanity and insanity"(parags. 12 and. 127). [Is it just to punish *such* wretched creatures in an "excessive "proportion?]
- 6.—That the presumed "inspection "or "visitation "of Irish convicts has for years past been mainly imaginary. For the Commissioners report, "The Lord-Lieutenant, in 1880, appointed certain gentlemen as Visitors of the several convict prisons; but we find that Mountjoy male prison [the chief establishment] was only visited by them once in 1880, that it was not visited at all in 1881, and only once in 1882; and that Mountjoy female prison was not visited at all in 1880 or 1881, and only once in 1882!!"(parag. 122).
- 7.—That the Prison of Spike Island was not closed for several years after its strong condemnation by a previous Royal Commission (parag. 134).
- 8.—That actually "in some cases circulars issued by the Board seem to vary the character, or meaning, of

Rules made under Act of Parliament!" Here Sir R. Cross and his colleagues venture to add, "This should, of course, be carefully avoided in future!" (parag. 36). [Of course; but is such a *past* action to involve entire impunity?]

Various other serious revelations are also made. But the above are sufficient to prove the great deterioration in the administration of Irish Prisons since Sir WALTER CROKTON'S rule, which elicited praise from all parts of the civilised world.

It is to be hoped that the Home Secretary, after such damaging revelations by a Royal Commission, *not* irresponsible persons, will in future manifest more accuracy and less apathy and incredulity as to public remonstrances about prisons, and as to the too often *fictitious* visitation and inspection of those establishments by nominees of the authorities, whether Visiting Justices or others.

The Royal Commissioners should certainly have more boldly suggested the needful reforms, and not have devolved the responsibility of both suggestion and action so exclusively upon the hitherto existing administration of the Prisons. They have been exceedingly gentle in their criticisms and in their suggested remedies (*viz.*, one Inspector less and one Medical Officer more!) After such experiences as they have revealed, they might have boldly recommended the appointment of some one able to carry out all the necessary changes in Irish prisons, and endued with adequate powers for that purpose.

It may be remarked that many of the officers of Irish Prisons are men and women of much intelligence and good feeling.

But one of the chief causes of the very objectionable condition into which these prisons have been brought, consists in the peculiarly Irish misfortune of petty rivalries or jealousies connected with religion, or rather about mere religion-*ism*. It may surely be commended to the more serious consideration of the administrators of Irish Prisons and of their spiritual advisers, both Protestant and Catholic, that the grand fundamentals of the Christian faith upon which their Churches are agreed, are of incomparably more importance than any *011* which they differ; and also that their common homage to the supreme sovereignty and love of their one Divine Lord and Saviour should involve a more friendly mutual recognition as members of His human family.

Military and Naval Prisoners.

If the Government wished to bring their Soldiers and Sailors into public disrepute, they could hardly devise more effectual measures than some of the present modes of dealing with military and naval offenders. For instance, as to young Sailors in the Navy, many of them, for mere disciplinary offences, are subjected to *penal servitude*, with its degrading criminal associations and excessive penalties. And as to Soldiers, the number of cases of Drunkenness, Insubordination, and Desertion, of late years, together with the numerous committals to the severe *regime* of the Military Prisons, should awaken the authorities to vigorous preventive measures.

Murders and the Penalty of Death.

Early in the year, the Right Hon. John Bright, M.P., wrote to the Secretary of the Howard Association, suggesting the collection, by him, of a fresh series of the statistical and other experiences of various Foreign Countries as to the punishment of Murder, whether by the Capital Penalty, or by other means.

A systematic application was accordingly made to the chief authorities of the principal nations and to the Foreign Correspondents of the Association for the needed particulars. Many comprehensive replies were kindly sent, and a large amount of statistical and other information was thus collected. Portions of this have already been published, at intervals, in various news-papers, by the Association. Other portions are available for further use and reference.

The hearty thanks of the Committee are due to many persons of eminent position who have aided this work of collection, and especially to the following:—Their Excellencies the BRITISH AMBASSADORS at ST. PETERSBURG (SIR EDWARD THORNTON), at MADRID (SIR R. B. D. MORIER), at LISBON (SIR C. L. WYKE) and at BUCHAREST (WILLIAM A. WHITE, Esq.); to WILLIAM DONALDSON, Esq., H.M. PRISON SECRETARY FOR SCOTLAND; THOMAS W. GRIMSHAW, Esq., H.M. REGISTRAR-GENERAL FOR IRELAND; M. YVERNES, of the Ministry of Justice, PARIS; DR. WAHLBERG, State Councillor, of VIENNA; M. DE OLIVEKRONA, Judge at STOCKHOLM; M. LUIGI LUCCHINI, OF BOLOGNA; M. BERDEN, Ministry of Justice, BRUSSELS; M. P. B. EEICHENWELD, Ministry of Justice, CHRISTIANIA; M. HEINRICH FOHRING, Judge, HAMBURG; M. GEORGE BELINFANTE, the HAGUE; M. P. STUCKENBERG, of COPENHAGEN; M. RINGIER, Chancellor of the State, at BERNE; MR. C. D. RANDALL, MICHIGAN, U.S.A.; Hon. A. O. BOURNE, Governor of RHOD ISLAND; MR. CHARLES F. COFFIN, INDIANA; MR. C. LORING BRACE, NEW YORK; Mr. ALFRED H. LOVE AND MR.. TOSIAH

W. LEEDS, PENNSYLVANIA; Professor WAYLAND, CONNECTICUT; Mr. E. B. POND, MICHIGAN; with others.

The general lesson to be derived from these statistics is that there is more difficulty in bringing home conviction and punishment to murderers than to any other class of criminals; that this difficulty exists in almost every country; but that it is best obviated by the greater *certainty* of conviction which is found to accompany a severe secondary punishment (imprisonment), as distinguished from the capital penalty, which involves the danger of occasionally sacrificing innocent persons to judicial mistakes.

During the year this Association has prepared and widely circulated a paper containing a collection of some of the most recent instances of mistaken conviction, as tending to illustrate the real danger and therefore the obstructive difficulty attendant on the fatal penalty in particular. The immediate occasion of this paper was the sentence to death of a man in Durham, who was, through prompt and vigorous local exertions, soon proved to have been innocent and who received his release and pardon in consequence.

Mr. Bright also recently suggested to this Association the circulation of an interesting little pamphlet by Mr. HENRY DUNCKLEY ("VERAX"), of Manchester, on Capital Punishment. This hint has been complied with.

Many other papers and pamphlets on this and other topics have been circulated by the Association. (It is however to be noted that the members of this Association are not unanimous in their views upon this particular subject, which is regarded by some of them as an open question.)

The statistics received show also that the mere abolition of the capital penalty may be very mischievous unless accompanied by an effectual *substitute* of prolonged imprisonment. Thus in ROUMANIA a great increase of murders appears to have followed the disuse of the extreme penalty with the neglect of other penalties also. But successful results have ensued in HOLLAND, PORTUGAL, BELGIUM, WISCONSIN, MICHIGAN, &c., where more uniformity and certainty of repression have been adopted. SWITZERLAND has not adopted any uniform system either of executions or of their substitute. She permits a vast amount of national drunkenness and vice which naturally result in many murders and other crimes. Effectual laws to suppress the excessive intemperance in that country would be the best means of diminishing its murders.

Far more effectual than any form of *penalty* is the prevention of the *causes* and *temptations* to crime. An interesting example occurs in the statistics lately received from the French Government, by this Association. The district of Corsica has long been noted for its bitter and fatal feuds and revengeful murders. About the period 1850, these had risen to such a pitch that during the five years ending at that date, there were committed in CORSICA, out of a population of only a quarter of a million, 431 murders and assassinations. This terrible state of violence led to the enactment of a temporary law prohibiting the carrying of weapons for five years. In the following quinquennial period the number of murders and assassinations fell to 146; which was at least a very great improvement upon the previous condition. Meanwhile the *penalty* of death for murder had remained unaltered throughout.

Similarly, in the Southern portion of the UNITED STATES, although capital punishment is often enforced, the number of murders is appalling. Why? Because of the general carrying of pistols, and the consequent temptation to use them. One of the most useful works which American philanthropists can do (whatever may be their opinions as to capital punishment), would be the "home mission work" of promoting laws in the SOUTHERN STATES against the carrying of pistols. This would prevent thousands of murders.

The Committee are taking measures to draw the attention of their American friends to this subject.

Foreign Labours.

The brief limits of this Report and the pressure of home matters, almost preclude reference to the extensive foreign labours and correspondence of the Association. But these have been actively maintained throughout the year. Many thousands of papers and packets containing information on the objects promoted by this Association have been systematically posted to the chief centres of influence and of philanthropic effort on the CONTINENT, in the UNITED STATES, INDIA, and the BRITISH COLONIES. Many applications for such assistance have been received and cheerfully responded to. Official acknowledgments are made that this work of the Association is very useful and welcome.

The Committee greatly value the communications from their Foreign friends, and especially those from the active Secretaries of the Prison Associations of FRANCE (M. F. DESPORTES), and NEW YORK (MR. W. M. F. ROUND), from ITALY (M. BELTRANI-SCALIA), MICHIGAN (HON. C. RANDALL), also from Spain (DON E. CASTELLOTE), DENMARK (MR. F. STUCKENBERG), HOLLAND (M. BELINFANTE), SWITZERLAND (DR. GUILLAUME), GERMANY (MM. FOHRING and KROHNE), CANADA (MR. MOYLAN), PENNSYLVANIA (MR. J. W. LEEDS), AND FROM M. DE OLIVEKRONA (of SWEDEN), M. BERDEN (of BELGIUM), and many others.

Death of Friends.

The Committee have to regret the loss of several valued friends and supporters of the Association during the past year, including Mr. JOSEPH MARRIAGE, of London, a member of the Executive Committee, Mr. THOMAS PEASE, Mr. JAMES GINGELL, of Barking, and Mr. DANIEL DONCASTER, of Sheffield, Mr. WILLIAM NORTON, Mr. S. A. MAW, Mrs. ELIZA BARCLAY, Mrs. M. MARRIOTT, Mr. CHARLES BEAVINGTON, and others.

The Support of the Association.

The income of the Association is rather less than that of last year and only about three-fourths of what it was several years ago. Its operations have been, in consequence, somewhat restricted, and this year ends with a *debit* balance. The Committee have, however, to thank those kind friends who have encouraged their exertions. A letter from one of these, in particular, may be here quoted. He writes that "the Howard Association has done more for the benefit of society than perhaps any other in the land, *in proportion to the money at its command*," and he encloses £5 as an annual subscription.

The few hundred pounds which constitute the annual income of the Association have however again enabled the Committee to carry on an extensive cosmopolitan, as well as home advocacy, of their several objects.

Howard Association, 1883-84,

Balance Sheet. £. s. d. To Subscriptions and Dona-tions 619 14 8 "Subscriptions received after the Audit of fast year, but acknowledged in its Report 18 17 0 "Balance over, last year 117 4 "Balance (deficiency) this year 5 14 £645 10 4 £ s. d. By Printing and Press Ex-penses, Papers, Books, Postage, &c* 239 19 2 "Special Efforts (Pauper and Neglected Children, Prisons, &c.) 111 7 8 "Salary 225 0 0 "General Office Expenses ... 52 6 0 "Travelling 16 17 6 £645 10 4

Suggested form of Bequest to the Association.

"I give to the TREASURER for the time being, or to the person for the time being acting as such, of the HOWARD ASSOCIATION, established in London in 1866, for the promotion of the best methods of the Treatment and Prevention of Crime, and whose receipt I direct shall be a sufficient discharge for the same, the sum of £—sterling, to be applied for the general purposes of the said Association, and to be fully paid out of such part of my personal estate as is legally applicable to such purpose."

A List of Contributions is Sent to Each Subscriber.

The Free Mind in the Free Body.

Ant-Force Paper, No. I. [The Party of Individual Liberty.]

A Statement of Principles and Measures by Auberon Herbert.

(Author of "A Politician in trouble about his Soul.")

"Republics abound in young civilians, who believe that laws make the city, that grave modifications of the policy and modes of living and employment of the population, that commerce, education, and religion may be voted in and out, and that any measure, though it were absurd, may be imposed on a people, if only you can get sufficient voices to make it a law. But the wise know that foolish legislation is a rope of sand which perishes in the twisting;. —EMERSON.

"Now it is a universally observed fact that the two evil dispositions in question, the disposition to prefer a man's selfish interests to those which he shares with other people, and his immediate and direct interests to those which are indirect and remote, are characteristics more especially called forth and fostered by the possession of power. The moment a man or a class of men find themselves with power in their hands, the man's individual interest, the class's separate interest, acquires an entirely new degree of importance in their eyes. Finding themselves worshipped by others, they become worshippers of themselves, and think themselves entitled to be counted at a hundred times the value of other people; while the facility they acquire of doing as they like without regard to consequences, insensibly weakens the habits which make men look forward even to such consequences as affect themselves. This is the meaning of the universal tradition, grounded on universal

experience, of men's being corrupted by power."—J. S. MILL.

"We want men and women who shall renovate life and our social state, but we see that most natures are insolvent. . . . Our housekeeping is mendicant, our arts, our occupations, our marriages, our religion, we have not chosen, but society has chosen for us. . . . Let a Stoic open the resources of man and tell men that they are not leaning willows, but can and must detach themselves; that with exercise of self-trust new powers shall appear; . . . that the moment a man acts from himself, tossing the laws, the books, idolatries, and customs out of the window, we pity him no more, but thank and revere him,—and that teacher shall restore the life of man to splendour, and make his name dear to all history."—EMERSON.

Price One Penny.

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The Free Mind in the Free Body.

"The liberty of each, limited alone by the like liberty of all."

—HERBERT SPENCER.

"Over himself, over his own body and mind the individual is sovereign."

—J. S. MILL.

Political Principles.—1. That every man and woman are the only true owners and directors of their own Selves and their own faculties.

2. That, as no person can be free to exercise his faculties, unless he be also free to enjoy such advantage as he can secure for himself from their exercise, therefore the complete rights of acquiring, possessing, exchanging, and bequeathing property (without power on the part of the dead man to impose conditions on the living man) should be guaranteed to all under the protection of the law.

3. That as no man or body of men can possibly be possessed of any moral right to use physical force, except for the one purpose of repelling physical force, there is therefore no rightful title in any King, Parliament, or Majority to use the machinery of law-making for enforcing their own ideas, for taking possession of the bodies or minds of others, or for any purpose whatsoever, excepting the one purpose of restraining aggressions upon those rights of free action, that are common to all men.

Social Aims As Regards the Individual.—To lead men to possess a far higher respect for the Self that is in them and in all others; to respect, above all possessions and interests, their own free intelligence, their own free choice, and free action, and the free intelligence, the free choice, and free action of others; to find for themselves, and to help others to find, their own true development in their own fashion; to learn to individualise their own opinions; to favour differences of life and thought; to favour the tolerance that springs from strength of conviction, and rejoices to see the same strength of conviction in others; to favour fearlessness in withstanding for conscience-sake all forms of public opinion; to dread possession of all forms of power over each other; to distrust their own fitness for it; to cherish and strengthen and extend faith in the influence of the moral forces—the forces of knowledge, of discussion, of sympathy, of example,—as the only forces that can act, or are worthy to act, upon the free Self, and steadily to oppose, wherever and whenever the separate and independent convictions of men are disregarded, all great and dominating systems, all universal fashions, all party discipline and organisation, all claims of authority and all attempts to compel some men to accept either goodness or happiness in obedience to the ideas of others.

Social Aims as Regards the Group.—The great developments of voluntary association during the last half-century (principally owing, as we may believe, to the preparation through which a large part of the people in this country and in the States of America had already passed by having to organise their own systems of religion) the Joint Stock Companies, the Cooperative undertakings, the Trades Unions and Benefit Societies, are sufficient to shew us what services voluntary association will be able to perform for the good and happiness of men, as the practical intelligence of the people increases under the stimulus of their wants, and they become better fitted in character to act together. We may be well assured that that which has been already called into existence is but the promise of that which is to be. Looking back on what has been attempted and what has been achieved, making more than full allowance for failures, disappointments and new forms of old evils that have shewn and must shew themselves, we can see that a people, gifted, like our own, with the gift of voluntary association, will in the future not only find in such association the almost perfect remedy as regards the material wants or dangers that surround them, want of employment in times of depression of trade, sickness, accidents, old age, the restricted distribution of land and property, the rebuilding and improvement of their homes, new forms of labour partnership, but also as regards the higher purposes of life, the gaining of knowledge, the cultivation of the love of what is beautiful, the spreading of religious and moral ideas, the search into the

mysteries of existence, the organised help of others. Only do not let us fail to perceive that this future perfecting of the great instrument that is now in our own hands must depend upon our observing certain conditions. And these conditions are:—

1. That we can persuade the people to cast utterly from their minds the idea of compulsory, or State, association, as the instrument of progress. So long as men look to compulsory association directed by the State for help out of their troubles, so long voluntary association must remain an imperfect and undeveloped art. It is against our knowledge of human nature to believe that men will rouse themselves to make the voluntary effort that is necessary, so long as they imagine that simply by the easy process of casting their votes the work which has to be done will to-morrow or the day after to-morrow be taken out of their hands and straightway performed under the fiat of a beneficent power outside them. The very shadow of State interference destroys the possible development of voluntary association.

2. That the freest competition be allowed between all voluntary systems of doing work, whether it be done individually or by association. In some cases the individual capitalist may be the best instrument for satisfying the wants of society; in some the joint-stock company; in some the co-operative association. We must have perfect freedom, in order firstly that each system may act as a stimulus to other systems, and secondly that the better forms as they disclose themselves may replace the less efficient forms.

3. That for all the higher purposes of association, in which men take their place according to their aims and sympathies, the groups represent more faithfully the individual Selves of which they are composed. So long as a man's Self, his convictions and his aims, mean but little to him, so long as he forms one in some group,—be it a religious, political, or social association,—in which his Self is half cancelled by the Self of others, his convictions set aside, his energies repressed, there cannot be the full measure of force either in the individual or in the group. We need truer grouping of men in the groups to which they belong. We need that the group should be as the enlarged Self of the man who is contained in it; and this can only become possible as the individual gains greater devotion to his own convictions, leans less upon others, and refuses to be employed, as a half-conscious being, by the great systems that exist round him. Truth to Self means harmony in the group, and harmony in the group means the development of an immeasurable force for conquering the evils and difficulties of the world.

Political Measures for Securing the Greatest Amount of Individual Liberty.—The Central Government to undertake no services but those of restraining injuries to person and property; of defending the country and its dependencies; of carrying on diplomatic intercourse with other nations.

Class A.—Removal of Burdens of Taxation.—*Examples*: Complete Free Trade in all things. Repeal of all import and excise duties and assessed taxes. All Government revenues (whether Central or Local) to be derived from *voluntary not compulsory* payments. Payment as early as possible of national debt by sale of all such ecclesiastical property as may be adjudged to belong equitably to the nation, by sale of other national property, and by special fund raised by voluntary contributions; with mortgage of all remaining national property to holders of debt, until payment is completed. Abolition and reduction of State departments and officials. Abolition of State pensions after life of present holders.

CLASS B.—ABOLITION OF MONOPOLIES AND RESTRAINTS WHICH PREVENT THE PEOPLE FROM GAINING THE FULL BENEFITS OF FREE TRADE.—*Examples*.—Abolition of all legislation creating a monopoly in the liquor traffic; of State-regulation of the professions of Law and Medicine, with its resulting monopoly in each case; of legal impediments restraining the free sale of land; of the State Post Office and Telegraph services. Such changes in the law of libel as would allow the freest discussion to accompany all the developments of free trade, whilst leaving men responsible for the truth of their statements. Free trade must remain incomplete and imperfect as a system, unless, in addition to free buying and selling, men can discuss freely all that is done in trade. The freer that is the habit of discussion, the greater will be the protection to the consumer, and the advantage to the honest and enterprising trader.

Class C.—Abolition of Services Done by the State WHICH IF PERFORMED BY THOSE IMMEDIATELY CONCERNED WOULD RESULT IN:—I. GREATER INDEPENDENCE OF CHARACTER AND GREATER SENSE OF JUSTICE, AS REGARDS PLACING BURDENS UPON THE SHOULDERS OF OTHERS; 2. GREATER INTELLIGENCE AND ENTERPRISE AND GREATER FITNESS FOR VOLUNTARY ASSOCIATION—*Examples*.—Abolition of all State Education, of Established Church, of Poor Laws, of State inspection or regulation of factories, mines, railways, ships, &c. [It should be observed that when taxes were converted into voluntary contributions, the great objection that applies to some of these undertakings, the injustice of compelling some to pay for others—would be removed; and when once this was the case, a State Education or Poor Law system might be continued for a time until the people of each district had organised their own systems for dealing with these great matters. But apart from the objection to compulsory taxation, we have to perceive that no universal system directed by an external [and often remote] authority can continue healthy or capable of sustained and continuous improvement. There is therefore a great need that any uniform and universal direction (even as regards local areas) should gradually give place to the

voluntary association of men working in their own self-chosen groups.]

Class D.—Abolition of Restraints WHICH GIVE A CHARACTER OF INFALLIBILITY TO THE STATE, PREVENT THE PEOPLE FROM USING INDIVIDUALLY THEIR OWN FREE JUDGMENT AS REGARDS THEIR OWN CONDUCT AND DUTIES, AND BY THE STERILISING EFFECT OF PHYSICAL AND EXTERNAL FORCE PREVENT THE DEVELOPMENT OF SELF-PROTECTING QUALITIES AND THE INFLUENCES OF MORAL FORCE.—*Examples*.—Repeal of laws enforcing vaccination; directing the compulsory removal of the sick; imposing regulations as regards the labour or education of children on the whole class of parents; (any person, whether parent or not, physically injuring a child either by overwork, or in any other manner, should be punishable in ordinary legal course); exacting political or religious oaths from members of Parliament; persecuting and impeding those who believe in or would examine the facts of spiritualism: attempting to prevent vicious habits; forbidding gambling; suppressing brothels; giving the Police power to arrest women on the charge of prostitution, or any other powers, as regards the people, of harassing interference; forbidding vivisection; enforcing special observance of the Sunday; interfering with the Stage and other amusements of the people; restricting or forbidding the liquor traffic; preventing divorce at the desire of either husband or wife; or enabling Government (whether Central or Local) to take property compulsorily.

[It should be observed that the thing in question may be in the judgment of many of us a wrong thing, and yet at the same time one which cannot rightly be forbidden by an arbitrary decree of the State. Personally I object strongly to such vivisection, as involves serious pain to animals, but my dislike to it gives me no moral authority to forbid it. Moreover to suppress forcibly an evil is not to conquer it. That can only be done by possessing sufficient energy and faith in one's own views to influence the minds of men. It should be added that some of the interferences with liberty mentioned in this Class [D] are matters rather of Local than Central Government.]

Class E.—Abolition of Restraints Placed Upon Some for the Benefit Of Others.—*Examples*.—Abolition of all special contracts forced upon either Employers or Employed, or Landlord and Tenant, in the interest of either party.

Class F.—Constitutional and Administrative Changes.—*Examples*.—Abolition of privileges depending on birth. Abolition of House of Lords; conversion of Monarchy after present reign and in due course of time into a Republic of the simplest type. [This great political change should be carried out patiently and forbearingly, and not be forced on a large and unwilling minority. The appointment of the then reigning Sovereign as President for life, with no rights of succession, would probably soften and disarm much of the opposition.]

Manhood and womanhood suffrage. Ballot permissive individually. Proportional representation. Reference of measures passed by Parliament to the people, according to the Swiss plan.

Every effort to render the system of Law simple, speedy, and equitable' Separation of Indian and Home armies. Abolition of military life in barracks by placing soldiers on same footing as police. Commissions to be gained by service in the ranks, by service as volunteers, and by passing special (qualifying not competitive) examinations. Development of Volunteer system.

Class G.—I—ireland.—Ireland to choose its own Government. The N.E. part to stay with England if it wishes to do so. Loan to be raised by Irish Government to buy out at fair price such landowners as desire to leave the country.

Class H.—Colonies, India, Egypt,—Foreign Countries.—Closer drawing together of Mother Country and Colonies for purposes of foreign policy and defence. In all cases either a loyal and vigorous discharge of obligations resting upon us, or a frank renunciation of such obligations. India to be ruled with a view to its own approaching self-government, without any attempt at developing its civilisation according to British ideas and through taxation imposed by British force. No State expenditure except that which is necessary for preserving peace and order. Egypt to choose her own form of Government under our protection for the time. Arabi and the exiles to be immediately released. Abroad a strictly non-aggressive policy. Our own assumed interests not to be placed before the rights of any people. Support of principle of international agreement in distinct and defined cases; but no wholesale placing of our national judgment and action into the hands of unknown keepers. Influence of the nation to be steadily but peacefully thrown on the side of those struggling for independence; and against annexations made in disregard of the will of the people.

Local or Municipal Government.—The Local Governments to exercise such power of defending person and property and of preventing the molestation of one individual by another as may be given to them by general Acts of Parliament. To have no power of compulsorily taking property, of levying a compulsory rate, or of compelling any person to take water, gas, etc., whether provided by the Municipality or by a Company. To have power to regulate property of which they are the owners; provision being made (on the *ad referendum* principle) for submitting any regulation to those possessing the local franchise. [If municipalities are to be owners of property (for example, of the streets) the impartiality and tolerance of such regulations, as they make, must in a great measure depend upon the constant vigilance and love of liberty of the citizens; and it would

probably be better for the Central Government to impose no hard and fast rules upon Local Governments, as regards the management of property that is in their hands, but leave to the people of each district the duty of watching over their own liberties in these matters. Great battles for individual liberty have to be fought at present in the municipalities. All attempts to restrict rights of meeting and rights of procession, whether of the Salvation army or of any others; to enlarge the powers of the police; to harass the people in their homes; to make sanitary matters an excuse for arbitrary regulation must be steadily and unflinchingly resisted. The *ad referendum* principle should be at once demanded by those locally governed as regards all regulations made by the local authority.]

Results—The Cheapest Markets in the World, with all articles of consumption at the lowest possible price, and no great burdens of taxation.

The Most Active and Enterprising People in Industrial Matters, with no official routine, restraints, inspections, and interferences to impede trade; and with the full natural rewards of skill, enterprise, and discovery guaranteed to all.

The Most Contented and Independent People, because the least accustomed to look for State direction, and the most accustomed to provide for their wants through their own voluntary associations.

The Most Prosperous People, because not wasting time, energy, and good feeling in fighting over political redistributions of land and other property, but doing out of hand for themselves what their own comfort and well-being demand.

The Most Clear-Sighted and Most Intelligent People, because not living at the mercy of the great rhetoricians, nor believing in any Government-conjuring systems, or in any party Popery, or in any infallible rulers, whether Tory, Whig, Radical, or Socialist.

The Most Progressive People, because not hindered and repressed by great uniform systems, but giving the freest play to new thought and new experiment.

The Most Just Minded People, because not seeking to have services done for them for which others are compulsorily taxed.

The Most Provident People, because living face to face daily with the consequences of their own actions.

The Most Friendly People Among Themselves, because no longer organised in two great parties, each seeking to obtain power, by any and every means, over the other, and to compel the acceptance of its own views.

The Most Generous People, because not interpreting their duties to each other according to the narrow letter of official regulations or State-prescribed charities,

I have only to add that I have tried to avoid in this short sketch all that is of a fanciful or arbitrary character. Given as a moral principle, the widest possible liberty of the individual, these or very similar political applications must, as I believe, result. The defence of person and property can only be placed in the hands of Government on one plea, namely, that of self-preservation. On that plea an individual man may rightly defend himself against those who attack his person or property, and on that plea a Government [which is merely the individual in mass, and can therefore possess no larger rights than the individual] may also defend all persons and properties against attack. But on that plea neither may the individual nor the Government interfere with the rights of free action. The plea allows us to repel a wrong; it cannot allow us to inflict a wrong.

All persons interested in the matter are requested to write to me, marking the outside of their letters I. L. (in case of my absence from home) at

Ashley Arnewood Farm,
Lymington, S. Hants;

and for the present, until other arrangements are made, I shall be glad myself to supply the following Leaflets and Papers, as soon as ready, at the prices named below.

Anti-Force Leaflets. (Separate Series), No. I.—"Some Sayings about Liberty "published by Women's Printing Society, Great College Street, Westminster.

- Price on card per post 1d. each, per dozen by post 8d.
- On paper by post single copy—half;d.
- On paper by post per dozen 3d.

Anti-Force Leaflets, (Summaries), No. I.—"The Free Mind in the Free Body," published by Women's Printing Society.

- Price on card per post 1d. each; per dozen by post 8d.
- On paper by post single copy ½d.
- On paper by post per dozen, 3d.

Anti-Force Papers, No. I.—"The Free Mind in the Free Body" published by Women's Printing Society.

Short statement of principles of The Party of Individual Liberty and Measures to give effect to them. This paper is summarised in Leaflet, No. I. (Summaries.)

- Pamphlet, price per post, Id. single copy.
- Pamphlet, price per post, per dozen, 8d.

Anti-Force Papers No. II.—"The Right and Wrong of Compulsion by the State "published by Williams and Norgate.

- Bound in Cloth, per post per single copy, IId.
- As Pamphlet, 2d. post per single copy, IId.

Other Papers and Leaflets will be ready presently.

I would also ask all such persons to read the following books of Mr. Herbert Spencer (to whom we owe the greatest of all possible debts in this matter.) "The Man v. The State" 1/- "Data of Ethics" 8/-, Education 2/6, "Social Statics" 106, published by Williams and Norgate, London. "Study of Sociology 5/- published by Kegan Paul, London. Mill "On Liberty" 1/4 and "Representative Government" published by Longmans, London, and the last chapter of "A Politician in trouble about his Soul" by Auberon Herbert, published by Chapman and Hall, London.

A. H.