Riding communications expressing their sympathy in the movement of this society, and recommending more active exertions against the agitation now going on for an alteration of the law. The question was one of such social interest both to man and woman that he did not wonder at its stirring up the heart of England, for it was the purity of female life in this country which was the basis of all our greatness. The purity of our married life consisted in this, that man and wife, following, however imperfectly, the Scriptural law, became, in our happy homes in England, one in interest, one in sympathy, and one in feeling. They felt that God had drawn around them a circle which separated them indeed from the world without, but within which there was intimacy and confidence; and the husband felt that he had taken to himself by his connection the brotherhood and sisterhood of his wife, and the wife felt that she had taken to herself the brotherhood and sisterhood of her husband. It was true that by the providence of God this blessed relation by the death of one of the parties might be dissolved; but the ties which were formed were indissoluble—the circle of blood which was thus drawn was drawn by the Great Creator of man, and it was a circle which spread wherever man was found, whether shivering at the North Pole or basking in the sunlight of the tropics. Everywhere there was the same magic and blessed circle, which created new hopes, new ties, new sympathies, new joys, and new sorrows; and the husband taking to himself these affinities, and the wife taking to herself these affinities, they became one with an extended sisterhood and with an extended brotherhood in the deepest and most intimate confidence. Death might remove one of the parties, but death did not dissolve these ties. It did not make her who was called a sister yesterday less a sister because she was bereaved. It did not make him who was called a brother yesterday less a brother. From the moment of marriage they stood in a new and blessed relation, having contracted ties formed upon earth, but resting in the heavens—indissoluble ties, which no human act should dissolve. It had been said that there had been much increasing majorities in one House of Parliament and decreasing majorities in the other. But this was no question to be settled by majorities of men, but by the fiat of Him who made man. Passing by the vain and futile judgments of man, he appealed to that enduring law which was written by God in every heart. When a man was widowed by an act of Providence, and bereaved of the partner of his life, the blessed providence of God allowed him to take unto himself another. But he must refrain from entering that circle of blood which had been drawn not by human skill and not by the Divine law. If it should be said, "Here is an Act of Parliament which gives a licence to encroach within that circle"—but he trusted that would never be the case—nature would recoil, for God, who is above all Acts of Parliament, had prescribed a law which they dare not disobey. Therefore, passing through the shifting pageantry of time, and turning his back on the future majorities of Parliament, he would appeal to those eternal consoles which were written in the heart of man, and would say—Men and women of England, if you value the purity of an English home, if you love and cherish the sanctity of the family hearth, keep entire that circle which God has traced by His divine finger, within which is love, and peace, and purity, and the joyous confidence of trusted hearts; and if you ever trifle with it, you introduce the serpent tongue of this fatal measure, which will create distrust instead of confidence, and infuse poison instead of confidence, then woe to English homes, and sadness to many a mourning heart.

Mr. Ker Seymer, M.P., in supporting the resolution, remarked that although the bill more than once passed the House of Commons, it was always in a comparatively thin house, and if a true canvass could now be made of the members of the Lower House, he did not believe that a majority would vote in its favour. The "Marriage Amendment Act" was away a great deal by claptrap, particularly with regard to this question. When certain persons wished to do anything, the interests of the poor were always put forward, but he believed that nothing would have been heard on this subject if the poor had been interested in the question. The poor did not keep offices in Parliament-street, or advertise extensively in the *Times*, or send lawyers' clerks all over the country to agitate the question and get signatures to petitions. Many people there who kept the offices in Parliament-street, advertised in the *Times*, and sent these lawyers' clerks about, he did not know, for their names were not put forward, but he strongly suspected that they were some of those rich persons of whom they had heard, who, having broken the law, were anxious to alter it, and therefore agitated the subject. Another piece of claptrap was the talk about the disconsolate widower being so deeply attached to his wife, that he was anxious to marry her sister, in order that she might take care of his children; but he believed it was much less the children of the first marriage that were thought of in these cases, than the anticipated issue of the second.

The resolution was unanimously carried.

Mr. A. J. B. Beresford-Hope moved—

That this meeting considers the Marriage with Deceased Wife's Sister Law Defence Association worthy of the support of all persons desirous of opposing the threatened change in the matrimonial law.

He observed that the mayor and corporation influence, to which the right rev. prelate alluded, he himself was a sufferer from. He owed to that, in fact, his exclusion from the Parliament of 1852. He received a notice that in consequence of his vote upon the bill for legalising those marriages he would not be supported. He replied that he was very sorry for it, but he entertained a conscientious view upon the question, and all he could say was, "Good morning to you, gentlemen." From his own experience, he knew how the screw was put upon members of Parliament on this question. Those members who had any selfish motive to gratify—those who desired to oblige the mayors, town clerks, and beer-house-keepers, found it convenient to come down on the Wednesday, when the House was always a thin house on these days, the question was invariably brought on, and vote for the bill; and this was the way in which it had hitherto been carried. He knew that feeling of delicacy which prevented the discussion of a question in a public meeting, but after all it was a most important question—it was the question of the women of England, of the wives and daughters of England, who, with the natural delicacy of their minds, shrank from anything like public discussion on the subject. This question was carried against them, and it was a striking instance of might overruling right. He altogether denied that it was the poor man's question, and of this they had the best evidence in the report of the commissioners. Their statistics showed that of the marriages which took place, or were known to have been prevented by the state of the law, between persons within the prohibited degrees, up to 1848, there were 1,648, of which 196 occurred before the act of 1835; since then there had been 1,364, and 88 had been prevented. Of these 1,648 marriages, 1,364 were amongst the higher and middle classes, and 40 only amongst the lower. And yet, with these statistics before them, these people who agitated the question had the brazen effrontery to come forward and call that clean which God had pronounced unclean, and call that holy which God had denounced as unholy; and, as they said, all for the sake of those poor men who in their soul's soul they knew were not the sufferers from the existing state of the law, but really for the sake of those men who were rich enough to bid defiance to the law, and wealthy enough to endeavour to alter it for their own purposes.

The *Rev. Daniel Moore* seconded the resolution, and from his own experience stated that the prejudice against the alteration of the law was not desired, nor could it be a boon to the poor, for in poor families it was impossible for the wife's sister to be placed in the position of guardian to her sister's children, because as soon as the daughters in poor families were marriageable, they were married, or employed as servants.

The resolution was agreed to.

Dr. Jeff, in moving a vote of thanks to the Chairman, could state, from a long acquaintance with Germany, that the people of the better class in that country were surprised that the people of England should be agitating for permission to contract these prohibited marriages, which in the case of their own country had been attended with the most pernicious consequences.

The *Dean of Westminster* seconded the resolution, which was carried by acclamation, and after a brief acknowledgment from the Chairman, the Bishop of St. David's pronounced the Benediction, and the meeting then separated.

TABLE-TALK.

The Exhibition of the Society of Female Artists was opened to private view, at the Gallery of the New Society of Painters in Water-Colours, on Wednesday last. This is the fourth exhibition; and both in its relation as a society to public institutions, and in its general excellence, it is highly creditable to the fair artists. The copies from celebrated masters are numerous—Carlo Dolce, Murillo, Coreggio, Guido, Andrea del Sarto, Claude, Ruysdael, Dietrich, Vandevelde; and among moderns, Gainsborough, Wilkie, and Turner are amongst the models selected. We cannot in this place give a detailed account of the pictures; but amongst those that struck us as being good were the "Old Bridge of Garry" and "Scenery on the Banks of the Tummel," by Miss Gordon; "Windy Troutbeck," by Miss Mark; "Lady Well-imagined and well-painted imitation of Landseer's *humanisation*, if we may coin a word, of the lower animals. Mrs. Elizabeth Murray gives some very spirited pictures of the beauties of Tenerife, with their rounded forms, bright brown eyes, olive complexions, and blue-black hair. "Just Awake—the picture of my boy," by the same artist, is very pretty. Pre-Raphaellism is represented by Miss Alice Walker in "The Philanthropy," by Miss Sophia Walker in "Waterson's Gathers," and a few others. A portrait in crayons of Thomas Henry Hewitt, Esq., by Miss Florence Peel, is clever. There are in all 317 pictures, including water-colour drawings, and two statuettes; and though cannot obtain to say that none rise to the level of high art, still the exhibition shows that Englishwomen may cultivate painting with considerable success, and some may perhaps gain a livelihood by their pencils. Angelica Kauffman, in the last generation, and Rosa Bonheur in our own time vindicated for female artists a place of equality with men. Still we should fancy that their limited opportunities of observing, their generally inferior capacity for study, and the obvious objections to their acquiring a thorough knowledge of anatomy, would prove a bar to the perfect adoption of art, as a profession, by women. It is odd that the line which is most open to them they do not seem disposed to follow. Figures are the favourite.

We recollect seeing somewhere an epigram by Dr. King or some old Jacobite, on a Whig, and it's sending a troop of horse to Oxford, and presenting the public library at Cambridge with a collection of books. It ran somehow thus:—

The King, surveying with attentive eye,
The state of both his Universities,
To Oxford sent a regiment; for why?
That learning might be purified by fire;
To Cambridge books he sent, as well discerning
How much that loyal body wanted learning.

On somewhat the same principle, probably, it has been determined to establish a public library in Marylebone. Any mode of civilising Mr. Edwin James's constituents will meet our cordial approval. We would venture to suggest that a like method should be adopted with respect to Tyburnia, and the Lower Hamlets, and Lambeth. Let the Lord Bishop of Oxford, Head, whose services in the matter of *shall* and *will* are already well known and appreciated, write a treatise on the use of *H*, *V*, and *W*, for the special behoof of the metropolitan boroughs?

Lord Ashley, as president of the Royal Geographical Society, has issued invitations to *soirées* for the 8th, 15th, and 29th of this month.

The Royal Academy have elected Mr. H. O'Neil and Mr. W. C. T. Dobson to the vacant honours of Associate, by a large majority. Mr. O'Neil's two pictures will be familiar to most of our readers; the "Eve of St Agnes" and "Home" exhibited by the Royal Academy in 1858, and "Home Again," in 1859. Mr. Dobson exhibited two pictures last year—"Der Rosenkranz" and "The Children of Israel yearning for use of the bow."

When somebody told Sir Robert Peel of the colossal fortunes amassed by Sydney merchants, he asked, "What do they do with their money? Do they buy pictures?" The fact is, "man wants but little here below," and the number of life are few, and unless people were spent upon things of factitious value, like works of art, there would be really no means of getting rid of the vast sums collected in a few hands by trade and manufactures. The great traders of Flanders and Italy were the patrons of art in the middle ages; the great traders of England are in this, as in other matters, their successors. Manchester produced the most varied and magnificent exhibition of works of art ever perhaps seen; but from its nature it was short-lived. Mr. Thomas Fairbairn now proposes to establish a permanent exhibition museum in the cotton-metropolis. The first cost—the little capital necessary just to start with—is set down at 100,000*l*. But, to use Mr. Disraeli's metaphor, that is only a "fea-bite" to those unhappy paupers, on whose hard earnings the aristocracy are accused of having fattened for many a year.

Thrown into the midst of the exciting contest of principles now raging in Italy, it would be impossible for "Aurora Leigh" to keep silence. We are therefore not surprised to learn that Mrs. Browning has sent over a MS. volume of political poems for immediate publication. Yet we should prefer any poems from her pen to political poems. Politics in poetry is nearly as bad as poetry in politics. If there is one thing more than another that has made Italy unpopular, it is her poetical ideas of government; and if there is one thing more than another which has made England great, it is her prosaic legislation.

We have received a favourable impression we announced the sudden death of Dr. Todd, the well-known physician. In his own profession he will long be remembered as the editor of the *Cyclopædia of Anatomy and Physiology*, to which he contributed many valuable articles; as the joint author with Mr. Bowman of *The Physiological Anatomy and Physiology of Man*, and as the originator of the Hospital of King's College, in which he was Professor of Physiology and Morbid Anatomy. He merits the thanks of every Churchman for the active and enlightened interest he gave the late Bishop Blomfield in founding the "St. John's Training Institution for Nurses," an institution which supplied Miss Nightingale with some of her ablest coadjutors, and by whose members the race of Mrs. Gamp has, we believe, been superseded in King's College Hospital. Dr. Todd was a Graduate of the University of Dublin, and his brother, Dr. James Henthorn Todd, is now Senior Fellow of Trinity College in the same University, and well known as the author of many valuable theological and antiquarian works.

In the course of the six thousand years during which Man has been upon the earth, man has produced only four or five great epic poems, and the amount of real poetry of any kind which will always be read is proportionably small. Amongst all this is there one prize poem to be found? Can any one seriously contemplate any poetical work produced by the offer of a prize? We apprehend not. Yet prizes are continually offered for poems, in the forlorn hope that at last they may produce something great. Here is an example:—

The Vice-Chancellor of Oxford has received from "A non-resident member of the University much attached to her interests" the sum of 50*l.*, for a prize to be awarded to the writer of the best English poem on "The Life, the Character, and the Writings of Benjamin Franklin." Franklin, we refer the reference to the time, place, and discovery of his death." The poem to be in rhymed verse, to be recited during the meeting of the British Association, at the time and in the place which the Vice-Chancellor may appoint. All members of the University whatsoever to be at liberty to compete for the prize. The compositions to be sent to the Registrar of the University on or before the 1st of June, 1860, the usual course for concealing the name of the writer and distinguishing the compositions being followed. The judges to be the Vice-Chancellor, the Dean of Christ Church, and Lord Ashburton, of Christ Church.

Yet we don't mean to say that these prizes are useless. There is something like the verse-writing which they encourage, for giving a man a command of language and a just appreciation of the meaning and value of words. By all means let our young University men write prize verse. We are told that Macaulay wrote verses when he was in pinafores. We know he was not therefore a poet, but he was a great master of English.

Amongst forthcoming works is a volume of sermons on national subjects of the day, by Mr. Charles Kingsley. Mr. Kingsley's village sermons are much admired; but it always strikes us, in reading them, that the gifted author has just taken off the gloves before sitting down to write them, and has transferred some of the spirit of the exciting amusement he has been engaged in into the employment which was intended for a quiet hour of the day which will supply topics terribly suggestive, we fear, of pugilistic sparrings.

Dr. Maitland, who for a keen insight into the realities of the past stands unrivalled amongst antiquaries, is about to add another valuable contribution to the mass of our English history and literature are already his debtors. It is the *Supplication for Toleration*, addressed to King James I. by the Puritan ministers who had been deprived. This interesting document was printed in 1609; but the King's manuscript notes, which are the cream of the correspondence, will now be published for the first time.

Amongst the many improvements in the arts of peace which have taken place since 1851, not the least important is the letting in the light of day upon the buried treasures of public libraries. Much has yet to be done; but the authorities are working steadily towards the desired end. We are glad to see that in this good work the Syndics of the Cambridge University Press are not behind, and that their catalogue of the MSS. in the University Library has reached its fourth volume.

Besides his ordinary labours as rector of a Norfolk parish, as editor of the *Quarterly Review*, and as the author of *Lives of Lawyers and Artists*, Mr. Elwin is engaged, we are told, upon a series of Lives of Eminent British Poets, from Chaucer to Wordsworth. This seems enough to tax the highest powers of any man to the uttermost.

In former times, when to paint your name on your cart relieved you from the disagreeable necessity of paying a tax upon it, the clerks of the clergy in "our neighbourhood" used to drive about the country ticketed as "So-and-so, *Clerk*." To their great indignation, however, the station-master of the newly opened line painted on the back of his gig too. "John Thomas, Clerk." The clergy were obliged to submit, or at least did not think it worth while to strip the jackdaw of his borrowed plumes. It seems, however, that Mr. John Thomas might have been obliged to amend his title; for a few days since, in a case before the Insolvent Debtors' Court, one of the parties was described in an affidavit as "clerk;" but on its appearing that he was clerk to an omnibus company, the Chief Commissioner informed the solicitor that "clerk" meant clergyman, and ordered the affidavit to be amended. Clerk is, of course, a corruption of *clericus*, a clergyman; but we almost every one who could read and write was glad to assume the tonsure and avail himself of the privileges of the clerical order, it came by degrees to mean simply a learned person. The "Clerks in Orders" of our City churches were so called, probably, to distinguish them from the common parish clerks, who, though formerly in minor orders, ceased to be so at the Reformation. The duties of clerks in the modern sense were, in fact, generally performed by laymen. It is a favourite amusement with Piers Plowman and other mediæval satirists, that the clergy, instead of obtaining cure of souls, ran up to London and got places as clerks in the law courts. In Chaucer and his contemporaries, the title "clerk" is applied to students at the Universities, or perhaps to Divinity students, as "kloarck" still is in Brittany. A child devoted to the priesthood from his youth is called, in the Prioresse's Tale, a clergion; but whether there is any real distinction between "clergion" and "clerk," we must leave to better antiquaries to decide.

It is stated in the *Publishers' Circular* that 250 books have been brought out during the last fortnight. The tide seems still to be flowing. Besides the books which we have mentioned in former numbers as likely soon to appear, Messrs. Chapman and Hall announce a volume of *Poems and Essays*, by the late William Coldwell Roscoe; Mr. Murray, *The Intuitions of the Mind*, by the Rev. James M'Cosh; *Reminiscences of the late Lieutenant-Colonel Rice, Esq.*, of sporting celebrity, by Sir J. E. Eardley Wilmot; and a *Memoir of Joy Scheffer*, by Mrs. Grote. Messrs. Longmans have in the press a third edition of *Italy in the Nineteenth Century*, by the Right Hon. James Whitefield, M.P.; *The Intellectual Life of the Jews and Arabs in the Nineteenth Century*, by the Rev. J. N. Simpkinson; a fourth edition of Sir J. Emerson Tennent's *Ceylon; The Veracity of the Book of Genesis, with the Life and Character of the Inspired Historian*, by the Rev. W. Hanna; *Scripture Thoughts* on the Epistles, by the author of *Amy Herbert*; and editions, in every form and size, of Lord Macaulay's works. Mr. Bohn continues his edition of *Lowndes's Bibliographer's Manual*, in parts, the next of which, it is said, will contain a very full and accurate account of all editions of Erasmus, and of works relating to the interminable controversy about them. In addition to this, the preface will give an account of a curious collection of papers relating to Junius and his contemporaries, which has come into Mr. Bohn's possession. One of these is a letter to the Duke of Grafton, in Junius's handwriting. Messrs. Routledge are publishing a new edition of the *Spectator*, in monthly parts, with notes, price 6d. each. The book will be completed in twenty-six numbers. An accurate reprint of the folio *Shakspeare* of 1623 is announced by Mr. Booth.

M.

Reviews.

On the Origin of Species by means of Natural Selection; or, the Preservation of Favoured Races in the Struggle for Life. By Charles Darwin, M.A., F.R.S., F.G.S., F.L.S., &c. Murray.

There are forms of speculation so wild and improbable, or, at any rate, so alien to our ordinary habits of thought that they can only obtain a fair consideration under the protection of some illustrious name. If an anonymous author, or one only known as an amateur in natural science, were to propound the startling theory, that all the various tribes of living people sprung from earth, air, and water with an infinite diversity of form and habit, are descended from some four or five progenitors, whose progeny have, by small successive degrees of difference in the lapse of ages, developed into the manifold divergence of the countless species now in existence, a busy man would be justified in turning from the unread volume with a smile of incredulity. But the case is widely different when this theory is put forward by Mr. Darwin, a man confessedly in the foremost ranks of natural philosophy, a Fellow of the Royal, Geological, and Linnæan Societies, honoured among his scientific peers (as was publicly shown not long ago in the assignment to him of the medal of the Geological Society), and already favourably known to the outer world by his celebrated *Journal of the Beagle*. A new theory by such a man, however strange it may appear, deserves respectful attention; and this claim will be increased, when the reader, on opening the book, discovers that the small volume in his hand is the result of twenty-three years' patient investigation, and is, after all, only the condensed argument of a larger work, which, if the author's health permit, will follow it in two or three years, and supply the vast substratum of detailed facts and arguments on which it rests for its proof and tottering fabric he is labouring to erect. And if the reader pursues the work to the end, he will rise from the perusal, not, perhaps, convinced by Mr. Darwin's arguments, but certainly supplied with many new thoughts, and strengthened and expanded by the sensation of contact with a powerful, philosophical, and richly stored mind.

The substance and force of his argument can be appreciated by no process short of reading his book; its closely condensed statements admit of no epitomising. But its direction and tendency may, per-

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haps, be indicated in a few sentences. Observe, he says, the many varieties of plants and animals which arise under domestication and culture. What a power the gardener possesses of diversifying his tulips, dahlias, roses, potatoes, apples, cabbages! How numerous are the varieties of dogs! how distinct the breeds of sheep! and cattle, woolly or fleshy, long-horned or short-horned! how far apart the dray-horse and the racehorse! how widely separated the game cock, the Cochin-China, and the bantam! And yet most naturalists believe that these widely divergent types are, in each instance, descended from common ancestors; in fact, they are, in short, *varieties*, and not *species*. Or—to take a less obvious instance, to which Mr. Darwin is fond of recurring, that of the pigeon—what can be more apparently distinct than the carious birds which fill the cages of the pigeon-fancier? There is the fly, that contends for many a long yards without going head over heels in the air, the Porter with its enormous crop, the Jacobin with its feathers reversed along the back of the neck so as to form a hood, the Pantail with its numerous expanded tail-feathers, and many others, familiar to all who are interested in the subject. Is it possible to consider *all* these to be distinct species? Mr. Darwin thinks none of them are so, and conceives that their common ancestry is indicated, among other facts, by a continual tendency frequently manifested in each separate breed to revert to the characteristics of the supposed original parent of all, the rock-pigeon. This pigeon is of a slaty-blue colour, has a white rump, a dark bar across the tail, and white-edged feather tails. These marks are characteristic of no special breed, and yet they almost invariably recur, as it were accidentally, in every breed. Whence, then, are they derived, if not from a common ancestor?

If, then, it must be granted that plants and animals have a great power of variability under cultivation, how is that variability developed? What is the process by which the apple, the horse, or the pigeon diverges into such distinct forms? Clearly, by careful breeding from selected individuals. Some individual appears with a slight variation, which either intensifies in the next generation, or develops its owner. That individual is cherished and protected with a care beyond its fellows: its offspring inherit the same peculiarity in a slightly increased degree: they, too, receive the same attention, and transmit, in a still higher degree, the same characteristic to their offspring. Repeat this for an indefinite number of generations, and you will have an indefinite amount of divergence. To some extent this process may be actually traced, though in most instances the immense lapse of time required for its operation makes it a matter of inference only. Mr. Darwin says—"It would seem as if they had chalked out upon a wall a form perfect in itself, and then had given it existence." That most skilful breeder, Sir John Sebright, used to say, with respect to pigeons, "He would breed a bird to order from either three years, but it would take him six years to obtain head and beak." In Saxony the importance of the principle of selection in regard to merino sheep is so fully recognized, that rare sheep are kept under lock and key, are placed on a table and are studied, like a picture by a connoisseur; this is done three times at intervals of months, and the sheep are each time marked and classed, so that the very best may ultimately be selected for breeding.

From domestic to wild life the step is easy, and the inferences manifold. If man, with his limited knowledge, capricious intention, and feeble resources, can produce so great an effect in the variation of the comparatively small number of individuals under his full under his control, what may not be expected from the constant, unfailing, determinate action over the whole face of the world of that system of Divine operation regulated by law, which, for shortness' sake, we term "Nature"? The only question is, can we, in reasonable, sense, say Nature should act like man in this respect? She *could*, no doubt, select and heighten, by a long course of careful breeding, any individual particularity into a special breed; but is there any reason why she *should* do so? Is there, in short, any motive for *Natural Selection*, as there obviously is for human selection? There *is* such a motive, says Mr. Darwin, and a very plain and powerful one. You will find it in the consideration of the universal struggle for life. It follows from the obvious fact that all organised creatures reproduce their kind in a geometrical ratio of increase, that earth, sea, and air are over-peopled with life. All plants and animals are competitors for an insufficient supply of the conditions of existence; and, by the very law of their increase, there cannot be, enough for all:—

> In looking at nature, it is most necessary . . . never to forget that every single organic being around us may be said to be striving to the utmost to increase in number; that each lives by a certain period of life, that each produces by seed, egg, or spawn in no small number; that some kind of struggle for life, at some period, is the consequence of the rapid tendency to increase, that this struggle may be severe or slight, but that it must be severe at some period of each year, or at long intervals of years, that the survivors, be they few or many, will be those which are best adapted to the circumstances of their life, and that the destruction of the rest, be it great or small, will be effected by the agency of the climate, or by the presence of other organisms which have been in some manner adapted to the same place in life.

Under these circumstances, any variation which gives ever so slight an advantage in the struggle for life, will be a valuable one, to be preserved and reproduced, while any variation in the opposite direction will as surely be suppressed and perish. Thus every species will be continually, though by imperceptible degrees, adapting itself more and more to the special conditions of its place in life, which happens to be placed. As it spreads from its central home, these conditions will themselves vary. Climate, soil, food, competitors for life, will all become changed, and the species itself must change with them. And these causes will suggest far greater results, if we contemplate them in their operation through the vast cycle of geological periods. During all this time Nature will have been engaged in the process of selection, and, by consequence, of variation. And her principle of selection will have been just like man's, modified to the benefit of the creature, not the owner's benefit—but steady and determinate, looking only to the advantage of the creature itself. It is forcibly expressed in the general law, "Multiply, vary, let the strongest live, and the weakest die." Thus old species are for ever dying out, and new species forming in their place. The following noble simile will give a better notion of the extent and grandeur of Mr. Darwin's theory than any paraphrase can do:—

> The affinities of all the beings of the same class have sometimes been represented by a great tree. I believe this simile largely speaks the truth. The green and budding twigs may represent existing species, and those produced during each former year may represent the long succession of extinct species. At each period of growth all the growing twigs have tried to branch out on all sides, and to overtop and kill the surrounding twigs and branches, in the same manner as species and groups of species have tried to overmaster other species in the great battle for life. The limbs divided into great branches, and those into lesser and lesser branches, were themselves once, when the tree was small, budding twigs; and this connection of the future branches with the first early-living branches may well represent the classification of all extinct and living species in groups subordinate to groups. Of the many twigs which flourished when the tree was a mere bush, only two, now grown into great branches, yet survive and bear all the other branches; so with the species which lived during long-past geological periods—very few now have living and modified descendants. From the first growth of the tree many a limb and branch has decayed and dropped off; and these lost branches of various sizes may represent those whole orders, families, and genera which have now no living representatives, and which are known to us only from fossil remains, like the Ornithorynchus or Lepidosiren, which in some small degree connects by its affinities two large branches of life, and which has apparently been saved from fatal competition by having inhabited a protected station. As buds give rise by growth to fresh buds, and these, if vigorous, branch out and overtop on all sides many a feeble branch, so by generation, I believe, it has been with the great Tree of Life, which fills with its dead and broken branches the crust of the earth, and covers the surface with its ever branching and beautiful ramifications.

Mr. Darwin is by no means insensible to the great difficulties which beset his theory. Fully one half of the book is devoted to their consideration. The mere mention of such topics as Instinct, Hybridism, the Geological Record, Geographical Distribution, will suggest at once a multitude of objections. Why, if species are but variations of a common type, are their hybrid offspring barren? What imaginable process of selection can have produced the migratory instinct of the swallow, the cell-building instinct of the bee, or the curious habit of some races of ants, which carry on their work by means of captured slaves? If all existing species are but developments of ancient species, why can we not trace each step of the process through successive fossil strata? Or, again, how can we reconcile the theory with a common ancestry, the fact of the individual fact of the existence of certain definite centres of dispersion, from which distinct types seem, as it were, to have radiated into the surrounding districts? All these formidable difficulties are fairly stated, and most ingeniously explained by Mr. Darwin; though, in many cases, he takes, for his shelter, as a last resource, under the wide-covering protection of human ignorance, and to expect the chance of what may yet be revealed in his favour by future research. Time alone and the discussion of the learned will set the seal of value upon his speculations. Most readers will think that he has established the fact that the number of species in the world is far smaller than would appear from the ordinary classification of naturalists; few, probably, will be disposed to follow him to the extent of regarding all as but one species.

I believe that animals have descended from at most only four or five progenitors, and plants from an equal or lesser number.

Analogy would lead me one step further—namely, to the belief that all animals and plants have descended from some one prototype. But analogy may be a doubtful guide. Nevertheless, all living things have much in common, in their chemical composition, their general microscopic cellular structure, and their laws of growth and reproduction. We see this even in so trifling a circumstance as that the same poison often similarly affects plants or animals; or that the same infectious matter will produce similar results on growths on the wild rose or oak tree. Therefore I should infer from analogy that probably all the organic beings which have ever lived on this earth have descended from some primordial form, into which life was first breathed by the Creator. In the distant future I see open fields for far more important researches. Psychology will be based on a new foundation, that of the necessary acquisition of each mental power and capacity by gradation. Light will be thrown on the origin of man and his history.

Diaries and Correspondence of the Right Hon. George Rose. Edited by the Rev. Leveson Vernon Harcourt. Two Vols. Bentley.

Mr. Rose was a laborious and useful public servant; but that which justifies the publication of his remains is not any special interest that his name calls up, but his intimate connection with Mr. Pitt. Mr. Rose was the *fidus Achates* of the great statesman, both in his affectionate attachment to him as a friend, and in the unconvertible and almost unshaken political loyalty to which he regarded him as a political chief. It is one of those instances of unbounded loyalty to a leader which has nothing of servility and obsequiousness to tarnish it, and which is a pleasant sight to the eyes of the idle world. He did what was an extreme honour, and the homage was rendered in a manly way. It did not imply the surrender of judgment. On the contrary, Mr. Rose was a staunch Tory of the George III. school, and Mr. Pitt, though the great Tory leader, was in his political ideas a great Whig, at least in his time; and with all his admiration and confidence, Mr. Rose kept to his genuine antipathies to Parliamentary Reform and Roman Catholic Emancipation, though he knew how different were Mr. Pitt's sentiments and intentions. He did not, in consequence, manifest any uneasiness or at all offensive—in the way in which, as so often happens, the inferior mind kept anxious watch on the movements of the superior one, with really affectionate interest, and with the most unsuspecting confidence in the soundness of its own judgment, and the unconvertable correctness of its own point of view. It is not self-conceit or want of modesty—it is merely the unconscious assumption that it, the inferior mind, by the very condition of its inferiority, is on solid *terra firma*, while the superior one is wheeling and circling about in the unsubstantial mid-air, and therefore in more danger of mistakes and falls.

Mr. Rose's career is soon told. He began life in the navy, and commanded a boat at the landing in Cancale Bay in 1758. He afterwards was connected with the Board of Trade, and then with the Post-office, and this last office, where he came under the notice of Lord Shelburne, by whose patronage he became Secretary to the Treasury. In 1783 he met Mr. Pitt at Paris, and formed an intimacy with him, which continued till Mr. Pitt's death. He took office and remained in subordinate office, Mr. Pitt, to whom he was one of the most useful of subordinates, and most trusty, if not always the wisest, of counsellors. He held various positions of responsibility, though he never reached high official rank. Under Pitt he was Comptroller of the Navy, and Treasurer to the Navy, which office he held till his death, in 1818.

The main value of the book consists in this, that Mr. Rose was for more than twenty years in close and intimate communication with Mr. Pitt, and that in the relics of this communication we may expect to find some traits of a statesman which all his greatness, perhaps, may be less familiarly known than most of his equals. A good many of his letters are here given, and still more of those of Mr. Rose and his friends. The interest of the latter class of letters is considerably diminished by a circumstance which is noticed by the editor of the book—Mr. Pitt was a particularly cautious letter-writer. He preferred talking over matters to writing about them; and so the best part of his private correspondence is lost:—"His statesmanlike caution in writing is very remarkable. He never expatiates upon passing events; he never reveals his intentions to his most intimate friend; he never trusts his opinions to the perdities of the Post-office; but is always cautious even in the most confidential communications of personal interest, and any measure is to be discussed." The interest, therefore, of the letters is mainly to be found in the reflection which they present of Pitt's private ways of feeling and speaking. Mr. Vernon Harcourt remarks on other generations as follows:—"He never abuses his opponents, he never precisiates his adversaries; and when unbosoming himself in the most confidential communications with his dearest friend, not a word of illnature escapes him." This is true; but to our mind their prominent feature is the calm and proud, but not offensive, stoicism. You might almost say that he looked on at imminent dangers and at things going wrong without caring for them, if you did not perceive, from other parts of the letters, not only how closely he was watching everything, but how clear were his ideas of what he was prepared to do. He had—in spite of Lord Eldon's account to the contrary—a low estimate of people round him; if he were not so magnanimous we should almost read in his letters that he was a sarcastic and contemptuous man in his generation. But while everybody else, friend or foe, is in a state of excitement—excitement natural enough in days such as those that they lived in, but often passing into weak fuss and hurry—he looks on, measuring faults, hazards, menaces, with as true an eye as any one, but so undisturbed that you might almost fancy that he hardly held them worth his efforts to struggle against. It is the absence of what the Latin expresses by the word *trepidatio*, which distinguishes him from his compeers. He was what almost every one else was least of any generation. But while everybody else, friend or foe, is in a state of excitement—excitement natural enough in days such as those that they lived in, but often passing into weak fuss and hurry—he looks on, measuring faults, hazards, menaces, with as true an eye as any one, but so undisturbed that you might almost fancy that he hardly held them worth his efforts to struggle against. It is the absence of what the Latin expresses by the word *trepidatio*, which distinguishes him from his compeers. He was what almost every one else was least of any generation. But while everyclassical sense of the word, an intrepid man. In power and under responsibility there was no limit to his energy and labour; and he was largely influenced by a kind of feeling himself powerful. But out of power the taste for it subsided of its own accord. Pertinacious and resolute in matters of pressing moment, when they seemed the only remedies within his reach against immediate ruin, he was not inflexible in the prosecution of measures which he approved and thought desirable only on general grounds of public principle. His financial policy he was not to be turned aside in. Holding both Reform and Emancipation to be right and necessary measures, he gave way to the opposition which they called forth, and thought it of no great consequence if they had to wait. It was the fatality of his position that, born with a mind capable of, and inclining him to, a comprehensive and far-reaching policy, his work was appointed in a time when all that he could do was to apply such makeshift and often coarse remedies, as were at hand, to immediate dangers, and to keep the ship of the State from foundering. Great as he was, it would have required a happier age, and such associates and rivals of larger intelligence and improved public morality, to have shown how great he might have been.

Mr. Vernon Harcourt has done his work with considerable labour, but not, to our thinking, altogether happily. In the first place, a good deal of compression and omission in the correspondence itself would have been desirable. The insertion of curious portions of the work—under which latter head come some copious notes of George III.'s very characteristic talk—are buried under a mass of what is either insignificant or not properly belonging to his collection. Next, his own portion of the work is incessantly prolix and tiresome. He undertook to edit Mr. Rose's diaries and correspondence, not to write desultory comments on them, which might do for articles in a Review. In such a work, indeed, connecting explanatory paragraphs or concise historical notes are of the utmost value. We want to be put up to what the letters are about, and to be told who the people are, who are mentioned in them. But in a book which contains only the materials or the illustrations of history, we do not look for controversial disquisitions on the subject which it touches on. Mr. Vernon Harcourt may be desirous to break a lance with the Whig historians in defence of Mr. Pitt, and to expose the misrepresentations of Lord Holland or Lord John Russell about Mr. Pitt's conduct in breaking with Fraxes in 1793, or in giving up Roman Catholic emancipation; but whatever the force of his arguments, this is not the place for them, and it is not fair to his readers to interpolate independent essays of fifty pages on the general history of the period, merely because the subject of them is suggested by the correspondence which he edits. So again, Mr. Rose's efforts to obtain for Lady Hamilton some assistance from the Government, according to Nelson's dying request, are fairly enough touched upon, for they form the subject of a few of the letters—though it was hardly necessary to print all those letters. But twenty pages of correspondence and comment on Nelson's conduct in the Bay of Naples, and his crime in hanging Caracciol, have nothing whatever to do with Mr. Rose or his proceedings. We look for a book either one thing or the other. If it is meant for history, let it be history. If it be correspondence, let it be correspondence. But it is unprofitable and wearisome in the extreme to be interrupted in getting through a mass of what professes to be mere materials, and of which a reader wishes to gain a general notion with as little loss of time as possible, by fragments of extraneous narrative, or of a warm and rhetorical attack on the opinions and arguments of opposite partisans. Such discursive writing is for the most part unsatisfactory as a political pamphlet, and much more so as a contribution to history; and in these days of the publication of correspondences, it is absolutely necessary, for the protection of readers, that the line should be rigorously drawn and kept to, which divides the functions of an editor from those of an original writer; of him who provides and arranges the materials, and him who uses them. In the present work these functions have been confounded.

Part I. of *Photographs from Original Sketches in the Holy Land and Syria*, by Conway Shipley, Esq. (Masters), promises an interesting series. They are by Messrs. Lock and Whitfield, who take the first rank among photographers. Of the four views given—Nazareth, and a street view in Jerusalem, Jaffa, and Hebron.

Mr. Jackson, of Stoke Newington, has published a volume of *Sermons preached chiefly on Public Occasions* (Longmans), Sound and practical, although diffuse in style. He himself appears to be conscious of the "redundant and tautologic forms of expression" which characterise his language, and defends them on the ground of their adaptation to *spoken* compositions. No doubt it is a hard task to write a discourse which shall address itself with equal excellence to the ear and to the eye, and which shall be alike suited to the pulpit and to the closet. Independently of this feature in their style, the sermons address themselves ably to the practical topics of the present time, and urge right principles with considerable rhetorical power. They were preached mostly to audiences above the average or for special purpose; and are published at the request of those who heard them.

Sermons for Soldiers, preached at Home and Abroad, by the Rev. S. B. Windsor (Masters), deserve a strong recommendation, as plain, practical, thoughtful, and pointed sermons, of a reasonable shortness, for uneducated people. They were preached among a number of country villages quite as well as the soldiers, for whom they were written, but to whose circumstances they are by no means confined, and who indeed are actually represented from them. They are excellence inclusive as to notice a few blemishes that have caught our attention in perusing them. The words in p. 136 that our Lord resisted temptation "*only* by His own inherent deity"—are surely both of questionable truth, and lead to a heretic hovious inference. Again in p. 12, in which he to express intelligibly a very deep truth, there occurs the rash expression that "*God first sets Himself laws*," and so cannot but maintain them It is questionable also whether the Sabbath was observed from the Creation; and if any state it would be more satisfactory to rest their opinion on authority of the Lord's Day upon that to which there is at the best doubtful evidence, while the Fathers generally deny it.

Is it right to put forward the tastes and wishes of the congregation—as the Bishop of Winchester does in his recent *Ordination Charge*, just published (Hatchards)—as the sole consideration to be taken by the clergy in rubrical matters not settled by precise law? We speak with respect of the kindly and solemn words of one who is among the oldest of our Bishops. But while doing all that is possible to conciliate serious and conscientious prejudices, every priest is bound to lead his flock to what is right, not to follow them wherever they may strive to lead him. Moreover it is hard upon the clergy of St. George's-in-the-East to blame them, as the Bishop does, without uttering a single syllable of blame against the actual rioters and blasphemers in that unhappy parish.

The style and language of Mr. C. H. Collette are simply indefensible. But as regards the substance of his book upon *Dr. Wiseman's Popish Literary Blunders* (Hall, Virtue, and Co.), which has grown out of a pamphlet into a volume, he seems to have made out a strong case, to this extent, that the Cardinal has quoted at second or third hand from unreliable authorities, wording his statements as though they rested upon his own learning, and has signally *misquoted* in consequence.

We wish to commend a sensible, and in these times appropriate, tract upon the interpretation of yet unfulfilled prophecy, entitled *The Second Coming of Christ and the Manifestation of Antichrist* (Lendrum, and Masters).

The article from the *Ecclesiastic* of December, 1859, upon the Bishop of St. Andrew's and his Cathedral, is reprinted for private circulation. An answer must needs be given both to it and to Canon Humble's pamphlet, if Bishop Wordsworth desires to retain the respect, and more than respect, with which he was regarded in old times.

A nicely written story in Mr. Bentley's series of Standard Novels, *Truth Answers Best*, is founded on an attempt which was actually made to personate the unfortunate Dauphin, whose lingering death fills, perhaps, the saddest page of the history of the French Revolution. The story is prepossessing, without owning to any high merit.

Temptations which beset young girls in service have been especially considered in the incidents of *Straight Forward* (Mozley), but Mrs. Lefroy has told her tale so well that no one, in whatever station he may be, can read it without that kind of interest which will commend the moral to his own heart. We should have criticised the characters of the second story as somewhat improbable; but the writer assures us that her portrait of "The Dissembler" is drawn from real life. It is drawn with power and effectiveness.

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SUPPLEMENT TO The Morning Chronicle

No. 740.] WEDNESDAY, FEBRUARY 8, 1860. [GRATIS.

Parliamentary Intelligence.

THE BUDGET.

On Monday *Lord Palmerston* stated that, in consequence of the unfortunate indisposition of the Chancellor of the Exchequer, the financial statement, which would involve a considerable length of speech, was unavoidably postponed till Friday.

It was also stated in both houses that the Treaty of Commerce with France could not, in consequence, be laid upon the table till the same evening, as it was thought better to delay its production till such time as the whole subject could be brought under the notice of Parliament.

Replying to Lord Domenichino Gaetani, who inquired if the treaty in the *Indépendance Belge* was correct or not, *Earl Granville* said, that not being a subscriber to the paper, he could not tell!

ST. GEORGE'S EAST.

On Monday the *Earl of Derby* gave notice of his intention to ask, the next day, what steps had been taken by the Government for the purpose of checking the disgraceful exhibitions which have taken place Sunday after Sunday for a considerable time past at St. George's-in-the-East, remarking:—

I do not wish to make any motion or to raise any discussion on the subject, but certainly the scenes which have taken place are such a disgrace to a civilised country, and, whatever may be the errors and want of judgment on the part of the clergy, they have now arrived at such a point, that it is impossible for any Government to submit to this constant violation of all order and decency. (Cheers.)

Lord Brougham—I quite agree with my noble friend in the absolute necessity of some effectual measures for the suppression of this weekly nuisance; and I beg to have it distinctly understood that the question of putting down this disgraceful nuisance has nothing whatever to do with the supposed errors out of which these disturbances have arisen. He the clergyman ever so much in the wrong (and I do not say that he is in the wrong), this does not furnish an atom of excuse, or even of extenuation, for such scandalous exhibitions.

A different view appears to be taken by the Home Secretary, for when *Mr. Byng*, in the Commons, the same evening, asked whether it was the right hon. baronet's intention, by either legal enactment or by giving more explicit directions to the police, to prevent, if possible, the repetition of such scenes for the future, *Sir G. C. Lewis* replied that before he answered the question of the hon. member he should demur to his designating as outrages the scandalous scenes which occurred on Sunday at the parish church of St. George's-in-the-East:—

He had received reports with regard to the circumstances attending the various services, and there appeared to him that nothing had occurred amounting to what was ordinarily denominated an "outrage"—that was to say, a forcible breach of the peace, though, in one sense of the word outrage, it might be applied to what was an offence against the decorum and propriety of public worship. The house was aware that the law did not arm the police with the power of summary interference in the case of noisy disturbances or interruptions of silence and order during public worship. He had taken the steps which appeared to him requisite for maintaining public peace, and, as far as he could collect the feeling of the house on a former occasion, there appeared to be many persons who thought he had even more than he was justified in doing for the prevention of disturbances. The course which had been taken by Sir Richard Mayne appeared to him adequate for the purpose of maintaining order, and beyond that he (Sir G. Lewis) was not prepared to go. He could only express his regret that the mode of performing public services at St. George's-in-the-East which the incumbent thought it to adopt should be such as to create so much dissatisfaction.

CHURCH-RATES.

On Thursday, *Mr. Hubbard*, in asking for leave to introduce a bill to afford the law of church-rates, said he trusted he should need no other justification for bringing before the house the question of the law of church-rates than the importance of the subject itself, the wide difference of opinion which prevailed respecting it, and the general desire that was felt to come to some settlement.

The bill he had prepared proposed to take a middle course between the extreme views which were entertained on either side. But it was not in the nature of a compromise. True, it occupied a middle ground which might fairly be the meeting-place of those who held the most contrary opinions; but he repeated that it was not a compromise so far as he was concerned, for in the bill which he begged to move nothing was demanded which he did not believe to be required by justice, and nothing was retained which might be lawfully conceded. The measure had been framed with a sincere desire to meet and to satisfy every complaint which could be fairly urged against the present dissatisfied, as not being members of the Church of England. But, on the other hand, it abstained from needlessly injuring the interests of religion by interfering with those secular emoluments which were bestowed for ends fully attained, amongst themselves the funds which were requisite for the sustentation of their religious edifices, and for the maintenance of the services within them. The house would permit him briefly to explain the nature of the fund out of which the bill was composed. In the first place it contemplated that those who did not conform to the ministry of the Church of England might, upon due notice given of an intention to make a rate, that they did not contribute to her services, and were desirous of not contributing to the rate; and those two conditions were not sufficient, unless accompanied by a desire at once dissidents from her communion and unwilling to pay the rate, they should then be relieved from any liability to contribute thereto. These hostile elements being thus eliminated from the vestry, that body would then consist of a Church vestry so called, and in that vestry, as a matter of course, no Nonconformist would find his place, for he could not very well be excused from contributing to a rate for a special purpose, and yet claim a right either to take part in raising that rate or in disbursing the funds so raised; and in the Church vestry thus constituted no other question would be raised than that which related to the raising and the application of such rates. It had long been the complaint that in various parts of the country, and particularly in towns, many churches and district chapels were forced to contribute to rates which were levied and disbursed by the mother church, which they themselves had, in addition, the onus imposed upon them of providing for their own expenditure. One of the clauses of his bill would remedy this inequality in the existing practice—it would constitute every such district church or chapel an ecclesiastical district, and recognise in it a power of raising a rate for its own purposes; and upon the raising of such rate every such church or chapel would be exonerated from contributing to any other church whatever. The only other clause which he need mention was one that would assimilate both the assessment and mode of collecting churches rates to that which prevailed with regard to poor-rates, and would withdraw the cognisance of such cases entirely from the ecclesiastical courts. He would say no more descriptive of the contents of the measure. He was aware that the house should permit the bill to be printed and laid before it, and he would only say, in conclusion, that it had been prepared with an earnest desire to contribute towards the settlement of this long-disputed question; and individually he might say that in the part he had taken in the matter, he was influenced by two feelings,that were perfectly compatible with one, an entire and frank admission of the principle of civil and religious liberty; the other, a dutiful allegiance and loyalty to the Church of England.

Leave was given to bring in the bill.

ENDOWED SCHOOLS BILLS.

On Friday, in reply to some observations of Earl Carnarvon, *Lord Cranworth* stated that in one respect his bill would differ from that of the select committee of the House of Commons last year, inasmuch as he provided in the seventh clause that, unless it was otherwise expressed in the will or deed of endowment, no trustee should be deemed ineligible, whatever his religious faith might be, whilst the bill drawn up as a compromise by the select committee provided that, unless otherwise expressed by the will or deed, and where it appeared that twenty-five years immediately preceding the present time trustees of various denominations had been appointed, it should henceforth be understood that any trustees of any denomination should be eligible to be appointed. *Lord Chelmsford* said that as Sir Hugh Cairns intended to introduce a bill founded entirely on the report of the select committee of last year, it would be advisable to allow the House of Commons to have the two bills before them, and to determine which they preferred. Ultimately *Lord Cranworth* consented to postpone the second reading till Thursday.

ANNEXATION OF SAVOY.

Lord John Russell, in replying to a question from Mr. Disraeli, on Monday, for the production of any correspondence relating to the annexation of Savoy, said:—

I have considered that subject, and have communicated with her Majesty's Ambassador in Paris, and I have come to the conclusion that it would not be proper to produce the papers for which the right hon. gentleman asked the other day. I am quite willing, however, to state the general purport of those papers. In the beginning of July, in consequence of a despatch from Mr. Harris, the British Minister in Switzerland, Count Walewski was asked by Lord Cowley whether there was any truth in the rumour that there was a project on foot for the annexation of Savoy to the Empire of France. Some conversation ensued between them, and Count Walewski's remarks were not explicit on the subject on which Lord Cowley asked for information. Some time after this Count Walewski assured the Government that there was no intention on the part of the Emperor of the French to propose the annexation in question. On the former occasion Lord Cowley stated that such a proposal would be viewed with disapprobation by her Majesty's Government, and the language he held was approved by her Majesty's Government. On the occasion referred to Her Majesty's Government directed a despatch to the British Ambassador in Paris, expressing the satisfaction with which her Majesty's Government had received the assurance that no such intention was entertained.

WAR PREPARATIONS IN FRANCE.

Mr. Kinglake inquired, on Friday, whether any communications had been received concerning the naval and military preparations of the French Emperor. He was not, he said, desirous of putting the question as the information which reached him from private sources was not at all of an assuring kind; and he was told that not only was the furlough of some 40,000 veterans suspended, but that orders had been issued for the levy of 140,000 men. *Lord John Russell* said that it was hardly to be expected that a peace establishment should be resorted to immediately on the close of a war, especially as the Congress had not yet met; but he had received no intelligence of any special preparation as that alluded to.

I received an account to-day from the Sardinian Government, to whom we had represented the dangers of any collision either in Perugia or the Papal States, and they assured us that they would do nothing that would provoke any renewal of hostilities there. There are, therefore, reasons to believe on the one hand that France is far from desirous of renewing the war, and that the Government of the Emperor is exerting itself earnestly to provide for the stability and permanence of peace. On the other hand, the Government of Austria, though unwilling to acquiesce in the present state of things in Italy, is by no means disposed to make that war, or to make any attack upon the Powers at present in possession of the Italian provinces. Therefore, without saying anything in the way of prediction, without venturing to say what may be the events of next year—(a laugh)—I should say that the present aspect of things was favourable, and that we have no reason to suppose that the Emperor of the French is making those extensive preparations to which the hon. gentleman alluded. With regard to the arsenals of France, I believe that great activity prevails there. We all know that a great change has taken place in the mode of naval warfare. It is matter of speculation in books and pamphlets what the next war will be, and every one is convinced that it will not resemble any of the naval wars that are past. The late King of the French had drawn a great system for the reconstruction of his navy, and I believe that every king and ruler of the French for nearly the last 100 years has endeavoured to make the marine of France superior. The ruler of France possesses, fortunately enough, the resources to be a great maritime Power. There is great activity in our own docks and arsenals; both nations are endeavouring to be strong at sea, not with a view to any quarrel that is contemplated, but with a view to each being able to maintain its position in the event of hostilities arising, which no man may always be able to prevent. I cannot say that the mere preparations of France ought to be matter of jealousy to us. If the two nations could agree that there should be no more preparations, no strong navy—and I am unable to say whether that is possible or not—we should be very much inclined to think ourselves happy in that respect. But while France is determined to have a strong navy, we likewise wish to have a strong navy. I think there is no cause for disputing with one another if each maintains a navy at the strength which it thinks necessary.

LAND TRANSPORT AND MILITIA.

In reply to Mr. P. Urquhart, Mr. Palk, and Colonel Dixon, the same evening, relative to these two corps, *Mr. S. Herbert* said of the first that it was proposed for a special purpose, the Crimean war, that all claims had been investigated and settled by a select committee, and that the case of the officers, who now complained of not having been promoted, could not be entertained. On the second head he observed that last year much the Government proposed to remedy the disappointment caused by disembodying militia regiments, their numbers would be gradually reduced as the regular troops returned home.

THE VOLUNTEER CORPS.

Replying to Lord Vivian, who on Monday suggested that rifle corps ought to be provided with uniform by the Government, and the artillery corps also with pay whilst on drill, *Earl de Grey and Ripon*, the Under-Secretary for War, explained the steps which had been taken to render these corps efficient, and stated it was the intention of the Government to supply all effective members of the corps with rifles, but not with clothing. Efficient adjutants would also be appointed. The force already enrolled amounted to between 60,000 and 70,000 men, and was daily increasing. There was no intention on the part of the Government to violate the principle of volunteering by paying the artillery Volunteer corps during the period they were on drill. The Government, however, intended to encourage the movement by establishing a system of inspection throughout the country, which would, he considered, render the Volunteer corps, if ever their services should be required, most formidable opponents. In reply to questions from Lords Ellenborough and Wensleydale, he said that it was not at present the intention of the Government to pay drill sergeants for every company of Volunteers:—

The Government hoped, however, that when the adjutants were generally appointed they would themselves be able to superintend the drill of each corps. It was intended that sergeants of the line, discharged with the consent of their commanding officers should be allowed to reckon their time of service with Volunteer corps for pension at the rate of one month for every two months' service with the Volunteer corps.

LAW REFORM IN THE UPPER HOUSE.

In the Lords, on Thursday, *Lord Brougham*, in moving that the bill for the transfer of property be printed, explained that it differed in principle from one of Sir Hugh Cairns, and its object was to extend to all conveyances the customary tenure of copyhold conveyance known in the north of England.—Agreed to. *Lord St. Leonard's* afterwards explained the provisions of his bill on the law of property, and stated that he had last session introduced a bill on the same subject which passed that house, but when it reached the Commons it was so altered as entirely to destroy its objects and purpose, and it was with the view of remedying the defects in that bill he had introduced the present measure.

Lord Brougham remarked that their lordships, the profession, and the public at large could not fail to be of opinion that the nation at large were under great obligations to his learned friend for devoting his retirement to the amendment of the law.

The *Lord Chancellor* entirely approved of the bill, and thought their lordships and the public were much indebted to the noble and learned lord (St. Leonard's) for his perseverance. With all respect to the House of Commons, it was not in advance in the work of law reform. Very useful law measures, passed by their lordships, had subsequently been thrown out in the other House of Parliament.

On Friday the Law of Property Bill was read a third time and passed.

On Monday the *Lord Chancellor* brought in a bill for consolidating the existing laws on the winding up of joint-stock companies.

The same evening *Lord Brougham* urged the further extension of the jurisdiction of the County Court over sums exceeding 50*l.* He stated that the plaints had increased from 536,000 in 1854, to 744,000 in 1857, and the sum recovered from 1,500,000*l.* to 2,000,000*l.* Further returns were ordered.

APPEAL IN CRIMINAL CASES.

On Wednesday *Mr. M'Mahon* moved the second reading of the Appeal in Criminal Cases Bill. It was substantially the same as that of a previous session, with a few alterations to obviate objections to clauses which were not intended to bear the construction that had been put upon them, as he never proposed to give a right of appeal to the Crown when the prisoner had been acquitted, nor to the prosecutor, unless he had been found guilty. He reinforced his argument in support of the bill by testimonies from high authorities in favour of this change in our criminal procedure, quoting the opinions of the Lord Chancellor, Chief Baron Pollock, and Sir F. Kelly; the report of the Criminal Law Commissioners of 1845; Mr. Greaves, who drew up the report on criminal procedure in 1856 and 1857; all favourable to an appeal in criminal cases. He also adduced the criminal law of France and other Continental States. *Mr. Ewart* seconded the motion, and, supporting the principle of the bill but not its details, recommended that it should be referred to a select committee. *Sir G. Lewis* was of opinion that serious consequences would follow the adoption of the principles of the bill, and believed that, notwithstanding the authorities cited by Mr. M'Mahon, he could produce a greater number who had come to an opposite conclusion:—

In 1848 a committee of the House of Lords was appointed to consider the Criminal Law Administration. Lord Campbell, and Baron Parke, now Lord Wensleydale, and Baron Alderson, were examined before it on the very question to which this bill referred. Lord Lyndhurst, Lord Brougham, and Lord Denman (then Chief Justice of the Queen's Bench) were also examined before the committee, and gave their opinion on the same subject, particularly with reference to the evidence of Barons Parke and Alderson. The evidence of these eminent persons was sent round to all the other Judges, with a request that they would give their opinion upon the question referred to them. Barons Parke and Alderson pronounced a very decided opinion against criminal appeals—*i.e.*, the power either to the Crown or to the prisoner to move for a new trial, as in civil cases. That opinion was concurred in without any modification at all, but rather on stronger grounds, by Lords Ingmann and Brougham; and also, in written communications to the committee, by Mr. Justice Patteson, Mr. Justice Coleridge, Mr. Justice Wightman, Mr. Justice Erle (now Chief Justice of the Common Pleas), Mr. Justice Coltman, Mr. Justice Maule, Mr. Justice Cresswell, Mr. Justice V. Williams, Lord Chief Baron Pollock, Mr. Baron Rolfe (the late Lord Chancellor), altogether by twelve Judges, besides the Chief Justice.

As regarded Mr. M'Mahon's argument that, as there was no sufficient ground for any distinction between civil and criminal trials, the laws of both should assimilate, Sir G. Lewis pointed out that if there were a *primâ facie* resemblance between the two branches of law, the practice, as a rule, varied in each of them; and wherever trial by jury was known, it was not the custom to grant appeals in criminal cases:—

The number of countries in Europe which had not trial by jury was very considerable, and it included Austria, Russia, Naples, Saxony, Holland, Sardinia (except in cases relating to the press), Tuscany, Parma, Modena, Rome, Sweden, and Denmark; but in those countries in which trial by jury prevailed there was a new trial granted in criminal cases under certain conditions. In most of the German States, in Greece, in Belgium, where the French code nearly was in operation, a criminal appeal from a jury was allowed in three cases—first, where the prisoner was convicted of the same offence; secondly, where, after a conviction for murder or manslaughter, the person supposed to be killed was proved to be alive—(laughter)—and, thirdly, where some of the material witnesses against the prisoner were subsequently convicted of perjury. This showed that these countries did not go very far in the concession they granted to criminal appeals. In Belgium, the Court of Cassation, which the hon. and learned member had not clearly quoted, went somewhat further. If the Court was unanimously of opinion that the jury was mistaken in declaring the prisoner guilty, it could remit the case to another jury; but the Court took this step *ex officio*, and no one could demand it, and it could only be taken immediately after the verdict, and before the sentence, by the Court declaring judgment was postponed. The law was nearly precisely the same in Belgium, and this was the fullest extent to which the law of any foreign country went with respect to criminal appeals. The hon. and learned gentleman referred to the Court of Cassation; but he should remember that it only had jurisdiction in matters of form, and that there was no appeal to it in matters of fact. It had no jurisdiction to cause—to what we called quashing a proceeding on the ground of its novelty—not to grant a new trial, or hear any new matters. There was the case of Madame Lemoine, who was found guilty, and sentenced by the Court of Assize to twenty years' hard labour, for burning alive the illegitimate child of her own daughter. She appealed to the Court of Cassation to reverse the sentence, but entirely upon technical grounds, and the court decided that the objections were not sufficient to invalidate the condemnation, and rejected the appeal. Therefore this case did not afford the smallest countenance to the present measure. The hon. and learned gentleman said that the law of the United States did not draw no distinction between civil and criminal appeals, but he did not quote his authority? [Mr. M'Mahon was understood to say that his authority was *Commodities Review*.] He (Sir G. Lewis) could only say that he could not find the smallest trace of any power in the States of the American Union to grant new trials in criminal cases. He, therefore, ventured to affirm that the distinction between the civil and criminal law with respect to new trials by appeal, was, if not universal, at all events, up to the present time, nearly universal in every country where had trial by jury.

The Home Secretary then proceeded to point out the probable consequences of the proposed change—the delay and uncertainty it would import into the administration of our criminal law; the multiplication of trials, which would require an addition to the judicial bench; the costs of the new trial, which, if they were to be paid by a poor man, would make the remedy a mockery, and they must eventually be defrayed out of some public fund; and if an absolute right of appeal were given to a prisoner, it would be unjust to deny it to the prosecutor. He concluded with moving to defer the second reading for six months. *Mr. Denman* said that during a considerable experience he had never known but one case in which he thought

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