

TOPICS OF THE TIME.

Coöperation in Christian Work.

THE praise of Christian unity is often chanted now-a-days; the grand chorus of the Evangelical Alliance stately joins in celebrating the excellency of its glory, and there is an unwritten liturgy of pleasant phrases, describing its delights, into which most Christians, in their devotions, spontaneously glide. Of this sort of sentiment there is even a surplusage. The terms in which it is commonly set forth have become so prodigiously inflated that they pass for much less than their dictionary value. Meantime, the schisms increase, the churches are multiplied far beyond the needs of worshippers, and the relation of the sects is practically one of rivalry.

Most of the great denominational assemblies devote a day to the reception of what are called fraternal delegates, and the speeches of these delegates are full of the sentiment of unity. But there is nothing in them more substantial than sentiment. Propositions looking toward the concentration of forces in Christian work are never heard in these places. The applause of the platforms would cease, and a coolness would soon fall upon the meeting, if any such suggestion were heard. Indeed, the speakers on these occasions are generally careful to explain that they do not expect or desire any practical union in Christian work. "Union," said a distinguished speaker at one of these meetings, not long ago, "union is chimerical; union is impossible; it is useless to talk of union at present; but we may have unity—the unity of the spirit; that we ought to pray for and promote in every possible way." Precisely. Union is concrete; unity is abstract; what the average "fraternal delegate" wants is an abstract or sentimental unity that will call for the sacrifice of no sectarian advantages.

Nevertheless, all these love-feasts of Christian fellowship, from the Evangelical Alliance down to the union prayer-meeting in the country villages, bear united testimony that the differences between the sects—between those called Evangelical, at any rate—are not of any real importance. In other words, they bear witness that the sectarian divisions of the Christian church in city and country, by which in so many places its power is destroyed and its glory turned to shame, all rest on non-essential differences.

There is a large body of Christian men in all the sects—mostly quiet men who do not talk much in the union meetings, but whose contributions support, in large measure, the churches and the missionary societies—who have been paying close attention to these useless divisions, and who are beginning vigorously to apply to them their logic and their common sense. "If the differences between these sects are so unimportant as you say," they argue, "why should they be perpetuated at such cost? Why should four weak churches, all substantially alike, be maintained in a small village, when one efficient church could be easily supported? Why should the

sects in the cities struggle on as rivals, rather than as allies, often crippling one another by their competition, getting in one another's way with their mission enterprises, having no stated consultations, and making no concerted effort to secure a harmonious and complete occupation of their common field? Such a waste of power, such a confusion of plans and purposes, would ruin any other enterprise. Why should this greatest of enterprises be crippled by divisions which, as you testify, are of no real consequence?"

These questions are beginning to be asked more and more earnestly, and by a class of men whom the sectarian managers will not wisely undertake to snub. The readers of this magazine have heard them asked more than once. The broad and genuine catholicity of Dr. Holland, and his invincible common sense, led him to urge these questions long ago, and he never ceased to press them upon the conscience of the churches. Almost a quarter of a century has passed since he wrote the essay on "The Lord's Business," included in "Gold Foil," in which he sent the truth home in this trenchant way:

"The call is uttered and echoed in every part of the world for more money and more men; but is it too much to say that enough of both have been squandered in the business management of the Christian enterprise to have carried Christianity into every household? The money expended in church edifices and inefficient governmental church establishments, and bootless and worse than bootless controversies, and the upbuilding of rival sects, would have crowned every hill upon God's footstool with a church edifice, and placed a Bible in every human hand. Further than this, if the men now commissioned to preach the Gospel were properly apportioned to the world's population, millions would enjoy their ministrations who never heard the name of Jesus Christ pronounced, and never will. The towns in Christendom which feebly support, or thoroughly starve, two, three, or four ministers, when one is entirely adequate for them, are almost numberless."

Those who followed the discussions of this department of the magazine through the years of Dr. Holland's editorship, know how often and strongly he struck this chord. Through his teaching, and the teachings of other men impressed with the same conviction, the truth of this matter has become the common property of a multitude of sagacious and influential business men in all the churches, and it is safe to predict that something good will come of it. The wicked and wasteful rivalries and competitions between sects that differ about non-essential matters will not always be tolerated. It will be necessary for the managers of the denominational machines to find a *modus vivendi*. The denominations may continue to exist for a long time, but they will be obliged to come to a better understanding, and not merely sing the praises of unity, but learn to unite in Christian work.

In promoting reforms of this nature, words are often things, and we beg to suggest a word which may help

in the solution of this problem. Suppose we stop talking of union and of unity, and begin to consider the duty of *coöperation* in Christian work. This is the desideratum — *coöperation*. In town and city and mission field, Christians, the disciples of a common Master, ought to *coöperate*. Can they *coöperate*? Who will deny it?

When we come to speak of the methods of *coöperation*, there is much to say. Here wisdom is wanted, but means will not be lacking to men whose hearts are set upon the attainment of the end. In the present number of the magazine begins a short serial by Dr. Gladden, devoted to the discussion of methods of *coöperation* in Christian work. We think our readers will agree with us in regarding it as among the most suggestive, practical, and entertaining studies of the subject that have yet been made. It is to be hoped that "The Christian League of Connecticut" will serve as a model for similar movements in other communities throughout the country.

The Dreaded American Aristocracy.

"WHOM the gods would destroy they first make mad." The insane persistency of the machine politicians in the system of political assessments, in the face of the exposure, protest, and ridicule of the public press, is likely to prove the death-blow of the system itself. During the last few months this whole subject has been elucidated in a manner altogether unprecedented. Nor was it necessary for the critics to argue dryly on general principles; the gentlemen of the machine were magnanimously active in furnishing current and striking examples of the sordid selfishness, hypocrisy, impropriety, cruelty, and absurdity of the proceeding. The pathetic stories of individual hardship with which the papers have teemed have been highly effective in stirring the public anger against this wholesale political robbery; but humor is sometimes a more powerful foe than the deepest pathos or the most savage satire, and from the time that the story started the rounds of the newspapers concerning the prompt and sweeping assessment of the cats in the Philadelphia Post-office, hubbub in America became a difficult occupation indeed. Difficult, but not impossible,—for it is, in a sense, natural for a Hubbell to hubble; just as it is for a singer to sing, a canter to cant, a beggar to beg. But when public opposition to a practice like this takes not only the form of scorn, but of ridicule, it is much less easy to carry it on in the presence of a people whose bump of humor is so largely developed as is that of the people of America.

We have no intention to enter here into a general discussion of this subject, but wish merely to allude to a single phase of it. We have heard a great deal during the past few years about the dangers of an office-holding aristocracy. There is a class of patriots in this country whose thoughts by day and whose dreams by night are racked by the dread of an aristocracy of office-holders. We do not exactly know what the dreaded thing is. We know, of course, what an office-holder of the present day is: namely, a person who, putting behind him all selfish thoughts, all considerations of his own, his family's, or his friends' advancement or advantage, devotes himself solely and

assiduously to the responsible duties of a public office. What the patriots above referred to believe that such a man is to become, when civil service reform (that is, retention in office during good behavior) works its worst upon him, we have no means of knowing. But, from a cursory view of the aristocracy of "the mother country," where the genuine aristocrat is acknowledged to exist, we can imagine that the office-holding aristocrat of the future will hold large landed estates, be driven to his office in an old family coach (with his coat-of-arms on the door-panel), ride over the country on the trail of foxes (or the American anise-seed substitute therefor), sport a yacht, belong to all the best clubs in town, and date his family back, if not to the Conquest, at least to the *Mayflower* or to Pocahontas. Now it is most likely that we are all at sea in our endeavors to get at the idea of an office-holding aristocrat, such as scares the imagination of the American patriot. It cannot be just what we have thought it might be, though this is bad enough; it must be something altogether more nightmare-producing than this.

Yes, the office-holding aristocrat of the future must be an excessively terrible fellow, or he would not be so perturbing to the mind of the anti-reformer, nor would eminent reformers, like Mr. Godkin for instance, take so much pains to allay the fears of the gentlemen of the machine on this subject.* It is evident that if clerks and heads of departments, all through the United States, in the custom-houses, in the post-offices, in the city-halls, in the court-houses, are to be kept in office "during good-behavior," they will immediately begin to behave badly. That is a self-evident proposition.

Let it be acknowledged, then, that without "rotation in office," the principles of American liberty will be undermined. But what, then, has Mr. Hubbell been about? Does he realize what it is to hubble, *i. e.*, to screw money for election purposes out of men, women, children, and cats, who can scarcely live on their incomes? Does he realize that by this process he has been laying the foundations of a gigantic and permanent "office-holding aristocracy,"—an aristocracy which is to perpetuate itself forever by a venal and shameless system?

The Exodus of Lunatics.

IN one of Mr. Charles Reade's enthusiastic novels, an attempt is made to picture the miseries of sane people improperly shut up by designing relatives in English lunatic asylums. So far as we know such cases are rare, either abroad or in America, and when responsible persons are wrongfully committed, it is either through the carelessness or ignorance of medical men who sign their commitment certificates. Of late, nevertheless, a number of persons held in American asylums for the insane have been pronounced of sound mind by Supreme Court judges before whom they have been brought, and promptly discharged,—one judge going so far as to say that the alleged lunatic was not insane, and never had been. This extraordinary piece of judicial assumption immediately raises the question

* See "The Danger of an Office-holding Aristocracy," by E. L. Godkin, "The Century," May, 1882.

whether a judge, presumably ignorant of medicine, no matter how learned he may be in his own profession, has any right to decide questions concerning insanity as a disease,—for it is as much a disease as small-pox, and as peculiar in its expressions as other better understood affections.

We hold that no one is justified in saying, after nothing more than a brief examination in a court-room, that an individual is not insane because the alleged lunatic does not then act strangely, or because he happens to answer properly certain questions that may be put to him upon the witness-stand. It is frequently the case that if such a person is requested to talk upon other subjects than those suggested by the lawyer, he will burst forth into an insane and incoherent torrent of words. So, too, fifteen minutes before, or fifteen minutes after leaving the witness-stand, he may show unmistakable symptoms of mental disease. Some of the recent decisions in these cases are examples of all that is unwise and blundering, and, it may be assumed, are in conflict with the unprejudiced opinions of alienists and people of common sense, and it is to be feared that no reaction in public feeling will take place until a terrible act of violence is done by some crazy person who has been set at large.

If it were possible to follow the English laws, which in some respects are not to be improved upon, the friends of alleged lunatics who take the responsibility of commitment, no less than the lunatics themselves, would be protected. An unbiased board of commissioners is what is really needed, and the sooner we have it the better.

Wise Benevolence.

ONE of the significant facts of the recent social progress of the United States is the reaction which has set in against the giving of alms. If a census could be taken of the money received by beggars in New York city for each of the last ten years, we venture to say that it would show a decided and continual decrease in the total amount. This fact stands in the relations both of cause and effect to another fact,—that the benevolent work of the metropolis was never better organized than now. What with the religious missions, the loan associations, the fresh-air fund, the house-to-house visiting, the distribution of flowers and reading-matter to the sick, and many another well-devised agency, there is very little room for new organizations. Citizens have learned that these societies can do benevolent work better than they can themselves, and they are glad to delegate the functions to experts. For, in New York, a man must be an expert to be properly qualified to hand a dime to a street-mendicant, and here benevolent work has been reduced to such a science that we doubt not members of the State Charities Aid Association can tell almost to a cent how much that well-meant act will cost the city,—how much of the expense will go to the penitentiary, and how much to the alms-house.

The indoctrination of New Yorkers with the idea

that work is better than alms has been a large part of the labor of the above-mentioned association, an account of which will be found in the issue of this magazine for July, 1882. We print in the present number a more detailed account of another phase of the great charity reform which it has accomplished,—a paper which ought to reach especially every woman and every benevolently inclined person of wealth. It will be a great disappointment to many readers to learn, at the end of the paper, that this "new profession" in which they have become interested is not open to them. To devote so many pages to it seems like "hewing out roads to a wall." Why, one might ask, when there is such an excess of applications for admission to institutions like the Bellevue school and the Cooper Union women's class for wood-engraving—why should encouragement be offered to women to enter either? The answer is that it is this readiness of women to accept new opportunities for work as they are offered that will create for them further opportunities. When it is known that there is a natural demand for a certain class of work in which they have reached excellence, and that greater facilities are needed to enable them to pursue it, the door cannot long be closed to them, either for lack of money or by unthinking prejudice. No one can insure a livelihood to another in the new profession. Success will depend on the personal equation, and the individual must take or refuse the risks. Of the growing demand for trained nurses, however, there can be no doubt. A physician has recently said: "There are to-day not more than two hundred trained nurses doing private nursing in New York, while there are twenty-five hundred physicians; perhaps twelve hundred, or about half of these, do good and make a fair living. There should be nearly as many trained nurses at work in the same field. A physician in full practice frequently has from three to six nurses in charge of his private cases at one time." Other large cities offer no less promising a field.

There is a wise saw that it is better to keep an old friend than to make a new one. We put it to those of our wealthy men who are planning how they may best distribute money in public usefulness, whether they would not better intrust it to a well-organized, efficient institution that has learned its business, such as the Training School, than to pioneer some "new field," at a loss of a large per cent. for tutorship, organization, and "plant," as the manufacturers say. Here is an enterprise, that, beginning in the imagination of one wise woman, has included in its councils a large number of the most far-sighted, practical, and influential men and women of New York; that, starting as a theory, amid indifference or opposition, has set the copy for this class of work in America; that has purified the moral tone of hospital life and raised the standard of nursing throughout the country; and finally, that has opened to women of refinement a career at once honorable, dignified, and lucrative. Surely the managers of such an institution may safely be trusted to extend these opportunities as far as the generosity of Americans will permit.

COMMUNICATIONS.

Trial by Jury.

LAFAYETTE, IND., September, 1882.

EDITOR OF THE CENTURY MAGAZINE.

SIR: The experience of all who are familiar with courts and their workings, shows that a person who is seeking only justice never desires the intervention of a jury; that a jury trial is always the hope of the person who desires to perpetrate an injustice; and that with the aid of a jury there is always a chance, and often more than an even chance, of making the judiciary sanction a wrong. There is no one familiar with the courts and their workings who does not understand fully the great and usually controlling effect produced upon juries by certain elements, if present. Not unfrequently a woman or a child, being a party to a controversy, is the element which controls the action of a jury. An individual and a corporation being the parties to a suit, the individual secures the verdict of the jury. The estate of a decedent, who has left considerable property, and no wife or children, on the most meager proofs will, by a jury, be held liable to any demand, however preposterous. A jury will nearly always find against the validity of a will, if its provisions do not have its approbation.

These are a few of the many instances in which it is well known that the finding of a jury will be controlled, to a great degree, if not absolutely, by some matter which has not the remotest bearing on the merits of the controversy. The time occupied in a trial by jury, the long harangues on questions of evidence, are all to be set down, on the one side or the other, to the desire to get before the jury some evidence that is immaterial, but which will, probably, produce an effect on the finding; and not unfrequently an offer to introduce a particular piece of evidence, though rejected, produces the desired effect.

In the courts of the United States, the distinction between cases at law and in equity, and the English practice in each class of cases, have been substantially maintained. In these courts all equity cases are tried by the court, without the aid of a jury. The equity cases are those in which the largest interests are involved, the most complicated questions of fact determined, and the most intricate questions as to the rights of all parties having any interest in the subject matter of the litigation are settled. Yet the want of a jury is never felt in these cases, and the parties to them are much better assured of a righteous result than the parties to suits at law, where a jury trial can

be had. In the cases tried by jury in the Federal courts, the jury nuisance is not at its worst, for there the judge, as in the English courts, tells the jury substantially what to do, and promptly sets aside its verdict if it is not in accordance with his directions.

In Indiana, where the jury trial is a matter of right in every case, the bar association of the State appointed three eminent lawyers to report upon the jury trial, etc. A report was made by them, in which they say: "The practical working of this inflexible rule of trial by jury in all civil cases has been hurtful; in many cases it amounts to a denial of justice." That trial by jury is utterly unfit for the purpose of ascertaining the truth, in all cases where the truth is not easily and readily to be found, is a proposition warranted by the experience of all who are familiar with the working of the system. And this result of experience is the one ordinary reasoning would reach, independent of experience. May we not conclude, then, that the trial by jury is worse than useless in cases where the facts are complicated, and the truth can only be known after a careful and painstaking examination? If in such cases the jury trial is not an aid, but a hindrance, to the administration of justice, in what case can it be an aid? The trial by jury is not merely worthless, but it is very expensive. It would perhaps be a fair estimate to say that at least one-half of the entire expense of the administration of justice would be saved by abolishing the trial by jury.

All that has been said of the trial by jury, in cases between individuals, is equally true as applied to the trial of persons accused of crime. The criminal has an abiding faith in juries,—a faith which is well founded; so well, that of the guilty who are accused of crimes, but an insignificant fraction are convicted, rarely one who has the means to secure the full benefit of the protection to crime given by a jury trial.

It may be asked, what should be substituted for the jury? Nothing; wipe it out; let every cause be tried by the judge, and, if there is an appeal from his finding, let the case, by the appellate court, be reexamined on the whole evidence, and the rights of the parties finally settled. This reexamination, when the whole evidence is taken down by a short-hand writer, as it is now in all important cases, would insure the judgment of the appellate court on the merits of the controversy, and end it, and would be a perfect protection against mistakes, bias, prejudice, or corruption on the part of the judge who first hears the case.

Very truly yours,
Robert Jones.

LITERATURE.

Bret Harte's "Collected Works."*

MR. HARTE'S earliest volume was published, it seems, in 1865,—a "thin volume of verse," war poems and the like, of more than the average interest, and of considerable promise in character-sketching. Two years later came "The Condensed Novels," which showed a happy imitative and burlesque faculty, and a crisp, rapid movement, both qualities which entered into all Mr. Harte's later writings. The "Bohemian Papers," brief and spicy, came with the "Novels." The author claims for these years—1862—1866—two efforts in dialect, "The Society upon the Stanislaus" and the "Story of Miss," which strike the key-note of his most original work. The poem, as a specimen of serious humor, strikes the midriff as nearly as may be,—being as coarse and as fine as the best serious humor of the western slope. The "Story of Miss" touches the pathetic and opens the fountain of tears.

All these things were only locally known, until "The Luck of Roaring Camp" challenged a wider field. The author tells us how this story was tossed back from the blushing young lady type-setter of the "Overland Monthly" to the serious-minded printer; from him to the anxious publisher; from the publisher, with a solemn face, to the author; from the author, with firmness, to a "committee of three"; from the three, with irresolution, to the author again; and from him, with obstinate confidence, to the public—"without emendation, omission, alteration, or apology." So much local agitation was followed by local irritation. California was distressed, refusing to be comforted. "The religious press frantically excommunicated" the story, "and anathematized it as the offspring of evil." "Christians were cautioned against pollution by its contact." But the author waited confidently for "the larger verdict" of America; and the "return mail from the East brought a letter * * * from the publishers of the 'Atlantic Monthly,' addressed to the—to them—unknown 'Author of "The Luck of Roaring Camp."'" The letter was "opened and found to be a request, upon the most flattering terms, for a story for the *Atlantic* similar to the 'Luck.' The same mail brought newspapers and reviews welcoming the little foundling of Californian literature with an enthusiasm that half frightened the author." It was the beginning of fame. The "Luck" was soon followed by "The Outcasts of Poker Flat," "Miggles," "Tennessee's Partner," etc., which equipped the new genius for that literary triumphal procession across the continent that introduced him, with more than a flourish of trumpets, to the East.

The poems and stories which brought his "triumph" are much the best of Bret Harte's work. "He has reached his highest point," said one of the shrewdest judges of literary fire-works, when the "Heathen Chinese" had put the nation in a broad

grin; "he will never do anything so good again;"—and this is probably the sober judgment of critics and readers to-day. But then, the work of those early days was so good and so novel that it would bear some reiteration. The vein of ore was single, and the best of it was mined, yet the chunks still left were *ore*. How carefully the unsunned depths have since been searched is made clear as we run over these five volumes of "Collected Works." There is endless repetition and reiteration. There is much second-class material. But altogether there is a very respectable income of enjoyment to the reader. When we remember that Wordsworth, the most prolific genius of this century, left only about thirty poems which the candid reader can praise unmixedly, we ought to consider the half-dozen poems and half-dozen stories of Bret Harte's which are sure to live, as a sufficient contribution to American genius to give him fame.

It was assuredly the dawn of a new day for Western literature when those early productions appeared. We have since had free range in Western humor and pathos. One Horse Gulch and Poker Flat have become the head-quarters of plain and strong language—whether absolutely true to nature or not, the historians of the "Exodus of '49" must decide.

The dialectic peculiarities which Mr. Harte was perhaps the first to introduce us to were varied,—the old Spanish of Mission Dolores, the new Chinese, and many mixed specimens from the Eastern migration. He seemed born to catch and fix the characteristic features of each, and he caught and fixed them so admirably, that, like Sam Weller's lingo, his have become the standard varieties. Behind the dialects are the idioms, which are too racy for the Sunday-school and bring a moral indigestion to a good many worthy people. Some of these idioms were not indigenous to California, but came steeped in the honeydews of Kentucky. Behind them were the manners and morals, open and frank to a degree to which Truthful James does scant justice. Beside them Ah Sin's "little game" was "childlike and bland." The author admits that this state of morals was part of a "picturesque passing civilization," and one would be inclined to hope that a civilization was passing which made Grace Conroy the ideal lady and Arthur Poinsett the superb champion of manhood in Sacramento, and which left Jack Hamlin to carry off the honors of knightly courtesy. The picture is dark, as Mr. Harte paints it, but full of brilliant flashes of human kindness, for which flashes the author searches with much of the Dickens spirit and more than the Dickens fervor. One is sometimes led to think that the search had become a passion with him,—that some inherent quality of opposition had made him resolved to lie in wait on that road from Jerusalem to Jericho oftener than legitimate business called him, not only to bind up the wounds of him who "fell among thieves," but to soothe the injured sensibilities of the thieves themselves. He

* The Works of Bret Harte. Riverside Edition. Collected and revised by the author. Boston: Houghton, Mifflin & Co.

TOPICS OF THE TIME.

Western Careers for Eastern Young Men.

EDITOR OF THE CENTURY MAGAZINE.

DEAR SIR: Why the young men who in the East are crowding by thousands into the professions and mercantile pursuits which are already so full, don't come out West and tackle farming or stock-raising, I cannot, for the life of me, see; and I'm sure that if the matter was properly placed before them, they would whistle at the pursuits named and come out to the free and independent life of the Western farmer and stock-raiser with an enthusiasm which would insure success. I don't know why college-bred men seem to have a low opinion of agricultural life. Perhaps it is because they get their ideas of what it is from the hard-worked farmer of the East, certainly not from his brother of the West, whose life, if he is at all forehanded, is the easiest and most independent in the world.

Why don't the fathers in the East, who, after having expensively educated their sons, spend additional thousands in setting them up in business or starting them in a profession, give the boys a few hundred dollars (the more the better) and send them West to become farmers or stock-raisers? They can soon make themselves independent; and then the law, medicine, banking, or any other pursuit, is open to them. The policy which keeps them at the East in a long and expensive probation is silly; out West they can become self-supporting, and therefore proportionately more manly and self-reliant from the beginning. It costs but a trifle in money to take up a quarter-section of land and put up a comfortable shed in which to live, and buy the necessary tools and stock to work with; after which, cheerful work does the rest. No especial knowledge of husbandry is required at the start that cannot be acquired by a few questions, which any one will cheerfully answer, and if the beginner does make mistakes they are not costly ones.

Young England seems to see this question in a proper light, for there is in this State, at Le Mars, a very large colony of young men from England—mostly college-bred—who are making successful farmers and stock-raisers; I cannot give any details, but can only say that there are some six hundred or more of them, and that they look successful, contented, and happy. They certainly are healthy, as any one would be sure to be, leading the life they do. They work hard, but they have their play with it, as the great number of greyhounds and sporting dogs of all kinds seen in that section, as well as the spring, summer and fall meetings of the Le Mars race-course—where they enter and ride their own ponies and horses—will abundantly testify.

Why should not the young men of Harvard, Yale, Princeton, Columbia, and the other colleges of the East, organize colonies in the West, and, while making homes and careers for themselves, assist in building up this new country?

Yours truly,

NEWTON, IOWA.

W. B. D.

The suggestion of our correspondent is not very novel. We are quite sure that we have heard this kind of advice before,—notably in the days of Mr. Greeley. In fact, there have been times when this

advice, being put forth by some as a sort of social panacea, suffered the ignominious fate of all panaceas. Just now, however, there is a renewal of the Western furore, and our correspondent naturally wants to see educated young men follow the example of some recent English educated colonists. A great many of our young men of education are undoubtedly taking part in the movement, though not in groups like the English, perhaps, and we dare say there are many more who would be wise to follow.

According to a recent report from the General Land Office in Washington, the United States disposed of 15,699,848 acres of public lands during the year ending June 30, 1882. Of this vast area nearly one-half, or 6,347,729 acres, were taken by settlers under the provisions of the Homestead Act,—more than one-third of the Homestead entries being in Dakota. The Western migration of 1881 was regarded as phenomenal, but it has probably been exceeded in volume by that of the season just closed. It is hardly an exaggerated estimate to say that a million of people have transferred themselves, during the past eight months, from the Atlantic seaboard States and the older States of the Mississippi Valley, and from the perennially swarming hive of Europe, to the prairies of Dakota, Nebraska, Kansas, and Texas, the valleys of the Rocky Mountain system, and to the farther regions of the Pacific slope. So rapidly have the vacant spaces in the center of the continent and on its western shore filled up in recent years, that there is no longer a frontier. Even in the least accessible and least attractive regions some sprinkling of population is found, and there are few sections where one could now travel a hundred miles without coming upon the habitations of civilized men.

The young man in the older communities of the East, reading of the marvelous growth of this new western country, often asks himself whether he could not wisely join the ranks of the next annual migration. No doubt the question, "Shall I go West?" is the uppermost problem in the minds of thousands of the young men of the East, who have still their careers to make, and have not yet gained a secure and promising footing in the business world. It is a question which each must answer for himself, and concerning which no advice can be given that would be of universal application. It would be a grievous mistake to suppose that a change of longitude alone insures success. Idleness, incompetency, and a nerveless, drifting disposition, have no better chance in Montana than in Massachusetts. Indeed, there are some men who run along fairly well in the East, in the grooves of custom and of established acquaintance and business connections, who would make lamentable shipwreck if set adrift in a new Western community.

On the other hand, the chances for a young man of average pluck and energy are unquestionably much better in the West than in the East. He shares the advantages of being among the first to open a fresh

store-house of natural wealth. He gets the first dividend on the increase of value resulting from bringing population upon the soil. The land he buys for three or four dollars an acre, or gets for nothing by homestead settlement, soon becomes worth ten or fifteen. If he embarks in trade or in any mechanical pursuit, his wares or his services are in brisk demand, because all the new-comers around him require goods and implements. Then there is a certain stimulus in the moral atmosphere caused by the ambitions and energies of a new community full of hope and activity, which makes hardships easy to bear and causes buoyancy of spirits.

Western people find it hard to make their friends in the East understand just what they mean when they speak of the difference in the business and social tone of the two sections. It is a difference to be felt rather than defined. There is vastly more energy and more hope *per capita* of the population in new communities than old, and the immigrant feels at once the resulting stimulus. It braces up the listless and the desponding, and makes even the most active man conclude that there is a deal more in him in the way of work and ideas than he supposed. Many a young man who would have remained a clerk or small-salaried employee of some kind all his life, had he stayed in the East, becomes, amid the larger opportunities of the West, a "leading citizen," and the owner of a fine farm or a prosperous business.

The young man going West can, therefore, count upon the opportunities of obtaining good land at small cost, the business openings growing out of the wants of a new community, and the moral incentive that comes from contact with hopeful, enterprising people. If he does not succeed in gaining a full measure of independence in the course of ten years, the reason will lie in his own disposition. He will either lack energy and capacity, or he will be so much a creature of habit and so thoroughly the outgrowth of an older civilization that he cannot adjust himself to the new environments. There are men, as well as trees, that will not thrive when transplanted. The intending emigrant would do well to study his own disposition carefully, and make sure that he is not of that kind.

Finally, the Western emigrant must expect to miss many of the agreeable conditions of life in his own home: to work hard and live plainly, to get along without a hundred comforts and pleasures which have been almost as much a matter of course to him as his three meals a day. He will have to find his enjoyments, for a few years, largely in anticipating the rewards which the future is to bring. He will not have to endure the rude physical hardships suffered by the last generation of pioneers who cleared the forests of Ohio and Indiana, for the railroads now go in advance of settlement, and bring the appliances of comfortable living to those who can pay for them. He can ride on a sulky-plow, sow his grain with a patent drill, reap it with a harvester, and thresh it with swift machinery driven by a straw-burning steam-engine; but, for all that, there are many deprivations to be borne, and trials enough to be endured to test his manly qualities. A feeling that he is building up the country and his own fortunes at the same time will bring him safely through them all, however, if he has the stuff in him for a successful pioneer.

The Late Dr. Pusey.

THE death of Dr. Pusey has already drawn from his countrymen, of all theological opinions, an expression of admiration for his character, which, in many quarters, was withheld while his living presence lent a luster to the ritualistic movement which claimed him as one of its fathers. For a moment, at least, his character has become a center of unity in the English Church. The partisanship of religious ideas gives way before the fact of a good life appealing through death to the judgment of the universal moral sense which never refuses its homage to actual righteousness. The unanimity with which opposite Church parties are now pointing to Dr. Pusey's sincerity, courage, singleness of purpose, fairness, gentleness, and practical religion, in which all see the Christian ideal almost realized, ought to admonish theological antagonists that the real issues of spiritual life move far away from their disputes. In England, however, this universal desire to express admiration for his character may delay, for a time, any real estimate of his mental powers. His warmest admirers will soon have to admit that his intellect was inferior to his spirit. Keble in his poetry, and Newman in his exquisitely disguised logic, showed greater ability, and perhaps both did more to enforce "Puseyism" than did Pusey himself. Pusey was not the first reformer whose mind was unable to take large views of really great things. The great ideas of catholicity and spiritual life, when revived by the High Church movement of fifty years ago, found in him a narrow, though intense, expositor. He seemed incapable of conceiving of that true catholicity which includes in the kingdom of God every one faithful to Divine truth, as revealed in every age. For him, "Catholic truth" spoke its last word from the lips of the Church Fathers of the first few centuries. He was among the first to recognize and denounce the deadening provincialism of the Established Church of England; but he sought to escape from it, not, like the poetic Keble, by rising into the ideal aspect of its doctrines and worship, nor, like the courageous Newman, by entering the historic repose of the Roman Catholic communion; but like a practical Englishman, by emigrating to the earliest centuries of Christianity. Amidst the contradictory voices of that troubled epoch, his intellectual narrowness enabled him to hear only the few which happened to be in agreement with one another, and to gather from their somewhat thin harmony that principle of "Catholic authority" which led him to ignore all truth revealed ever since. While men like Dean Stanley rejoiced to hear the voice of God in every age,—a living voice appealing to the living soul through every event in history and in individual experience,—Pusey's faith in divine illumination shrank up into an exclusive attention to the partial truths spoken in the Church's prattling days. To men like Maurice, the formulated doctrines of Christianity were but openings into principles and truths in harmony with the universe itself, and, therefore, too large to find complete expression in any dogma; Pusey regarded Christian doctrines as final verities relating only to a supernatural life and deposited in the Primitive Church, to be guarded by a perpetual succession in the ministry. The true historic spirit which, to so many

earnest minds to-day, supplies the best commentary upon Christian doctrines, seemed to Pusey the bitterest enemy of the faith. The fact is, he was unaware of any divine movement in his own times apart from the "Tractarian" agitation which enlisted his whole life; and perhaps, no other church leader has ever left a mass of writing in which there is such a manifest ignorance of the special light and truth revealed in his own generation.

The depth and reality of Dr. Pusey's own spiritual life are beyond doubt. His intense appeals to his followers to seek holiness of life evidently come from depths of personal realization. At the same time, in common with the teaching of the whole Anglo-Catholic party, he leaves the impression that holiness is not the perfecting of human nature *as such*, but rather the training of the soul in special and peculiar exercises to fit it for Heaven. The conception of spirituality, as a pervading sense of the Divine Presence everywhere and in everything, giving tone to the inmost thoughts and character to the outmost acts, was incomprehensible to him. He seemed to see in God a reluctance to approach man, except through certain prescribed transactions in church and at the altar; and he enforces the necessity of such spiritual acts, as though they were signals of distress to attract the help of a remote and inattentive Providence, rather than as grateful expressions of our sense of His perpetual nearness. Indeed, much of the attractiveness of the extreme High Church view of religion lies in its notion that, in specified times and acts, man can work effects in deity itself. There will probably always exist two contrasted aspects of religion: that which regards the whole world as the family of God, in which spiritual life means the consciousness of the family tie drawing men out of self-hood into brotherhood toward all on earth, and into an aspiring sympathy with all in heaven; and that other view which regards the world as a wreck, and spiritual life as the difficult process of being rescued from it. Men like Dr. Arnold, Maurice, Stanley, and Robertson represented the first view; Pusey and his followers represented the second. The High Church movement has lost much of the intensity which fired the early Puseyites with the idea of rescue, and in its present ritualistic phase has degenerated into that externalization of religion which makes worship an almost physical satisfaction to the modern ritualist. This, indeed, was the sorrow of the great leader's old age—and more than once he lifted his voice against such a misapprehension of his teaching. He was too spiritually great to associate any æsthetic or mediæval whim with the tremendous task of saving souls; and we may say that it was the true greatness of his spiritual purpose which, in spite of his narrow view of catholicity and his one-sided view of personal religion, quickened the spiritual life of the English Church, when it seemed so dead that nothing but the intense call of vehemently earnest men could arouse it. Many other voices helped to work that miracle; but Dr. Pusey's, although not the strongest nor the sweetest, had just the tone to reach the deadened English ear. The church which he helped to arouse needs minds of a different order to guide her energies to enlightened issues, under the inspiration of a wider horizon than Pusey's intellect could discern; but, after all, the most enlightened

church of the future can have no nobler ambition than to multiply *characters* like his. His ecclesiastical and theological views were provincialism itself usurping the tones of catholicity; but his spirit and life witnessed for those universal verities of practical righteousness, which constitute the true catholicity of all earnest and enlightened men.

The Archæological Institute of America.

THANKS to the initiative of a number of public-spirited gentlemen of Boston and Cambridge, and the aid of others in many parts of the United States, the Archæological Institute may be said to make promising efforts to fly, if, indeed, it cannot be held to be fully fledged. It is not strong enough to publish all its own reports. The Harvard Art Club and Philological Society have paid the cost of the elaborate *prolegomena* on the ruins of Assos, Asia Minor, forwarded by Mr. Joseph Thacher Clarke and his assistants, and the Third Annual Report of the Executive Committee holds an appeal to the liberal for contributions toward a more thorough and comprehensive sifting of the Assos ruins by the same able excavator. It is true that much is said, in forcible language, of the need of work in archæology strictly American. Therein the last report differs favorably from that presented in May, 1880, when the desirability of working the site of Greek settlements led the committee to make unnecessary capital out of certain facts regarding American archæology. The latter, we were told, relates "to the monuments of a race that never attained to a high degree of civilization, and that has left no trustworthy records of continuous history. It was a race whose intelligence was, for the most part, of a low order; whose sentiments and emotions were confined within a narrow range, and whose imagination was never quickened to find expression for itself in poetic or artistic forms of beauty." Not content with this partial and misleading statement, the committee added, entirely untruly: "From what it was, or what it did, nothing is to be learned that has any direct bearing on the progress of civilization." This mistaken zeal appears to have sprung from an undue prominence in the minds of the committee of classical studies. They forgot, or chose to forget, the claims of ethnology. They appear to have been blind to the fact that, notwithstanding the greatness of the Greeks in all departments of thought, there is a large way of looking at archæology, namely, as a study of the appearance of man on the globe through the traces he has left behind him, in which study the Greeks can only take their place as one, though a highly important, race. Without wishing to disparage in the least the results obtained by the Assos expedition, results not brilliant, but sound and extremely useful, or to object to an American archæologist who works in whatever part of the world he thinks best, yet it does seem that Americans ought to labor in America, if there is any preference to be made. And why? Not because the classics are to be despised or classic architecture and art slighted—any part of the globe is open to the archæologist. Nor because there is anything in the Know-Nothing cry of America for the Americans. The world of science knows no boundaries or nationalities, and only admits of the healthy stimulus of

national emulations. Nor because, at times, we are somewhat tartly reminded by Europeans that we had better work on our own ground instead of pottering in their footsteps. Their criticism may or may not be worth considering. But because few, if any Europeans, are working systematically at American archæology; the field is comparatively unoccupied; and because a race of the grade we will call partly civilized (for need of a term more accurate), like the Indians of Mexico and Peru, leave behind them as a rule memorials that are extremely perishable, whether from the rudeness of their art, or the peculiar traits of the climate under which they are found.

Arguments or suggestions similar to this must have been brought to bear on the committee, for in their recent report the need of setting vigorously to work on this continent is fully stated. It is great satisfaction to read: "The work is anything but one of barren antiquarianism. We are dealing, it is true, with savage and barbarous tribes, and aggregations of tribes, who have done nothing for the higher progress of mankind; but the questions involved are as broad and far-reaching as any in the whole field of inquiry

concerning man." "The vast work of American archæology and anthropology is only begun." One may pardon the continued insinuation about the "higher progress of mankind" for the pleasure of seeing the right spirit appear. Other archæology need not be neglected, but American work should absorb the chief powers of the Institute.

We are surprised to find that less than two hundred members were reported at the third meeting of the Institute. The annual dues are only \$10.00, but in America it would seem to be easier to obtain large sums from rich men to put up separate college-buildings, or to carry on separate charitable or other institutions, than to obtain numerous annual subscribers in help of a purely scientific object,—men who will be content, as their reward, to enjoy the interesting special publications of a society, and the consciousness that they are helping on a good cause. It is different in the older countries, and as culture is extended in America this sort of subscription will become more common. Meantime, we hope to see the membership of the American Archæological Institute doubled before the next annual report.

LITERATURE.

Sanborn's "Thoreau."*

Mr. Sanborn's "Life of Thoreau" will be a disappointment to those who expected a business-like and straightforward biography. He seems to have felt called upon to write the story of Thoreau's environment rather than of his life. Village anecdotes and the genealogies of Barretts, Ripleys, and other families of embattled farmers and parsons, fill half the volume. The book is readable and will have a personal interest for the frequenters of the Concord summer school of philosophy, and for others who have enjoyed the charming society of the transcendental Mecca,—intellectual without stiffness, and simple, yet not provincial. But it is to be feared that readers who have no associations with the town will find the author's pleasant gossip somewhat irrelevant. Three men of genius have illustrated the annals of Concord, and it is as the home of Emerson, Hawthorne, and Thoreau that the town is interesting. But a thorough-going Concordian always finds it hard to understand that the world is not equally interested in every other person and thing connected with the sacred soil.

Emerson's little sketch of Thoreau, introducing the latter's "Excursions," remains still the best interpretation of his life and genius, outside his own writings. Of the two other lives that have been written, that by "H. A. Page," a British writer, is mainly a rescript from Thoreau's books, and is stupidly mistaken in its critical positions; while Mr. Ellery Channing's is a study rather than a life, and is, moreover, so disfigured by affectations that it can hardly be read without pro-

fanity. Mr. Sanborn's book is unlike these, in being at once appreciative and sober. But the slenderness of its material suggests a doubt whether his subject's outward life was eventful enough to support a regular biography. A man who stayed at home, who never married, who shunned the society of men for that of nature and his own thoughts, and who has recorded the last quite fully in his journals and published works, leaves his biographers very little to do.

The most individual note in Thoreau was his inhumanity. He tried to free himself from man and to realize the unconscious life of nature,—to get at the heart of it. "What are the trees saying?" "Man is only the point where I stand." It is therefore a little amusing to learn from Mr. Sanborn that Emerson, with an artistic instinct for unity of impression, objected to the insertion, in the collection of Thoreau's letters printed in 1865, of passages containing "Some tokens of natural affection." A further disturbance of our ideal is this recitation of what befell in his last illness. "Once or twice he shed tears. Upon hearing a wandering musician in the street playing some tune of his childhood he might never hear again, he wept and said to his mother, 'Give him some money for me!'" Perhaps the journals which Mr. Blake means to publish will reveal still more of the tenderness underlying that "perfect piece of stoicism" which Emerson wished to exhibit. It is due to the memory of Thoreau, and creditable to Mr. Sanborn's friendship for him, to let us feel that warm side of his nature which he constantly turns away from his readers. But one can easily sympathize with Emerson's fear of marring "his classic statue" by intruding upon the reserve of that fine and lofty spirit which was Thoreau.

* Henry D. Thoreau. By F. B. Sanborn. Boston: Houghton, Mifflin & Co. (American Men of Letters Series.)

TOPICS OF THE TIME.

The "Revolution" in American Politics.

IN referring to the recent elections, we wish to call attention first to a few special points :

1. It is usual, in all free countries, for reactionary tides to set in and sweep away a party which has been long in power; but it is seldom that such reactions take place against an actual administration in times of great prosperity. It is true that the reaction in England against Beaconsfield was a moral and political movement; at the same time, there is considerable truth in the assertion that the endless and damaging autumn rains had well-nigh as much to do with the Liberal success as did the damaging and endless speeches of Gladstone. But the reaction of the late American elections was entirely a moral one; if the country farmer and city merchant thought it was "about time for a change," this opinion was not the unconscious effect of sordid or meteorological considerations.

2. So far as newspapers had to do with the result—and they had, of course, greatly to do with it—it is evident that the Republican party was beaten by Republican newspapers, no less than by Republican votes.

3. It is a notable sign of the times that there have of late been no discussions, even, of the right of a voter to "scratch" the ticket of his party. A large proportion of the Republican voters of the State of New York, where the reaction against the administration was most violent, wasted no time nor scruples in the matter of scratching the ticket "the machine" had prepared for them, but deliberately and eagerly deposited their votes for the candidates of the party to which for a life-time they had been opposed.

4. Recent events have proved again that the machine methods of party government do not develop leaders capable, on occasion, of taking broad, statesman-like, and saving views. Men that are adepts in packing a primary, running a convention, and using the spoils-system for purely personal ends, naturally fail at the very moment when a certain moral penetration is needed. Such men can count only upon the votes they purchase, either directly or indirectly. They necessarily have a low opinion of human nature, and do not allow its proper weight to those strong human elements—conscience, and a sense of decency. They forget even the universal faculty of memory, which, though sometimes obscured, still exists and holds fast, for instance, such deep political, as well as personal, impressions as were made upon millions of minds by the assassination of President Garfield.

5. Not only do our modern machine methods fail in producing accomplished leaders, but they appear to have a steadily deteriorating effect upon the brains of the whole set of managers, great and little. The spoils-system makes a certain kind of success comparatively easy for unscrupulous men; but it would seem that the more experience a partisan manager has in the spoils-system, the more unsafe does he become as a partisan manager.

That the great political reaction of 1882 had no mere partisan significance, no one has been more quick to see than the gentleman who has been elected to the Governorship of New York, by a vote unprecedented, we believe, in American politics. On the very night of the election, Mr. Cleveland is reported to have said that the revolution meant not so much the turning of public sentiment to the Democratic party as it did dissatisfaction with the Republican party. "The change," he added, "means reform and good government!"

If Mr. Cleveland and his party throughout the country live up to this programme of "reform and good government," they will have a long hold of power; for the revolution just accomplished (with some regrettable and grotesque accidents, as in all revolutions) had this programme for its main object. It is evident enough now that the people are disgusted with a party that has lost its sincerity; that pretends, but no longer performs; that, from being a party with a moral purpose, has been changed by its leaders into a party with an immoral purpose. The people demand "reform and good government," and, if they cannot get these from one side, they will get them from another; and if they cannot get them from either of the two great parties which now divide the suffrages of the nation, they will dismiss them both without remorse, as in past epochs, and will create another party to do the work. But whether or no we have a new party, now is the time for new men. Power will not be willingly left in the hands of thrifty renegades to the cause of "reform and good government." In other words, the acceptable leaders of the next ten years will not be men whose conversion to "civil service reform" has been by earthquake.

"Quantics."

A WRITER in the "St. James's Gazette" says that Professor Sylvester tells an admirably illustrative story about one of his students at the Johns Hopkins University:

"This aspiring youth wanted to become a mathematician; and he had heard that at the topmost summit of the mathematical tree stood a mysterious subject known as the doctrine of 'quantics,' a calculus of calculi, only to be grasped by the very furthest stretch of the abstract mathematical faculty. So he came and asked to be taught 'quantics.' It was in vain that Professor Sylvester suggested simpler preliminary geometrical and algebraical studies; the young man wanted to learn 'quantics,' and nothing but 'quantics' would he have."

This anecdote is intended to show that Americans are in haste to get on, and are not disposed to submit in patience to the training requisite for the highest success. This is true. It is the fault of hopeful, eager youth who see great opportunities opening on every side, for fame, for fortune, for usefulness, for

enjoyment. They aim at the best without always attaining to it. They see the rapid advancement which civilized society has made in the domain of a new continent, and they unconsciously participate in the rapid movements of the times in which they live. How could it be otherwise in a land like this,—especially if it be true that this century (as Dumas, the French physicist, has said) is to be known in history “as the age of electricity.”

The criticism of the “*St. James's Gazette*” is, however, rough. It does not show any nice appreciation of the circumstances it discusses. Most English observers of this country judge it from afar—by the capitals in the newspapers, by sensational reports in telegraphic dispatches, by the foolish and provoking parade of personalities in political, ecclesiastical, and social affairs. Even the semi-authorized report of Herbert Spencer's impressions does not indicate that he has fully mastered the situation, though many of his comments are sound and sagacious. Nevertheless, all thoughtful Americans ought to, and they do, weigh, calmly and accurately, the criticisms which foreigners make upon our social life and its tendencies. Such remarks will include a great deal that is true and suggestive, with a spice of that which is false and provoking—but the digestion of it all will be wholesome.

Are the critics not right when they say that the Americans are unwilling to take the pains which are requisite to secure the highest results? Ask a college professor, for example, if the youth come up for matriculation well prepared; ask the editor what sort of manuscripts are offered for his inspection from writers who are eager to make their appearance in print; ask the elders in charge of a vacant pulpit if it is easy to find a new minister; ask in regard to medical education, what proportion of the young doctors annually graduated are fitly trained for their profession; ask for an architect to build a sightly and substantial public building; ask the school committee what sort of candidates offer for vacant places; ask the judges of portrait-painting how many true artists there are in this branch of art. Everywhere the answer may be heard: “many are called”—writers, teachers, artists, architects, physicians—but few are worthy to be “chosen.”

So we go on, not so steadily, not so safely, not so wisely as we ought. But the country is so vast, the natural resources are so rich, the freedom is so delightful, and the inheritance so abundant of the best which the world has produced, that we are, as a whole, a happy and contented people. We might, however, be happier in the present if our capacities were more judiciously enlarged and educated,—and surer that the inheritance we possess would be handed down unimpaired to those coming after us.

Meanwhile, if it is necessary, for the sake of a verdict, that the defendant should answer the prosecutor, we may, perhaps, be allowed to add that the writer in the “*St. James's*” has replied in this article of his to the very query he propounds. He “wonders whether we in Europe, too, are ultimately to give way upon this silly prepossession, and to admit the equal power of everybody to discourse without previous preparation upon every conceivable subject at a moment's notice.” The American readers of “*St.*

James's” can give him their impressions on this point. For, in his hasty and ill-tempered, though partly just, criticism, he has sought only for facts to prove his point.

We do not know whether the story about Professor Sylvester is true or not, but it bears the marks of verisimilitude. Yet, after all, it is no discredit to the country or the youth that there is such a preëminent professor of mathematics among us, and that his presence is inspiring even to those who are but tyros. We can tell a story which is suggested by that of the “*St. James's*.” A few years ago a young school-master of Pennsylvania, sharing, though more wisely than the tyro, the American enthusiasm for the best things, and especially for quantics, went to Baltimore to study with Professor Sylvester, with this result, that before long the writings of that young man were used as a textbook in the University of Cambridge, England.

Christmas.

THE almost universal observance of Christmas can hardly be accepted as an indication of a growing interest in the Christian fact which it celebrates, when we remember that it is the one religious festival which not only combines the pagan and Christian sentiments, but in which the pagan sentiment speaks with a more obvious appeal than does the spiritual, to the purely secular side of our nature. The green boughs brought from the frosty woods to freshen our over-civilized homes, and to hide or enhance our restlessly decorated churches, re-awaken the instinct which, in barbarous ages, frankly claimed outdoor nature as the sphere of man's home and religion. The lighted tree, apart from any Christian association, has a charm of its own, fascinating to the veriest skeptic; and the Christmas cheer, the realizing of the gregarious instinct under conditions of civilized feeling, the intense recognition of human ties expressed in seasonable gifts, can hardly be claimed as the product of the purely Christian element in the day. Indeed we suspect that not a little of “Christmas joy” has no deeper source than a Pagan defiance of winter's cold, as though the heart should cry to its chilling demands: “I defy you! I shall revel and be happy in spite of you!”

It is evident that a festival making such an unmistakable appeal to the secular side of our life—the pagan side—offers it a tempting point of compromise with the spiritual significance of the day which many a secularist has already availed himself of. Men whose adjacency to the Christian religion forbids being quite pagan in feeling, and men whose paganism forbids being quite Christian in faith, find a sentimental use of Christmas sufficient. They would probably say: “While you Christians rejoice to celebrate your divine child born in Bethlehem, let us rejoice to celebrate all human births everywhere. Light your Christmas-tree in honor of your Christ-child, of whom we know nothing, while we light ours to shine upon the children gathered around our knee. Keep your legend or fact of the angel-song, the ‘Peace, good-will,’ the guiding star, the Magi bowing and prophesying at the manger. Enough for us the ‘Peace, good-will’ from lips that we know and love, that we see a star of hope above our own home, that

our best wisdom confesses childhood's power to bend it at its cradle." It is obvious, however, that such a sentimental use of Christmas indicates a practical rejection of Christianity as a spiritual force. It is only when anything ceases to be regarded as a power that it is accepted as a picturesque ornament. In religious matters, at least, sentimentalism is the evaporation of power; and, in this growing use of the great Christian festival, we see in advance what the whole Christian religion might become should faith in its spiritual force become universally extinct. The unbelieving world would retain it, as the sentimentalist does now, to supply, with the satisfactions of an exquisitely picturesque mythology, those gentler feelings of our nature for which the energies of civilization make no provision. Christian people of a theological cast would be surprised to know how many have already turned over their religion from the conscience to the taste, and how many more are beginning to reject it, not so much as a disproved as an exhausted religion. The old-fashioned "infidelity" which claimed that Christianity was a delusion from the very first, has given place to the idea that whatever moral power it may have had has spent itself, and that the real center of ethical life is elsewhere. Fifty years ago an "infidel" was always suspected—often justly—of denying the Christian faith in order to escape its judgment upon his own ill-regulated character. To-day a skeptic is more likely to justify his denial for the opposite reason, that Christianity fails to exert the moral power claimed for it. Very few, perhaps, hold this view as a reasoned conviction. It is rather a feeling, partly fed, perhaps, by the modern ideas of development and evolution which enable us to think of humanity as having outgrown so many of the forces which once ruled it, but a feeling whose strength is shown in the way in which so many are beginning to treat the Christian religion as of only picturesque value, to be discarded by everything in our nature more serious than the requirements of taste.

What is it in the popular religion of our day which has made it possible for such a suspicion of its moral exhaustion to grow in the midst of every so-called religious community? For although those who hold to the Christian faith have a right to ask those who reject it: "Have you tested its moral power by the final test of trying to live up to it?" such a challenge has no weight unless it suggests to the doubter a clear idea of what it is he is asked to live up to. It is the fault of Christians themselves if no such clear idea challenges the moral skepticism of the age. Certainly it will be their own fault if such skepticism does not force them to some sort of unanimous statement of what it is in their religion which must be tested by the moral necessities of mankind.

In the meantime, the power of Christianity remains a fact quite apart from the insufficient account of it given by the theories and practices of nominal believers, a fact which any intelligent person can test for himself, letting it exert in his life whatever power it has. The moment a man of mental integrity and moral earnestness determines to apply that test to Christianity before discarding it, he will find his determination the best guide to its real power. He will find his attention gradually fixed, not upon a sys-

tem, theory, code of laws, or a church, but upon a divinely human life radiating its inspiration in every age. He will discover that what he is to accept or reject belongs, not to the region of ideas, but to the region of fact. He is to reject or accept the personal influence of the Christ whose name is in all the Christmas airs, and chimes, and carols, as his spirit is in all humanity. He is to test and decide whether that life is or is not an exhausted power,—is, or is not, to be classed with the forces which the world has outgrown. Perhaps, in such an earnest attitude, his first discovery will be of his inability to pass final judgment upon the moral value of such a being. And then, as what is best in him opens to that divinely human appeal that calls from life to life, which never reached him through any of the formulated aspects of religion, he may discover that his reluctance to judge it springs from the fact that his deepest moral nature is still swayed by the very force which he once suspected of exhaustion. Such an earnest inquirer will find it easy to see how the exhaustlessness of Christianity's ethical power means only the exhaustlessness of the life at the center of it, which is itself the realization of our highest ideal. From the heart of this mighty fact of a perfectly realized life, presented as the perpetual standard of all life, issues the most universal and the profoundest encouragement that ever spoke to man—the encouragement of a divine faith in the capacity of his moral nature to adjust its desires and energies to the requirements of that standard. Here we think is reached the essentially invigorating force of the Christian religion. It shows to the universal conscience the personality of Christ as a living statement of the highest moral demand possible to be made upon human nature, and also as a living expression of the divine trust in every one's ability to respond to it.

The question of discarding Christianity, therefore, is the question of discarding an aid to moral effort which no mere system of ethics, however evolved, claims to supply,—the attractive power of a life, perfectly realized and yet in closest sympathy with the most initial desire to adopt it as the standard and inspiration of one's own character. It is hard to understand how an earnest man, who sees that the character and personality of Christ constitute the radiating center of Christianity, can discard so august a thing as though it were outgrown, until he has tested it for himself, or, in the language of common sense, has tried to live up to it. We are familiar enough with the story of intellectual reactions from Christian philosophies and theologies as powers outgrown, but we wait in vain for the man who can look the world in the face and say: "I have judged Christ himself at the bar of my conscience and found him and his ideal insufficient." Who can tell us that he has outgrown the character of Christ?

Unless Christmas has already degenerated to a pagan holiday, it surely has a special meaning for those who are beginning to suspect that the religion of the Son of Man has exhausted its power. It is the one festival through which the "highest, holiest manhood" looks into our life, claiming recognition from what is holiest in us all. As we put aside the accessories of the day and look at the heart of it, we hear an inspiring call, which, through the philosophic con-

fusion of the age, finds our conscience, as a brother's voice might reach us through the tumult of a crowd. No one keeps Christmas, nor hears its true carol, until he sees that vision. He who, having seen it, rejects it

as an exhausted spiritual force, has not so much judged Christianity as confessed himself incapable of responding to the most inspiring appeal possible to be made to the spirit of man.

COMMUNICATIONS.

"The Growth of the United States."

BOSTON, MASS., Oct. 17, 1882.

EDITOR OF THE CENTURY MAGAZINE.

SIR: In the article on "The Growth of the United States," in the October issue of your magazine, on page 924, I am sorry to note that one hypsometric group dropped out of my statement of the distribution of the population of the United States according to altitude.

The figures for the several groups should be as follows:

Under 100 feet.....	9,152,296
100 to 500.....	10,776,284
500 to 1000.....	19,024,320
1000 to 1500.....	7,904,780
1500 to 2000.....	1,878,715
2000 +	1,419,388
	<hr/>
	50,155,783

Truly yours,

Francis A. Walker.

"Lincoln's Height."

EDITOR OF THE CENTURY MAGAZINE.

SIR: I have read the communication in THE CENTURY for October, and can only reiterate that Abraham Lincoln was just *six feet one inch* when I measured him in April, 1860. As before stated, I placed him back against the studio wall, and made a mark over his head, as I had done in the case of Senator Douglas, two years before. I measured from the floor up to the mark several times, in order to be sure I was right, desiring to know the exact difference in the heights of these two men, which was just twelve inches. I thought Mr. Lincoln fairly erect when I marked on the wall. Possibly he might have stretched up an inch or two higher, but at that date it is hardly possible he could have expanded three inches in length! I am now reminded of a story told me while at Springfield, a few years since, of Mr. Lincoln's faculty for stretching himself out in length. I did not know of this, however, at the time I measured him, or I should have requested him to give his fullest height. The following is the story:

A wager was made one day in Springfield, between some friends of Mr. Lincoln and of O. M. Hatch, late secretary of the State of Illinois (also a tall, slen-

der man), as to their relative height. Mr. Hatch was first placed against the wall, so a mark could be made over his head, Mr. Lincoln remarking, at the time, "Now, Hatch, stand fair." When the mark was duly made, Mr. Lincoln was placed beside it, and at first Mr. Hatch's friends declared that they had won the wager. "Wait," said Mr. Lincoln. "The mark is not yet made for me." Then he began to stretch himself out like India rubber, and went nearly two inches above Mr. Hatch's mark, carrying off the stakes amidst the shouts and laughter of the bystanders.

In the model of the statue I made of him in 1878, I represent him six feet three and a half inches high, which is over his real life-size.

Mr. Lincoln looked taller than he really was, owing to his thin, bony, lank form.

Leonard W. Volk.

"The Taxidermal Art": A Correction.

EDITOR OF THE CENTURY MAGAZINE.

SIR: In the December issue of your magazine a clerical error has crept into the article on "The Taxidermal Art." On page 232 is Mr. Beard's illustration "Woodcock and Young," the mounting of which is credited to me. I beg to state that the beautiful little group so graphically represented was mounted by Mr. Thomas W. Fraine, of Rochester, N. Y., and is the result of a careful study of the live birds in captivity. I am unwilling that Mr. Fraine should be denied the honor and the right of having his name appear with his work, or that I should be the recipient of credit which belongs to another.

Very truly yours,

William T. Hornaday.

WASHINGTON, D. C., Nov. 23, 1882.

[We are also informed that the Harlequin duck, represented in the same article, was mounted by Mr. Scott, and not by Mr. Webster. These gentlemen being unknown to us, special care was taken to give the proper credits, and we regret exceedingly that our desire to do justice to the taxidermists in this respect should have been thwarted by misinformation. ED. C. M.]

TOPICS OF THE TIME.

Thieves—and Robbers.

HE who takes by stealth what belongs to another is a thief; he who takes, by violence what belongs to another is a robber. The robber is popularly supposed to disappear, with other predatory animals, before the progress of civilization; but this is a superficial judgment. The force that unlawfully deprives men of their property passes through many transformations, but no force is more persistent. Men are plundered nowadays in America far more frequently and flagrantly than in England in the days of Robin Hood; there are men among us beside whose robberies those of the brigands of Italy and Greece and the Bedouins of the desert are mere pleasantries. Of all the triumphs of invention none are more wonderful than those by which the hard-earned gains of millions are forcibly conveyed to the vaults of the robber-princes. No business is more highly organized, more strenuously pursued, more successfully managed than the business of robbery. Yet, under all this elaboration of method, it is robbery, nothing worse nor better.

The peculiarity of the modern method of robbery is the employment, by the robbers, of the State as their enforced agent and accomplice. Sometimes, but not often, they organize their clients and retainers into armed bands and seize the coveted booty, combining to have the State confirm possession. But the force on which they prefer to rely is the quiet and resistless force of the laws and the courts. By artfully contrived legal schemes they constrain courts to do their bidding. The judges may be unwilling instruments, yet they are bound to sanction, impartially, the working of legal processes. But what shall we say when weak or corrupt judges hasten to legalize schemes by which great corporations are wrecked or rehabilitated as suits the purposes of the conspirators?

Of the gigantic fortunes now held in this country, not a few have been gotten by legal robbery. Twenty years ago our millionaires could be counted almost on the fingers of four hands. To-day their enumeration would carry us into thousands. Since the new system of robbery was perfected, about twenty men have amassed fortunes, which, taken together, exceed the debt of the nation. Twenty years ago many of these men were poor. Some of the new millionaires have grown rich honestly, but some of them have led a raid upon the production and the accumulated wealth of the country. So Napoleonic in its boldness and success has been the method of the master robbers, that rich men of better instincts have been dazzled by it, and have adopted it openly and independently, or have lent indirect coöperation and social credit to the robber chiefs and have shared in the plunder. Men of honorable reputations, who have been crowned with public honors, have countenanced these crimes as affording the surest way of adding to their unsatisfying fortunes of ten, twenty, or even thirty millions. It is by no

means our purpose to throw discredit upon the pursuit of wealth. Honest production and the honest gains of wealth that is employed in the service of society are the bulwarks of civilization. But we do say that examples of private greed are sapping the sources of public honor; examples of gigantic and countenanced robbery are undermining the foundations of public morality and corrupting the national character.

Our legislators have failed to see, or, for private and corrupt reasons, have winked at the fact, that the laws which were made to fit old-fashioned ideas of honor and morality instead of protecting the public, are the strength and the protection of dishonest men. The old code of commercial honor is lost sight of in the complex transactions of stock-jobbers, who remain out of sight while their work is being done by conscienceless factors; by lawyers skilled in discovering loop-holes in the law and in juggling with the law; by lobbies with money at the doors of legislatures; by paper shares and paper promises to pay; by cipher messages and spies, and by abusing the facilities of stock exchanges.

It is well that our legislators are making at least the show of inquiring into the methods by which the public is robbed in the interest of stockholders, and they, in turn, are robbed by corporate managers; by which wholesale robbery is cloaked with legal forms of "consolidation," "reorganization," "receiverships," and "watered stocks"; by which men may safely conspire to pervert the natural course of production and trade, and rob the public by the artifice of "corners"; by which a man is allowed to control rival or double systems of railways, and with impunity array one against the other, as suits his varying purpose, thereby despoiling the public with the ease of a gambler playing with marked cards.

What have the people to say about these practices? They do not appear, as yet, to have anything to say. The robber princes are held in high esteem. They go about to the colleges, some of them, and Doctors of Law and Doctors of Divinity grovel at their feet; if any Mordecai has refused to bow down before them, his name has not been reported. Men whose riches have been increased by spoiling their neighbors are held up as shining examples for the imitation of our youth. So long as teachers of morality silently indorse such iniquities, it is not to be expected that the people will cry out against them. But the day is sure to come when plain men will clearly see that no one man can get with clean hands, in an ordinary lifetime, a hundred million dollars; that such an enormous pile, so suddenly collected, must be loot, not profit. That will be a day of reckoning, indeed, for the robbers and for the judges and the legislators and the public teachers who have been their accomplices.

Meantime these facts are to be kept in mind,—that we have among us a class of men who, in their rapac-

ity, are bent on enriching themselves by forcibly seizing the property of their neighbors; and that they have learned how to use for this purpose the organized force of the State. Some means must be found of putting a stop to them. Unless this be done speedily, the respect for law on which social order rests will not long survive.

The British Strawberry.

THERE was a time when it did not do for a foreigner to speak disrespectfully, even in his own country, of anything American; of our rivers, lakes, waterfalls, skies, statesmen, manners, voices, liberties, or strawberries. We had the provincial supersensitiveness to criticism. But we have been getting bravely over the weakness lately. We can, on occasion, abuse ourselves roundly; and we can listen, without ruffling, to the tarest things that are said against us by others. If you see in an American paper a truculent reply to a foreign criticism of America, ten chances to one, it is written by a foreign-born writer. The eagle does indeed sometimes spread its wings and tail feathers in prominent places—in Congress for instance; but the emitted scream is not the old-fashioned genuine Yankee scream; it is nowadays pretty sure to be known by its brogue.

At one time, we have said, the whole country possessed the provincial supersensitiveness to criticism. After that, for many years, this supersensitiveness was most marked in our Southern States. For obvious reasons, the foibles of provinciality lingered later there. The North is no longer supersensitive. The South, with the extinguishment of slavery, and the recovery of and advance in prosperity, yearly (we may almost say daily),—loses its supersensitiveness. The Southern States have wheeled into the line of human progress; its citizens are more and more serious, busy, well-informed, independent. Calamity and prosperity have, alike, been good school-teachers to them. They are becoming citizens not merely of the South, but of the Union, and of the world. A few years ago, Mr. George W. Cable, for having an opinion of his own about his own country, would have been strung up to a lamp-post in that native city of his which now is proud to do honor to his genius and to his manly independence of character.

No one can know better than the editors of THE CENTURY how generously hospitable is the English public to American literature, art, and opinion. Curiously enough, however, the supersensitiveness to criticism of which we have spoken, while gradually fading out in America, seems lately to have been developed in certain quarters of "the mother country." A singular instance of this state of mind is noticeable in the remarks that have been made abroad on certain essays in the November number of THE CENTURY MAGAZINE. Mr. Howells, in his essay on Mr. James, ventures to express his views as to a change in the manner of writing novels. In the course of his argument, he gives it as his opinion that a different kind of novel-writing has come into vogue; a kind different in form from that of Richardson and Fielding, Dickens and Thackeray, and without certain of their peculiarities; a kind derived from

Hawthorne, George Eliot, and the better modern Frenchmen, like Daudet. (He might have said derived also very largely from the Russian Tourguéneff.) Mr. Howells says that Mr. James is "shaping and directing American fiction, at least." But he asks "will the reader be content to accept a novel which is an analytic study rather than a story, which is apt to leave him arbiter of the destiny of the author's creations?"

There was something in Mr. Howells's way of saying this about the current novel that roused the ire of many readers and critics in both America and England. Mr. Howells's attitude toward Dickens and Thackeray was misunderstood by many—as he has himself explained in a note to a English friend, quoted in the London "Athenæum"; as he may possibly explain more fully in an article which he intends to write on the genius of those two great masters of fiction. Mr. Howells, we say, has been very severely criticised for what he was supposed to mean, in both American and English papers,—in American not less than in English,—the difference being that in England the expression of a purely literary opinion by a novelist, on the art of novel-writing as it now exists, was taken to be a "spread-eagle" attack by an American on those purely British institutions, Charles Dickens and William Makepeace Thackeray! The critics of the London press forgot to notice that in fixing the derivation of the modern novel—especially the American—the name of only one American was given, that of Hawthorne (see "English Men of Letters" series)! while as an unconscious offering to the equal demands of British and French sensitiveness, Mr. Howells did not fail to mention George Eliot and the fiction of France!

So sensitive have some of our good English friends become that they at times appear to lose their literary insight, and sense of humor as well. We are willing to submit to any fairly constituted international Peace Congress the question whether Mr. Warner's article on "England," in the same number of THE CENTURY, is not a good-natured, frank, mainly serious, partly humorous, literary essay. Along with its earnestness of statement is the dry humor and exaggeration of the same author's "My Summer in a Garden" and "Back-log Studies." The fact is that Mr. Warner was principally moved to write this essay on England by a cordial friendship for English people and a hearty admiration of the country. But he wrote judicially, not gushingly, not sycophantically. He wrote with admiration and enthusiasm, but with discrimination. He did not merely marshal forth a series of complimentary and superlative phrases; he criticised, sometimes solemnly, sometimes in the spirit of fun. But listen again to this, O insatiate London critic: "This little island is to-day the center of the wealth, of the solid civilization of the world!" "For any parallel to her power and possessions you must go back to ancient Rome!" "And we must add to all this that an intellectual and moral power has been put forth from England clear around the globe, and felt beyond the limits of the English tongue." In the midst of such praise of England, Mr. Warner pauses to pay his attentions to his own country; and in doing so he makes one of the most

biting criticisms of America that have been made by native or foreigner this many a long year. "What educating influence," he says, "English fiction was having upon American life" Congressmen "have not inquired, so long as it was furnished cheap and its authors were cheated of any copyright on it." This is bad enough, but it is not the statement to which we referred; only Americans can know with what shame we read the bitter and degrading avowal that follows,—that these same Congressmen, after all, "represent us intellectually and morally a good deal better than we sometimes like to admit!"

In this essay then Mr. Warner not only praises England, but abuses his own country. What more can an Englishman desire! Ah, but he gives the other side of the shield also; he does not shrink from praising "Knickerbocker's History of New York" and "The Biglow Papers,"—both notoriously products of the new world; nor does he on occasion shrink from disparaging the English shop-keeper, and the British strawberry. As the two American books named above have long ago been adopted in England itself as creditable parts of modern "English literature," we do not think the rub is there. From the criticisms we have read, and the letters we have received, it is evidently this last offense that most deeply rankles in the British bosom. And there can be no doubt that Mr. Warner has spoken with extreme disparagement either of the British strawberry, or the manner in which it is served (we are ourselves not quite sure which). We are sorry that we cannot help him or ourselves out of this difficulty. We fear it cannot be explained away, as Mr. Howells can perhaps explain away his "attack" upon Dickens and Thackeray. There it stands in the November number of THE CENTURY MAGAZINE in all its vagueness, and in all its certainty, a flagrant and continuing example of American "spread-eagleism,"—and of the lately developed English super-sensitiveness to American criticism.

P. S.—We have just received advices from England, sent since the arrival there of the December number of the magazine. Mr. James's paper, "The Point of View" has made all right again!

Law-making at Albany.

THE political complexion of several of the State legislatures which assembled at the beginning of the new year has been changed since their last session. But the conviction is growing, among reflective people, that some change more radical than a change of political complexion is needed to secure intelligent and honest legislation, and equally to secure a diminution of ignorant, or dishonest, or meddling, or superfluous legislation. In fact most of the State legislatures have fallen into public contempt. The newspapers express moderate expectations of the incoming legislature, and speed the parting legislature with hootings. There is no easier road to popularity for a governor than to treat the collective wisdom of the law-making body with ostentatious contempt, and to make a free and even "slashing" use of the veto power which is theoretically vested in him for rare emergencies.

An examination of the work done by the last legislature of New York certainly tends to confirm the disesteem of legislative wisdom expressed by the newspapers and by the governors. In mere volume, legislative activity has diminished since ten years ago, when the annual "out-put" of new laws was nearly a thousand. The increasing freedom with which recent governors have used the veto power partly accounts for this diminution, which in the last legislature was further accounted for by a dead-lock which prevented the passage of any distinctly partisan law. Nevertheless, it is still true of the legislature of New York, as was wittily said by the author of "The Commonwealth Reconstructed," that "it exhibits the natural fecundity of low organisms." There is no printed record of bills introduced, and it is perhaps a nice question whether the presumption is in favor of bills which passed both houses, or of those which failed in one house or the other. But at any rate there will be a popular presumption in favor of those which the governor allowed to become laws; and of these "Laws of New York" for the session of 1882 there were passed and have been published four hundred and eight, or between two and three for every legislative day.

The most cursory examination shows that the title, "Laws of New York," is in most cases a misnomer. Leaving out amendments to the codes (14), acts merely formal, such as releases of title and legalizations of informal official acts (35), grants and alterations of charters (58), and regulations merely local (198, or almost half of the whole number), and leaving out also appropriations and what are strictly mere bureau regulations of executive departments (64), the number of what are on their face laws of the State is reduced to sixty-four, less than one-sixth of the total volume. Not all of this select fraction are really laws. If we came upon a law providing, for instance, that all red-haired, one-eyed grocers doing business in cities of more than 15,000 and less than 20,000 inhabitants might do something not permitted to other citizens, we might be sure that the object of the statute was to benefit some individual grocer contemplated by the framer of the bill. There are bills in which the private purpose is not much more artfully disguised. Chapter 290, for example, provides in a large and general way that "any corporation" which has sold any of its real estate may, notwithstanding any prohibition in its charter, buy any land of equal value adjoining its own. Of course this is special legislation, and that it has to be granted in general terms makes it the more ridiculous, and is very likely to make it the more mischievous. Another bill of the same kind is chapter 349, which provides that a horse railroad may make use of five hundred feet or less of the track of another horse railroad in order to get from its own track to its car-house, New York and one street in Brooklyn being specially excepted. Some of these special laws can scarcely be said to be disguised. Here, for example, is chapter 216, which provides that a student at law who has been prevented from completing his course of study, "by reason of his necessary absence from such university while a member of the legislature," shall be entitled to admission to the bar on passing his examination. Here the one-eyed, red-haired grocer of our parable stands confessed. The

implication that making laws may be a satisfactory substitute for studying them shows the concurrence of the legislature in the general belief that service in the State legislature is merely an apprenticeship.

Of these sixty-four laws, there are only two which can fairly be said to have excited much public interest, or to have been enacted in answer to a public demand. These are the bill to legalize primary elections, of which the aim is doubtless good, although it is doubtful whether the means provided are sufficient to attain it, and the Railroad Commission Bill, of which much the same is to be said. The subject which seems to have excited most attention in the legislature itself seems to have been the manufacture and sale of oleomargarine, and the treatment of this subject furnishes a characteristic illustration of the capacity of the legislature for its work. The object of all the bills on the subject introduced was the same, to prevent the sale of oleomargarine as butter, or of cheese adulterated with lard as unadulterated cheese. It ought not to be a great strain upon the human intellect to draw a single clear and sufficient act to effect this purpose. But it seems to have been beyond the assembled wisdom of the legislature. So the legislature passed four laws. The first and second (chapters 214 and 215) became laws on the same day, and presumably passed the scrutiny of the same intelligent committee. Chapter 214 makes the coloring of oleomargarine and lard cheese, in imitation of butter and cheese respectively, a misdemeanor punishable by a fine of not less than \$50 nor more than \$200, or by imprisonment for not less than thirty nor more than ninety days, or by both. Chapter 215 repeats chapter 214, with variations, prohibiting the imitation in color even of butter artificially colored ("with or without coloring matter"), and takes in "keepers of hotels, restaurants and boarding-houses" (what, by the way, is the legal definition of a "boarding-house"?) as well as makers and dealers, and makes the penalty a fine of not less than \$50 nor more than \$200, half to go to the informer and half to the poor, or an imprisonment of not less than ten nor more than thirty days. Thus the State of New York, by two laws passed on the same day, prescribes two different penalties for the same offense. But the wisdom of the legislature did not stop here. Chapter 238 provides that every person who manufactures for sale, or offers for sale, or exports to a foreign country any substance in semblance of butter and cheese "not the legitimate product of the dairy," shall brand the same "oleomargarine butter" or "imitation cheese," as the case may be, "in Roman letters not less than one-half inch in length." If he does not he is liable to a fine of \$100, with costs, for each offense, besides being subject to a prosecution for misdemeanor, punishable by a fine of not less than \$50 nor more than \$200, or by imprisonment for not less than ten nor more than twenty days, or by both. This ought to settle the wretch, but the legislature returns to the charge with unabated fury in chapter 246. "Any person who shall hereafter sell, either at wholesale or retail, any oleomargarine, butterine, suine, or other substance not butter, and represent the same to be butter, shall be fined not less than \$25, or be imprisoned for thirty days or less, or both." And then, as a second section, follows this mysterious but delightful addition: "The sale by any person of

such oleomargarine, butterine, suine, or other substance not butter, representing the same to be butter, shall be deemed presumptive evidence of the guilt of such person."

This is a fair enough exhibition of the manner in which the legislative intellect grapples with a "giant evil." Four separate, and, in some respects, incongruous acts are passed in addition to those already on the statute book, to attain a purpose which might have been fully attained by a single act. And this illustrates the manner in which the statute books become choked with rubbish. It must not be supposed that all, even of these general laws, are really of general application. To one law, for example, making public property all drains and ditches dug before 1872, which have since been maintained at the public cost, there is a considerable exception of fourteen counties; and a bill was passed excepting fifteen counties from the operations of the County Treasurers' Act. This facility of exception is a great promoter of reckless legislation. A legislator who imagines that his constituents will not like a law dispenses himself from the necessity of examining it by proposing that his county shall be excepted, and the exceptions sometimes apply to more of the people of the State than the rule; and there are instances of bills that have been passed with every county of the State exempted from their operation except the county of the mover. In truth, the notion of a law, in Hooker's sense or in Bentham's, seems never to have entered the minds of the makers of laws for the State of New York.

It is, however, in bills professedly local that this lawlessness of law, this literally "unprincipled" character of legislation, is most manifest. It is in these also that the "jobs" of a session are to be looked for, while a very moderate degree of skill suffices to conceal them from an investigator unacquainted with the local circumstances. It will surprise most readers to learn, however, that local regulations actually make changes in the substantial rights and remedies of citizens in different parts of the State. Chapter 119 discloses the existence of a special mechanics' lien law in Onondaga County. Chapter 171 amends an act of 1871 in relation to "persons who abandon or threaten to abandon their families in the County of Kings." Even if, at the date of the original law, there was so general an upheaval of the social fabric in Kings County as to demand that its heads of families should be put under bonds to live with their families, the domestic morality of that region must since have been so nearly assimilated to that of the rest of the State as no longer to require a keen and special terror of the law. There are many laws of 1882 exempting particular places from the operation of general laws. There are seven laws extending the time for the payment of taxes in districts not known to have been devastated by pestilence or famine, and two enforcing the collection of taxes in other districts. There is a law relating to arrests without process in Schenectady, which, if it is good for Schenectady, is manifestly good for all other places in the State. There is a comic act requiring a person whose leg is about to be broken by a defective bridge or sidewalk in Schenectady to give twenty-four hours' notice of his danger to "the superintendent of streets," in order to make the city liable

for damages. One wonders what is imagined to be the function of a superintendent of streets in Schenectady.

These one hundred and ninety-eight measures, constituting nearly half in number and more than half in volume of the work of the last legislature, are a mighty maze, and quite without a plan. It is impossible to classify them according to any principle, since they betray none; and all but impossible to classify them according to the objects sought to be attained, so miscellaneous are they. The most noticeable thing about them is the triviality of their subject-matter. When there is no question of politics, any importunate legislator seems to be able to "get through" whatever any important constituent desires to be got through. Almost complete local self-government in some cities and villages is contrasted with almost complete wardship to the legislature in others. Cherry Valley is authorized to spend money for certain specified purposes, "and for any other improvements which a majority of the trustees may deem proper," while Utica must have a special law to build an engine-house, and Lockport a special law to buy \$1000 worth of hose, and the village of Sherburne a special law to spend \$250 on a survey for a water supply. There is a general law for villages, it appears, but the existence of the rule is only made manifest through the multitude of the exceptions. Special laws were passed last session for fifty-four cities and villages. In almost every bill it is evident that the legislature can know nothing about the merits of the case, but must pass it on trust, because it is believed to be approved by the people concerned. And why, in the name of all that is rational, should it not be left to the people concerned to say what they will do with their own?

A bill was introduced into the legislature of 1881 containing a proposition to amend the constitution of New York by restricting the legislature to the passage of laws applicable to all cities or incorporated villages alike, and restricting local self-government only by providing that a direct popular vote should be required to increase the debt of any municipality. If this proposition had become part of the organic law, 198 laws, or half the annual out-put would last year have been saved; 42 more, if executive officers, or courts, were given the power of correcting informalities in local offices, of granting formal releases of title, and the former of making their own bureau regulations; and 58 more, if all charters were granted under general laws. If the power of passing special laws of these several kinds had been taken away from the legislature, three-fourths of its work for the past session would have disappeared, and when you examine the treatment by the legislature of the remaining bills, the subject-matter of which is clearly within the province of a legislature, the question what is the public use of the legislature at all, presents itself as a "question of urgency." For assuredly there was not a single law passed by the legislature of 1882, the postponement of which for a year could have brought any public mischief. Not only the constitutional convention, the real legislature of the State, but the municipal commission, and every other body which undertakes in earnest to effect any important improvement in State affairs, finds one of the first conditions of success to be the restraint of legislative activity, and the putting of

an artificial check upon "the natural fecundity of low organisms." If we cannot attain millennial sessions of such a body, it seems that the mild palliative of biennial sessions, which would afford a fair chance of cutting down the birth-rate one-half, might be applied without the least danger of bringing on any public calamity. The clear saving every other year of \$373,000—\$340,000 for compensation and mileage to members and officers of the legislature, and \$33,000 for contingent expenses—though the most direct, is one of the least of the advantages that might reasonably be expected from that change.

Free Art.*

If a dangerous fallacy is in vogue and has obtained a powerful influence over many minds, the first step in the direction of its extinction is to find a clear and uncompromising statement of it. We are, therefore, much pleased to find a statement in the recent report to Congress of the Tariff Commission that "the advance in the duties on works of art" was "made for the encouragement of original American art." This was undoubtedly the view of the case taken by the politicians of Congress in making the present rates; and this view of the case was undoubtedly imposed upon our national legislators by those American artists who worked for a "protective" art tariff, with the intention of making a "corner" in art in the new world for their own especial benefit and that of their friends and cronies. As these gentlemen, or their survivors, are probably anxious to have their share in the matter now quite forgotten, we will name no names. Let us try to forget this, with many another shady episode of the Dark Ages!

But if it is fortunate to find a fallacy boldly and clearly announced, it is still more fortunate to find its opposing truth put with equal bravery and distinctness. A few days before the Tariff Commission report was made public, the public heard a better gospel announced in a resolution of the Society of American Artists which was passed unanimously November 7, 1882, in words as follows:

RESOLVED: That the attention of the present Tariff Commission and of Congress should be called to the fact that, whereas the United States of America is the only leading nation in the world that has not inherited the works of art of any great epoch of the past, it is, at the same time, the only nation that puts a penalty, by means of a tariff, upon the importation of works of art, both ancient and modern, and that, in the opinion of this society, all works of art should be excepted from the payment of duties, both in the interest of art in general, and of American art in particular.

WILL H. LOW,
Secretary.

WYATT EATON,
President.

It is not necessary for us to call attention to the fact that the Society of American Artists contains a considerable part of the artistic talent of the country. Its membership is not confined to the juniors of the

*See "Art and the Stupidities of the Tariff," by Dr. Holland, "Topics" for February, 1881. Also "Communications," in the same number.

profession, but it includes in its ranks most of the older men whose art is abreast with the times. It can be truthfully said of this society that in its own exhibitions and elsewhere it has greatly helped to redeem American art from the stigma of ignorance and provinciality. It is largely—of course not exclusively—upon the members of this society that the future of our art depends; it is largely from its membership that the Academy is now wisely recruiting its own ranks. The decided utterance of such a society cannot fail to have great weight. It is to be hoped that the Academy, as a body, will now add its testimony on the side of culture and enlightenment. We are sure that many of its better-educated and more liberal-minded members will be glad to bear individual testimony in favor of removing the penalty inflicted upon all persons who presume to bring art works into the United States. As we go to press we learn that the Boston Art Club has put itself right on the record on this vital question, and we have no doubt that similar action will be taken by art societies throughout the United States.

There were formerly two points urged in favor of a "protective tariff" on art-works. One was that foreign artists could live at home on less money, therefore could "produce" pictures at less expense, and had, therefore an unfair advantage in competition with the "home producer." One would think that such an argument as this, an argument confounding art with manufacture, pictures with potato-mashers, or whatever it is that the tariff "protects," must have emanated from the brain of a Congressional representative of some "manufacturing district." On the contrary, we have never known this insult to the profession to be given forth except from the lips of some venerable and well-to-do National Academician!

The other argument advanced is an insult, not so much to our artists as to the intelligence of the country at large, and of picture buyers in particular; namely, that unless the public are "protected" by a tariff on works of art, the country will be overrun with painted and sculptured rubbish from the old world, the idea being that good pictures will not be bought when bad ones can be had! This, we believe, is not only the most degrading argument yet advanced in favor of a tariff, and a high tariff, on art works, but it is the most humorously illogical. If a buyer knows enough to buy good pictures, is he going to buy rubbish simply because the country is flooded with it? And if a man likes bad pictures, either dear or cheap, will he be under the necessity of sending to Europe for them? We should say rather that if the extinction of the tariff does have the effect of making the country swarm with painted rubbish from Europe, the only distinctive thing in the way of modern art would be a picture painted by a native artist. Even a commonplace American painter, under such circumstances might have a better show than ever before.

If the Society of American Artists, who have done themselves so much credit by passing unanimously the resolution quoted above, were asked to explain their position more fully, they would probably say that art is not manufacture; that true art can flourish in no community where taste is not cultivated and keyed up by the contemplation of the best works of art, either in the original or by reproduction; that artists them-

selves especially need the example and stimulus furnished by the art productions of other hands and lands, both ancient and modern; and that every barrier against the free introduction into a country of art works, either in the original or in reproduction, is a barrier against the advance of art.

If the society had been asked for fresh examples of injury it might, perhaps, have referred to several conspicuous "modern instances," not only of the inhospitality and hardship of the tariff, but of its actual detriment to the cause of art and to the dissemination of interest in and taste for art productions. No one will deny the good accomplished by the visit to this country of such eminent and able artists as Mr. Seymour Haden and Mr. Hubert Herkomer. One need not make any undue claims as to the value of their specific teachings in order to insist upon the great good to artists themselves, and to those interested in art, of the independent and clearly expressed views of strong men like these. The very presence of such artists along with the contemporaneous public exhibition of their works, serves as a stimulus to our own artists, and an instruction to the public. But see how our great, rich, powerful, and supposedly hospitable country treats Mr. Herkomer! It lays violent hands upon all the drawings, etchings, paintings, he brings over—not for sale, but to let us look at merely—it lays violent hands upon them, and after keeping them in its possession for we know not how many anxious days, mulcts the unfortunate artist in a good round sum of hundreds of dollars. Mr. Seymour Haden, having been apprised in time of the abomination of our desolations of imported art, prudently refrained from bringing over those valuable works of art with which it was his desire to illustrate his American lectures on original engraving. He estimated that he would have to pay to the United States Government (a government whose annual surplus is one hundred and forty-five millions of dollars) the sum of five thousand dollars cash for the privilege of fully illustrating and elucidating his lectures on art to American audiences!

The American tariff on works of art is without precedent in the civilized or barbarous world of to-day. Other governments exert themselves to obtain works of art from abroad, and to hold fast those which conquest, purchase, or native genius has given them. The one great country of the world that has neither inherited nor produced great works of art is the one country of the world that, through the short-sighted selfishness of a passed, or passing, generation of artists, and the proverbial ignorance and stupidity of its legislators in all æsthetic matters, sets up a troublesome barrier against the admission of art works to any part of its enormous domains! And it does it by means of a law which in effect discriminates in favor of the rich, and against the poor man,—who might be content with a photograph, a plaster cast, an engraving, or an original not made costly by an excessive impost. The Tariff Commission has openly declared that the present duties are for the protection of home artists. Every American artist who avowedly or tacitly consents to the tariff as it is, and who refuses to join in the movement now started for its entire abrogation, should be down on the records, and descend to history, as an obstructionist, as a child of darkness, and not of light.

COMMUNICATIONS.

Judicial Oaths and Affirmations.

EDITOR OF THE CENTURY MAGAZINE.

SIR: Archdeacon Paley, in his "Moral and Political Philosophy," said that in no country are the words of an oath worse contrived to convey its meaning or impress its obligations than in England; the accusation applies with equal justice to most of our States, where the same form still prevails. The concluding words of the oath upon which all the other words are understood to depend are "So help me God"; and their meaning, as defined by the principal writers upon the subject, is that the swearer thereby invokes the vengeance of the Almighty, and renounces His pardon if what he swears to be not strictly true. The tendency of such an oath, as usually administered, must be, if no worse, to confuse the mind of the person taking it as to its true meaning, to impair the reverence which is due to the sacred name of Deity, and thereby to defeat the very object for which an oath is designed. The force of the sentence quoted is said to lie in the word *so*, meaning *upon condition* of my speaking the truth, or performing the promise, and not otherwise may God help me or save me. An ancient form had the additional words *at thy holy dome*; that is, so help me at the last day, or day of judgment. The Latin words known to have been used as early as the sixth century, whence the English form was taken, ran thus: *Sic me Deus adjuvet et hæc sancta Evangelia*. With the latter clause, which is now omitted in the English form, originated the custom of kissing the Gospels. This oath was imitated from the pagan form of the ancient Romans, wherein the juror held a stone in his hand and invoked a curse upon himself, should he swear falsely.

Thus, it will be seen that the idea of a curse or imprecation has been attached to the words from the earliest times, and an imprecation of some sort appears indeed to have been an essential feature of every ancient form of oath with which we are acquainted. But the primitive Christians, who interpreted literally the command of their Master, "Swear not at all," refused to utter any imprecation, and for judicial purposes under the Christian emperors of Rome there was substituted a form of religious asseveration as *in the presence* of God. When, however, priestly power began to flourish, and the Church fell away from its pristine purity, oaths of cursing or imprecation were again introduced, and thus became imported into the customs of England. Although, by the common law, no special form of oath was requisite, yet, by the practice of the Courts, an oath concluding with the imprecatory words before referred to was universally tendered to witnesses and jurors who professed a belief in the Deity. But as there were some who, upon conscientious grounds, refused to swear, it became necessary, in the interest of justice, no less than of humanity, that some provision should be made for those who were thus scrupulous. The first

British statute on this subject was enacted in 1696 [7 and 8 Wm. 3., Ch. 34] for the benefit of the people called Quakers, and provided that instead of an oath they should be permitted to make a solemn affirmation or declaration in these words: "I, A. B., do declare, in the presence of Almighty God, the witness of the truth of what I say." By subsequent legislation, the privilege was extended to the sects called Moravians and Separatists, and in the case of the Quakers all appeal to the Deity was stricken from the required form. Yet the evidence of those persons who refused to take an oath was not admitted in criminal cases for still a century later. All such disability is, however, removed by the Common Law Procedure Act, and under it all persons, without distinction of sect, who shall satisfy the court or officer of his conscientious scruple, may affirm without any appeal to the Deity, subject, however, to the penalties of perjury in case of a false affirmation.

In this country, nearly all the States have passed similar acts, substituting a solemn affirmation in all cases where the person is conscientiously scrupulous of taking an oath. In some of the States, no question of conscience is raised, but the taking of the one or the other is a mere matter of choice. In many of them also, when forms of oath in certain cases are prescribed by statute, words of imprecation have no place in such forms. In the Federal Courts, and in all proceedings under the general laws of the United States a solemn affirmation may be taken by any one in lieu of an oath. These changes show that with us and in England, the oath is no longer deemed essential in order to bind a man to veracity.

According to Lord Hardwicke, all that is necessary to an oath is an appeal to the Supreme Being, as thinking Him the rewarder of truth and avenger of falsehood. And Lord Coke himself, although generally esteemed somewhat narrow in his conception of an oath, inasmuch as he considered that none but a Christian was qualified to take one, yet was so far advanced as to define its essential feature to be simply "calling Almighty God to witness" the truth of the testimony. The design of an oath is now understood to be, not to call the attention of God to man, but of man to God. Not to call on Him to punish the wrong-doer, but on man to remember that He will. In this view, the imprecatory words become totally unnecessary, and for a believer in the Deity a solemn affirmation taken as in His presence expresses all that is required in an oath.

In France, there is no appeal in words to the Supreme Being, but the person whilst making his declaration, holds up his right hand, which action is understood to imply an oath. Formerly an exception to this form was made in the case of the clergy, who instead of raising the hand placed it upon the breast. Recent action in the Chamber of Deputies in that country; the discussions growing out of the Bradlaugh case in the British Parliament, and the com-

ments thereupon which have from time to time appeared in the public journals on this side the water, indicate a growing sentiment in Christian communities against the use of any oath.

Of the evil tendency of the imprecatory clause so lightly taken in the multiplicity of oaths used among us, no argument can at this day be needed to convince any thoughtful person. If then, the evil of a custom which has so long had a hold upon our institutions be acknowledged, some may ask, what is the remedy? My answer is that, there are three. (1) Let every conscientious person without regard to sect, invariably refuse to take an oath in the form objected to, and claim his right, which, as we have seen, is now almost universally accorded, of substituting an affirmation. (2) Let the judges of our courts having authority to prescribe rules for the qualifying of witnesses and jurors strike from the oath the imprecatory words in all cases within their respective jurisdictions. (3) Let the legislatures of each of our states when assembled, pass an act definitely prohibiting the use of such words in every form of oath, or providing for an affirmation (subject for its violation to the penalties of perjury) to be taken in lieu of an oath by every one without distinction. The first of these remedies is a very simple one. If it were generally availed of the second and third would speedily follow, and the form of oath now so common would come to be looked upon with just abhorrence. Yours truly,

Benjamin P. Moorc.

BALTIMORE, MD., Dec. 10, 1882.

Vandalism in "Saint Sophia."

EDITOR OF THE CENTURY MAGAZINE:

SIR: AMONG the multitudes of tourists who almost daily visit the mosque of Saint Sophia, in Constantinople, there are probably few who do not carry away with them a number of fragments of the colored glass used in the Byzantine mosaic with which this ancient edifice is profusely decorated. The youth who has undertaken to supply the increasing demand for these interesting mementos, is usually found in the gallery against the rear wall of the mosque, and any one may

purchase as many fragments as he desires at the expense of a few piastres. It must be that the methods resorted to in obtaining a sufficient supply of this commodity have not come to the knowledge of the traveling public, else the great majority would hardly make themselves even indirectly responsible for the most outrageous vandalism which it has been my fortune to encounter.

Our guide, an intelligent and apparently honest fellow, who most certainly was not interested in misrepresentation in this instance, informed us at the conclusion of our visit to the mosque that the bits of mosaic purchased by foreigners in the building had not fallen from the vault on account of some defect in the cement as represented, but had been rubbed off by the persevering application of a bamboo rod in the hands of a small boy!

Comment upon the irreparable injury which will surely be caused by the continuance of this nineteenth century iconoclasm seems hardly necessary, but tourists might somewhat delay the work of destruction by discouraging the advances of the pious Mahometan who thus ingeniously combines religious duty and worldly advantages. Yours truly,

J. S. Seymour.

BLOOMFIELD, N. J., December, 1882.

The Supreme Court of the United States: A Correction.

EDITOR CENTURY MAGAZINE:

SIR: In the December number of your magazine, on page 175, the author of that very valuable and interesting article, "The Supreme Court of the United States," is made to say: "In 1799 President Adams, on the recommendation of a Senate Committee, sent a commission to France to negotiate a treaty. Oliver Ellsworth, Patrick Henry, and William Van Murray were the commissioners." The fact is that Ellsworth, Henry, and Van Murray were appointed, but Patrick Henry having declined the appointment, William R. Davie, of North Carolina, was named in his stead and served with the commission.

Yours truly,

W. R. Davie.

LANDSFORD, CHESTER CO., S. C.,

Dec. 7, 1882.

LITERATURE.

Leland's "Gypsies."*

COMPARED with "The English Gypsies and their Language" and "Anglo-Romany Ballads," the latest publication from Mr. Leland on his favorite hobby is more a collection of short essays than a connected work. As Liszt became inspired by the music of Hungarian gypsies, so the study of Romany words and ways appears to breed in a man a very pleasant species of monomania. In the case of Mr. Leland it results

in bright, agreeable literature of a light sort, and incidentally in not a little solid information which ought to lose nothing in the eyes of serious persons, because it happens also to be picturesque. Whether Mr. Leland's firm belief that the history of the gypsies has been traced will be always gospel; whether it be true beyond peradventure or not that they are descended from a certain tribe of Hindostan which still has representatives in India,—the pictures he draws are fascinating, and the book, like those that went before, may be hailed as a fresh and stirring addition to the literature of the subject. Mr. Leland's enthusiasm is

* The Gypsies. By Charles G. Leland. Boston: Houghton, Mifflin & Co. London: Trübner & Co.

He went to the fire.

"I believe that, too," he said grimly; "but it is not a little thing I'm doing. I'm denying myself a great deal. I'd give five years of my life——" He straightened out his short, stout arm and closed hand with a robust gesture, and then checked himself. "You don't know what is in it. I don't know. I have not looked at it. There it goes," and he tossed it into the fire.

"The biggest fool of all," he said, "is the fool who takes every man for a knave. Do they think a country like this has been run for a century by liars and thieves? There have been liars and thieves enough, but not enough to bring it to a stand-still, and that seems to argue that there has been an honest man or so to keep a hand on their throats. When there are none left,—well, it won't be as safe to belong to the nation as it is to-day, in spite of all that's bad in it."

The envelope had flamed up, and then died down into tindery blackness. He pointed to it.

"You can say it is there," he said, "and that I didn't open it, and they may thank you for it. Now I am going."

Bertha rose. She put her hand on the mantel again.

"If I do not thank you as I ought," she said, brokenly, "you must forgive me. I see all that you have spared me, but—I have had a heavy blow." He paused to look at her, rubbing his upright hair for the last time, his little eyes twinkling with a suspicious brightness, which had its softness, too. He came back and took her hand, and held it in an awkward, kindly clasp.

"You are a good little woman," he said. "I'll say it to you again. You were not cut out to be made anything else of. You won't be anything else. You are young to be disappointed and unhappy. I know all that,—and there doesn't seem much to say. Advice wouldn't amount to much, and I don't know that there is any to give."

They moved slowly toward the door together. When they stood upon the threshold, he dropped her hand as awkwardly as he had taken it, and made a gesture toward the stair-way, the suspicious brightness of his eyes more manifest than ever.

"Your children are up there asleep," he said unsteadily. "Go to them."

He turned away and shrugged himself into his overcoat at the hat-stand, opened the door for himself, and went out of the house without another word.

(To be continued.)

TOPICS OF THE TIME.

A Modern Miracle.

WHO will ever contend again that the day of miracles is past? What skeptic will venture to dispute any story of sudden conversion? Neither in apostolic nor in mediæval times was there ever a greater marvel than that which has lately been wrought in the Congress of the United States. If six months ago any one had predicted that an adequate measure of civil service reform would be adopted by Congress within a year, his prediction would have called for no reply but an incredulous and pitiful smile. No advocate of the reform was so enthusiastic as to hope that such an event could happen. The most that any one expected was that the bills of Mr. Pendleton and Mr. Dawes, then before the Senate, would be discussed in that body, and that a respectable minority would be ready to vote in favor of one or the other of them. The decided probability was that the less efficacious of these two measures would command the greater number of votes, the study of the senators evidently being how not to do it. And now we see the more radical and thorough-going of the two bills pass the Senate by an overwhelming majority, to be taken up and rushed through the House of Representatives, out of the regular order,

almost without debate, by a vote of three to one. Mr. Dawes of Massachusetts, a somewhat prudent friend of civil service reform, declared a year ago that the people would never tolerate the appointment of a commission to take charge of the business and conduct the examinations; but the bill of Mr. Pendleton, providing for such a commission, has passed, and Mr. Dawes's name is recorded among the yeas. A year ago any man who argued in favor of civil service reform, and especially of the method of competitive examination, was at once written down as a doctrinaire or a "feather-head" by nearly all the partisan newspapers of both parties, and waved aside as a wholly unpractical person by three-fourths of the members of Congress. Now we see honorable gentlemen jumping upon their chairs and scrambling to get the start of one another in putting upon its passage the bill which embodies the very principles and methods for which these "feather-heads" have been contending, while a good share of the party newspapers fall into line and applaud. Able editors who have never deigned to give it any other name than "snivel service" reform, are now disputing in behalf of their respective parties for the honors of its parentage. Mr. Dawes declared a year or two ago that the difficulty

about civil service reform was that the people were opposed to it, or indifferent about it; that it was the clamor of the constituents for the offices that restrained senators and representatives from pushing the reform; that good congressmen were almost ready to cry for it. What is the matter now? Has there been a revolution in popular sentiment since that time? Is it the people, or their representatives, to whom this new revelation has been made? We are inclined to think that it is the representatives. The conversion of Saul of Tarsus was no more sudden, and not much more violent, than the change which has passed upon many of our political leaders.

No doubt it is a great wonder; but science insists on explaining many modern marvels, and it is possible that this one can be made to yield up its mystery. There be those who say that the fall elections were the occult cause of this notable miracle. The loss of their majority in Congress, and the fear that the next administration might be Democratic, is the great light above the brightness of the sun that has shone into the minds of the Republican leaders,—so some scoffers say. The reason why they were willing to relinquish their hold on the spoils was the fact that the spoils were slipping out of their hands. They would make haste and pass a reform bill, by which their own friends should be kept in office and the wicked Democrats kept out. This was the revelation that wrought in them so sudden and strong a conviction of the value of civil service reform. As for the Democrats, they have been resolving in their party platforms, for several quadrenniums, in favor of this measure, but we must do them the justice to say that a good share of them voted against Mr. Pendleton's bill. At the prospect of convalescence, the devil becomes less inclined to a monastic life. With loaves and fishes enough for five-score thousand in full view, how could these good Democrats think of abandoning the rights of succession? Was this the cordial to cure the sickness of a long deferred hope? They had not so learned politics.

As between the two parties in this game, therefore, honors are easy. Mr. Pendleton, a Democratic senator from Ohio, is the reputed author of the bill, though its natural parent is understood to be Mr. Dorman B. Eaton. To Mr. Pendleton, however, belongs the credit of introducing it, and of wisely managing the debate in the Senate; while Mr. Cox, a Democratic representative from New York, was quick enough to identify himself with its fortunes on its passage through the House. The Republicans, however, furnished most of the affirmative votes, and the Democrats most of those in the negative.

Intelligent and devoted friends the bill had, no doubt, on both sides of the House. Of those who voted for it, a few really believed in it. To the patient, resolute, and intelligent advocacy of these gentlemen the country owes much. Of those who voted against it, there may have been a small number who opposed it "on principle." But the majority, both of those who voted for it and of those who voted against it, as their open declarations in Congress and their past conduct abundantly prove, were governed by sheer selfishness. Most of the Republicans who voted for it did so because it seemed to be the best way of keeping their friends in office; most of the

Democrats who voted against it did so because it seemed to stand in the way of getting their friends into office. To all these the country can only say: "Gentlemen, thank you for nothing. We have the bill, and we shall make the most of it; but it is not to your good-will that we owe it. Neither of your parties can make any capital out of it; you have only furnished us another illustration of the lack of conscience in political contests."

One feature of the case is not at all marvelous. That men who were elected under the spoils system should act like mere politicians is the most natural thing in the world. The real wonder is that such a bill should ever have come out of such a Congress. If any one should soberly insist on calling this a miracle, it would be hard to dispute him. The thing that this Congress has done was nothing that this Congress meant to do. The Republicans meant to carry the fall elections, and, if they had carried them, this bill would not have been passed. The Democrats, too, meant to carry the fall elections, but they did not mean that their success should force the bill upon them. Some power working behind them all has thrust them into this conjuncture, where the conscience of some and the selfishness of many have joined to bring forth a result that the majority would have avoided if they could. It is no new thing under the sun. The power, not ourselves, that makes for righteousness often extorts great and beneficent measures from greedy and unscrupulous men. This is the perennial miracle of history.

But, by whatsoever means or agencies, we have the bill; and, while it will not make a millennium in our politics at once, we may trust that it will introduce reforms of a most salutary nature, and that its inherent reasonableness and righteousness will become more and more apparent the more fully it is tested. Its method has never failed to justify itself where it has been fairly tried. Its advocates have been called doctrinaires, but they have always rested their arguments on an ample and unvarying experience.

The bill will lift a great load at once from the shoulders of the President, and of his Cabinet, and of the members of Congress. The new law will tend ultimately to retire those members of Congress whose main interest in public life has been the distribution of the spoils. It is to be hoped that their places may be filled by others who will be able to deal intelligently with national affairs. That would be an important gain.

It only remains to perfect this system of appointment, to extend it to all parts of the civil service, and to introduce it into State and municipal governments. There is need of civil service reform, not only at Washington and in the great national offices, but at Albany and Harrisburg and Columbus, and in New York and Brooklyn and Philadelphia and Chicago. All appointive offices should be obtainable by merit and not by favor, and should be open to all who choose to compete for them, without distinction of party. To take the appointive offices of such cities as New York and Brooklyn out of politics would wonderfully simplify the problem of municipal government. The need of such a universal reform is making itself more evident daily, and when we shall have secured it, the marvel will be that we lived so long without it.

The New Political Era.

It is universally recognized that the American people have entered on a new era in their political history, but it is not so generally perceived that they have entered on a new era in the history of the world; yet such is really the case. For twenty-five hundred years the chief interest of political history has lain in the struggle on the part of the people to gain freedom and political power, and it is only in our own time that this struggle seems approaching its end. Beginning in the cities of ancient Greece, the conflict raged with varying success through the whole of the prosperous period of ancient history, until the liberties of all nations were crushed by the world-wide empire of Rome. Then, as the modern nations emerged from the darkness of the middle ages, the same great struggle had to be entered on anew; and after the lapse of centuries, and after labors and martyrdoms untold, the contest has at last resulted in the substantial triumph of the popular cause. In half-barbarous Russia, indeed, the people's cause has made little headway, and even in Germany and Austria its success is far from complete; but throughout the greater portion of the European world the full establishment of free government is only a question of time.

Meanwhile the people of the United States, having inherited the liberties and the popular institutions of the leading free state of Europe, and having left behind them the feudal and monarchical establishments of the Old World, have carried the principles of popular government to their extreme and logical conclusion, and have reached a condition of things in which nothing remains to be done to extend the liberties or increase the political power of the masses of the people. The extinction of negro slavery and the conferring of the right of suffrage on the emancipated slaves were the final steps, so far as we are concerned, in the long-continued struggle for freedom and human rights; and there is nothing in our politics or our social condition now to indicate that the ground thus won will ever again be lost.

Now that the people have got their freedom, what will they do with it? and how will they succeed in the task they have undertaken of governing the world?

It is one thing to gain political power and keep it when it is gained, and quite another thing to wield it in accordance with wisdom and justice. It has, at all times, been asserted by the opponents of popular government that, even if the people were successful in getting control of affairs, they were wholly incompetent to conduct them even in their own best interest, and instances are not wanting to give some support to this assertion. There have been free governments that were by no means a success, and in ancient times, particularly, many a state, after winning both freedom and glory, lost its freedom by corruption or eternal dissension, and its glory departed with it. We Americans, however, are in little danger of losing our freedom, and what we have now to do is to use our freedom and our power so as to promote the highest good; this it is that makes the opening era so different from all the eras that have gone before, and renders it at once so interesting and so important. The difficulties that lie before us are neither few nor small, and we are beginning to realize that the task that is laid upon us is not going

to be so easy as thoughtless American patriots have sometimes supposed.

There are two points to which we would call attention as likely to be of special importance in the politics of this country and of every civilized state where popular government exists. There is one abuse against which we shall have to guard, and one requirement we shall have to meet if our attempt at self-government is to be a full success.

In the first place, we have to protect ourselves against extortion at the hands of our rulers and of men in private life in collusion with them. The leading abuse in our public affairs to-day is the use of political power and influence to make money out of the people and to plunder the public under the forms of law; and unless we can put an end to this, in great part at least, we shall have gained much less than we ought by our political freedom. The evil appears in various shapes, and under many disguises, and its worst forms are not always those most obvious to the careless eye. We need not dwell here on the various schemes by which the people are defrauded. The reckless system of subsidies and land grants, the making of fraudulent contracts, the river and harbor jobbery, are familiar to us all, yet these are far surpassed in deleterious influence by the unjust privileges often granted to corporate bodies, and by that great system of monopoly known as protection to native industry—a system which, whatever may have been its earlier uses, is now constantly invoked in the interests of the few against those of the many. In all these ways, and many more, the American people are plundered for the benefit of a favored few.

Yet it will not be an easy task to make the people understand how some of these things affect them. Nevertheless, the people must be enlightened and the abuses be brought to an end, lest the gain of our liberty be followed by the loss of our property, and we come at last under a new tyranny scarcely less fatal than the old.

Again, the times demand, and the country will have to supply, a more scientific system of legislation than that which now prevails, if our government is to keep pace with the progress of civilization. It may be said, perhaps, that the world has not had much perfect legislation in ages past, and that the democracies that are now taking charge of affairs can hardly govern worse than the monarchies and aristocracies that have gone before them. But then, the democracies ought to govern better than the class governments of the past, and besides, the need of scientific legislation is now greater than ever before, owing to the vast development of industry, the greater freedom of action now enjoyed by all classes of men, and the great and increasing complexity of social relations. The democracies must supply this need or fail in their self-appointed task of governing the world. Such are some of the problems that lie before us in the new political era, and it is evident that their solution will demand both higher governing capacity and greater purity of character in the actual holders of power, as well as a higher level of intelligence among the people at large, than have been found heretofore in any nation of the world. The recent enactment looking to a reform in the Civil Service (referred to in the preceding article), is a step in the right direction—but it is only a step.

Sunday Rest.

THERE are two solid grounds on which Sunday laws rest: one, the right of the prevailing religion of the country (be it Jewish, Christian, or Pagan) to have its day of worship free from disturbance; and the other, the right of every man to an equal share in a rest-day from toil.

As regards the first, if this country were a Jewish country the Jewish worship on Saturday should be peculiarly protected from molestation. If it were a Mohammedan country, the Friday should be in like manner protected. This is simple common sense applied to things as they are, and no action of doctrinaire theory. Where there is a conflict of sacred days, as among Jew, Christian, and Mohammedan, all cannot be protected, and hence the majority must determine the question. This certainly distinguishes the sacred day, but does no harm to those who do not count it sacred. It only obliges them to be courteous. The inequality in the matter is only such as in some things must obtain among the freest people.

As regards the second ground: physiologists, physicians, statisticians, and sensible observers in general, have agreed that man's body and mind need a complete rest at an interval of about seven days. But man will not take that rest from labor unless he is obliged by law to do so. His greed for gain will make him ruin health in his own case, or (worse still) make him force his employes to ruin theirs by continuous work. The law, therefore, must make and enforce a rest-day. But what day shall it take? Again: common sense says, "Take the day which the mass of the community, from religious reasons, already regard as a rest-day." So the civil law, providing for men's physical well-being, appoints and enforces a rest-day from labor, which is the same day on which the great Christian community worship, and in which the same law, for other reasons, protects them in worship.

There is the whole of the Sunday question in a nutshell. There is no compelling men to be religious, no supporting a state church, no puritanical blue-law. The Jew, or Mohammedan, or Pagan simply must not make a boisterous demonstration, such as a noisy parade, on Sunday. Why? Because the vast majority of the people see fit to worship on that day. The Jew, or Mohammedan, or Pagan must not keep open shop that day. Why? Because the people have decreed a rest-day from labor once a week to help humanity, and that is the day.

The only objection that has any color in it is that the Jew then must keep two rest-days in the week, and hence is at a disadvantage with his neighbor. Well, as we have already said, in the most equal administrations, there must, in the nature of things, be some inequality. Laws, for example, require a notice of "danger" to be put up in dangerous places in the city; but, alas! blind men cannot read the notices. The laws are unequal to the blind man. They have to be. So here the Jew's conscience tells him to keep from working Saturday. The law tells him to keep from working Sunday. It is a pity; but it cannot be helped. The other alternative would be "no rest-day," and that would be destructive to the whole community. We must all bear some burdens for the public good.

Our American liberties are largely connected with the weekly day of rest. This day has given the people time to think, and read, and enjoy family life, and without it we should have become an ignorant, brutish, machine-people, like the low peasantry of Continental Europe. Take away this rest-day, and you undermine our high moral and educational condition as a people. You turn us into a nation of mere "workies." The cry of religious oppression, as against Sunday observance, is a device of the enemy. It is but the voice of soulless corporations, and of the proprietors of drinking-saloons and other demoralizing places, who wish to make their great gains on Sunday, and care nothing for the welfare and happiness of the people. They are the oppressors, and the advocates of a day of rest are the staunch supporters of a true freedom.

America has three bulwarks of liberty—a free ballot, a free school, and a free Sunday, and neither domestic treachery nor foreign impudence should be permitted to break them down.

Stealing a Minister.

THE great deep of Protestant ecclesiasticism is often vexed by no small tempest of talk about the relations of vacant churches to settled pastors. It frequently happens that a clergyman, supposed to be happily and permanently located, is called away from his work to a new field of labor, amid loud complaints of the injury done to the church left pastorless. Even when a decorous silence is maintained before the public, there is often not a little suppressed resentment; and the opinion that no church has a right to disturb a settled pastor by calling him into its service finds angry expression. The act is denounced as a species of larceny, and laws to punish the crime of stealing a minister are feelingly invoked. Several flagrant cases of this sort have recently occurred, arousing unwonted ire in the breasts of staid parishioners, and no week passes that does not witness griefs of this nature in some part of the land. The ethics of this relation deserve, therefore, a little careful study. It is a subject in which good Methodists are supposed to have no interest.

Without doubt it is a hardship that a church should be deprived, for any reason, of the services of a teacher to whom it has become attached, and who seems to be contented and successful in his work. The wish to be protected against such a loss is one which the members of a church naturally entertain. But the question has two sides, and the irate church whose pulpit has just been emptied is not apt to see more than one of them. The welfare of the minister, as well as of the church, must be considered. Now, it is unquestionable that the welfare of the minister sometimes requires him to change his field of labor. A life-long pastorate may be the ideal, but it is impossible, in many cases, to realize it. A change is sometimes demanded, not chiefly for an increase of salary, but for relief from burdens of labor and care that have grown intolerable, or to preserve health and power of work. In these exacting times, when the pulpit must grapple with so many great questions, and when the condition of power is wide and constant study, this necessity frequently occurs. There are ministers who,

by dint of tough constitutions, and by the allowance of liberal and frequent vacations, continue to do severe and thorough work in the same field for a long time; but there are many whose health is less firm and whose congregations are less liberal.

Another fact to be considered is that ministers who, for any reason, are out of service, are not generally wanted. The vacant pulpits do not affect the unemployed parsons. The church that has just been raging about the "stealing" of its own minister will pass by scores of clergymen who are seeking places, and fix its choice on some pastor whose hands are full of work. Among the unemployed clergymen capable and excellent men may often be found; but no fact is more familiar to those who are acquainted with ecclesiastical affairs than that the unemployed clergyman, whatever may be his merits, is at a great disadvantage in seeking a parish. This is a state of things for which the ministers are not responsible; the churches themselves have established this rule, by which it has generally come to be understood that a minister who wants a place is a minister whom no place wants.

It is not, therefore, prudent for the minister to resign his charge, even when he feels that a change is imperative. Even if he were known to be seeking a place, the committees of supply would steel their hearts against him. His only hope is in quietly staying where he is, and doing his work as well as he can. Peradventure some vacant church may spy him out and come to his relief.

Churches are not always so considerate and generous as they ought to be in their treatment of their ministers. The ministers are willing to work, and the churches are willing to let them. The harder they work the heavier are the burdens laid on them. The contracts, on the part of the churches, are not scrupulously kept; and if the minister is good-natured and does not complain, it is assumed that there is no reason for complaint. Probably, if he should complain, nothing would be done; he thinks it wiser, therefore, to go on with his work and wait until relief shall come to him from some other quarter.

If, therefore, it should be established as a rule that vacant churches must make no overtures to settled ministers, it would go hard with scores of overworked men who ought to find respite in a change of labor. The churches have already made it difficult for a minister without charge to gain employment; if they could create a sentiment which would prevent a settled minister from receiving a call, the ministers would be left in an embarrassing position. The attempt to create such a sentiment is an attempt to form a kind of ecclesiastical trades-union, under which ministers shall be wholly at the mercy of the churches. It is not likely to succeed, but those who are calling for it ought to be aware of the nature of the demand which they are making.

The truth is that the labor market ought to be as free in the clerical profession as in any other business, and attempts to restrict the freedom of movement in this calling are not in the interests of justice and fair play. Granted that there ought to be something other than a business relation between pastor and people; it still remains true that that higher relation must in no wise contravene those principles of justice and freedom on which all contracts are based.

A vacant church has a right to ask any settled pastor whether he desires to change his field of labor. If he does not wish to change he will say so, and no harm will be done. Such a negative reply is often made, even when a great increase of salary is offered. The minister who can be toled away by a bigger salary—with whom the salary is the paramount consideration—is not worth getting or keeping. The church is the gainer that loses him. Doubtless there are such clergymen, but they are not all such: there is no other class of men with whom pecuniary considerations have so little influence. The church whose minister is worth keeping ought to be willing, therefore, that any committee of supply should have free access to him. If the church has confidence enough in its pastor's judgment and integrity to desire his services as a religious teacher, it must believe that he will not encourage any such approaches, unless it is necessary, for some reason, that he should seek another field. And when, for any good reason, such a change becomes necessary, the church should put no obstacle in his way.

The estimate of the ministerial character which is implied in all this clamor of the injured churches, is the reverse of flattering. It seems to be assumed that he is not a free and responsible being; that he is the victim or the dupe of those who have beguiled him away. "It is mean to steal a sheep; but meaner to steal a shepherd," is a common saying of those who thus complain. The saying uncovers the fallacy of the whole case. A sheep can be stolen, because it is a chattel; but a shepherd cannot. The shepherd makes his own contracts, in this country, and so does the minister. His place of labor is not likely to be changed without his own free choice.

Another similitude commonly quoted in such cases is equally lacking in pertinence. The church that calls a settled minister is said to be guilty of an act precisely like that of the woman who hires your cook out of your kitchen. But if there is any wrong in this case, it is in the fact that your cook is ignorant and easily imposed upon; that the woman who has coaxed her away offers her no better place, and thus injures you without benefiting your servant. If the servant is able to judge for herself, and knows that she is improving her condition by the change, what right have you to stand in the way of her going, or to complain of another for giving her what you withheld? This kind of outcry is never heard concerning any class of employes save those who are assumed to be unable to choose wisely for themselves. The cashier of a bank, the superintendent of a railroad, is called from one place to another, and nobody ever thinks of questioning his right to go, or the right of another employer to offer him employment. There seems to be no good reason why the minister should not be credited with as much judgment, and allowed as much liberty, as is granted to a bank cashier or a railroad superintendent.

There seems, then, to be no other method for a church to pursue, if it wishes to keep its minister, than that which every employer must pursue who wishes to retain a valued servant. The church must keep its part of the contract, must see that its minister is not overworked, must cooperate with him in all possible ways, must show him that his labors are

appreciated and that his welfare is fairly considered. If, after the church has done all this, the minister goes away, common sense will bring the church to one of two conclusions: it will either bow to the providential decree that has removed a faithful teacher, or it will thank God that it is rid of a trifler.

Our Printers.

OUR readers will have noticed that the imprint of Francis Hart & Co., as printers of THE CENTURY MAGAZINE and ST. NICHOLAS, has recently given way to that of Theo. L. De Vinne & Co. This is a change in name, but not entirely a change in fact. Since the death of Mr. Hart, Mr. De Vinne has for years carried on the business of "the firm" under the old style. Mr. De Vinne has an individual reputation as the author of a work entitled "The Invention of Printing," and of various essays in this and other periodicals on the history and art of printing. It is known to many, moreover, and should be known to all, that it is mainly to Mr. De Vinne that credit is

due for the high reputation of American printing of wood-cuts. The refinement to which wood-engraving has been carried in America would have come to naught if the printing of the wood-cuts—the rapid steam-printing required by the periodicals—had not kept pace with the advance in wood-engraving. This corresponding excellence of printing has not been reached without a long and difficult struggle. An interesting chapter might indeed be made of the experiments and devices resorted to during many years, of endeavors and accomplishments requiring, no one can imagine how much intelligence, patience, forbearance,—how much knowledge, and how many of the Christian virtues as well. Mr. De Vinne has given some points of this history himself in his articles on "The Growth of Wood-Cut Printing," in this magazine for April and May, 1880; but he has not told how much should be placed to the credit of his own individual account. In the name of the readers of THE CENTURY (who have good reason to be interested in the fortunes of the new firm), we wish long life and prosperity to "our printers."

LITERATURE.

Lounsbury's "James Fenimore Cooper."*

PROFESSOR LOUNSBURY'S life of Cooper is, so far, the most important contribution to this series. The lives of Irving and Thoreau had already been written, so that the work of their biographers consisted largely in selection and condensation; while Noah Webster and George Ripley occupy hardly any position in the history of American literature, as distinguished from scholarship and journalism. Cooper remains the most popular of all native writers of fiction; and, with the possible exception of "Uncle Tom's Cabin," and portions of the writings of Irving and Longfellow, his books are still more universally read than those of any American author whatever. A generation has passed since his death, and yet this is the first biography of him, if we except the slight and inaccurate sketches of his life in cyclopedias and periodicals, and Bryant's funeral oration delivered at New York, in 1852.

"When Cooper lay on his death-bed," says Professor Lounsbury in his prefatory note, "he enjoined his family to permit no authorized account of his life to be prepared. * * * It is a necessary result of this dying injunction that the direct and authoritative sources of information contained in family papers are closed to the biographer." The men of Cooper's own age, who might have furnished personal reminiscences, are long since dead. Hardly anything in the shape of diaries or private correspondence is obtainable.

Such material as exists is widely scattered, and is mainly in the form of references in contemporary newspapers, or in the prefaces and introductions to the novelist's own books. The biographer was, therefore, driven to take the line of Cooper's public career, and especially of his career as an author. This is, however, the line which has been adopted in all the lives of the present series, and is perhaps the one which Professor Lounsbury might have deliberately chosen as appropriate to the design of the series, even had matter been at hand sufficient to furnish forth a more personal and private memoir.

In one respect the biographer has been fortunate in his subject. Cooper was a man who fairly bristled with characteristics. His views were strong, and his expression of them decided. His prejudices were many and frequently diverting. His walk was upon the toes of his contemporaries, and of the British and American public, and loud were the screams which attended his progress. Perhaps no other writer except Byron has been at once so eagerly read and so shrilly cursed by his own countrymen. One of the most striking episodes in his life was the war which he waged for years against the leading Whig newspapers of the State of New York, assailing them one after another with libel suits, which in nearly every instance he carried to a triumphant conclusion, conducting his own cases and securing damages varying from fifty to four hundred dollars. The chapters devoted to these conflicts are written with force and humor, and form a dramatic narrative. The reader may doubt whether Cooper's

* James Fenimore Cooper. By Thomas R. Lounsbury. [American Men of Letters Series.] Boston: Houghton, Mifflin & Co.

with his arm as they went slowly up the stairs. He had extinguished the light below before they came up. All the house seemed dark but for a glow of fire-light coming through an open door on the first landing. It was the door Philip Tredennis had seen open that first night when he had looked in and had seen Bertha sitting in her nursery-chair with her child on her breast.

There they both stopped. Before the Professor's eyes there rose, with strange and terrible clearness, the vision of a girl's bright face looking backward at him from the night, the light streaming upon it as it smiled above a cluster of white roses. And it was this that remained before him when, a moment afterward, Bertha went into the room and closed the door.

THE END.

SALVINI.

DEAD is old Greece, they said who never saw
 This Greek—this oak of old Achaian girth
 And stateliness, in mellower Lombard earth
 Far-sown by wingèd Chance's fatal law,
 When Greeks were like the templed oaks that rose—
 Not the lone ruin of a withered shaft,
 But quaffing life in every leafy draught,—
 Fathered by Storm and mothered by Repose.

Nay, doubt the gods are gone, till in the West
 His splendor sets, and in its twilight we
 The phantom glory of the actor's day
 Prolong, like memories of a noble guest;
 Then, musing on Olympus, men shall say:
 The myth of Jove took rise from lesser majesty.

Robert Underwood Johnson.

TOPICS OF THE TIME.

A Great Metropolitan University.

WE have no great university in New York, but the feeling is very general in the community that, before long, we must have one. Of denominational colleges, more or less fully equipped, we have quite a number, but there is not one among these which can lay claim to the title of a great university; not one which is to the city of New York what Harvard is to Boston, Yale to New Haven, and Johns Hopkins to Baltimore. Unquestionably the most prominent and the most dignified among our local institutions of learning is Columbia College, with its associated schools, and the question is naturally being asked by the friends of higher education in this city, whether this in many respects admirable institution might not serve as a nucleus for the future university. Columbia has an able corps of instructors, and has of recent years shown a laudable tendency to adapt itself, though slowly, to the demands of the age. It is not very long since a School of Political Science was established and placed under the direction of a competent professor, and quite recently steps have been

taken toward the establishment of a School of Modern Languages, in which extensive facilities will be offered for linguistic and literary study. In spite of these timely innovations, however, the college is, in certain other directions, deficient, and scientific study occupies a very subordinate place in its curriculum. Only elementary instruction is offered in the School of Arts, in chemistry and geology, and even this is elective. In physics there are opportunities for more advanced study under an excellent professor; and, in fact, in other scientific branches, it is not the instructors but the curriculum which is at fault. In essentials the college still seems to adhere to the traditional English system, in which Latin, Greek, and mathematics hold the places of honor, and other studies are but grudgingly allowed, and occupy an uncertain footing. Latin and Greek prose and metrical composition and exercises in choral scanning are, according to the "Circular of Information," obligatory partly in the Freshman and partly in the Sophomore year; and among the senior electives are archaic Latin and lectures on the Elements of Comparative Philology. Now, if this were all elective, there could be no

possible objection to including it in the college course; but, to devote time to drilling men in the writing of Greek verse, while leaving them in ignorance of the anatomy and physiology of their own bodies, and leaving it to their option whether they will inform themselves as to the significance of the physical phenomena which daily meet their eyes, seems, to say the least, a very narrow policy, and indicates, on the part of the framers of such a curriculum, a lack of sympathy with the great intellectual movements of the century. It is the conservatism of its trustees, in this regard, which makes the friends of Columbia College doubtful as to whether it possesses sufficient elasticity and progressive vitality to expand into a great university, responsive to every need of the age. If this doubt is justified, there can be no question that, before many years, the college will be superseded by an institution which will be in closer sympathy with the scientific tendencies of modern life. That this would be a misfortune to the college its friends can scarcely fail to appreciate.

The charter of Columbia (then King's) College is dated October 31, 1754. It has always maintained a close connection with the Episcopal Church, and particularly with Trinity Parish, to which it is indebted for a large share of its endowment. Its traditions were naturally derived from Oxford and Cambridge, and its course of instruction was modeled in accordance with that of its English prototypes. However, by the establishment of its Law School (1858), its Medical School (1860), and its School of Mines (1863), the college has gradually departed from these traditions, and there is nothing in its charter to prevent it from developing still further in the direction we have endeavored to indicate. The English universities have, of late, become aware of their mediæval infirmities, and the recent parliamentary commission has recommended some radical changes, which will modernize and secularize both their curriculum and their semi-monastic organization. It is as well understood in England as it is in Germany, at the present day, that it is useless to fight any longer for the supremacy of classics and mathematics, and that there are other studies which are entitled to at least an equal rank as agencies of culture. What a university has to do is, therefore, to offer the most extensive facilities for the pursuit of every branch of human knowledge, and to accord no artificial prominence to any one study which tradition may have invested with a fictitious virtue. If the old undergraduate course must be retained (and it is, in our opinion, in need of essential modifications), then there should be provided opportunities for advanced post-graduate study, such as have already been provided at Harvard and Johns Hopkins. That there is a vital demand in a city like New York for something more than elementary instruction in geology, chemistry, physiology, philology, and a dozen other sciences that might be named, can scarcely be questioned. Where is the institution to be found that satisfies this demand? In the Columbia School of Mines, lectures are delivered by men competent in those sciences which have a direct professional value to mining engineers, and the Medical School confines itself likewise to the single aim of training professional men for their future calling. Strictly scientific work, such as is done at

the Physiological Institute of Berlin and the Collège de France, finds no place in any New York institution of learning. Therefore our doctors who wish to attain exceptional proficiency in any special branch of their profession go to Paris, Berlin, or Vienna; philologists who wish to acquire a thorough scientific training go to Berlin or Leipsic; and, in fact, every scholar who aims at something more than respectable mediocrity spends a year or two at a German university. It ought to be perfectly evident to any one who has seen the great number of American faces in the German lecture-halls, that there is an urgent demand for something better in the way of scientific training than America now offers. These young men, many of whom have to borrow the money that maintains them while studying, go abroad not from preference, but because they cannot find what they want at home. New York, with all her magnificent churches, hospitals, and business palaces, has hitherto satisfied itself with mediocrity in learning, and has never endowed any institution sufficiently to raise it to the dignity of a university worthy of this metropolis; but, judging from the discussions we have heard of late in many quarters, the city is becoming aroused to a consciousness of its need, and when this moment shall have arrived the great Metropolitan University will be removed from the region of possibility to that of fact.

It is popularly supposed that Columbia College possesses a more than sufficient endowment to undertake the work which we have here outlined; but those who are more intimately acquainted with her affairs assert that this is by no means the case. The two new buildings which have recently been erected have absorbed a large share of her income for several years to come, and a third one, which is to occupy the plot where the old college now stands, will still further reduce her resources and prevent her from extending her usefulness in accordance with the demands of the times. It is therefore obvious that a larger endowment is needed, and it is scarcely doubtful that her many wealthy and influential friends and alumni would respond liberally to an appeal issued under the authority of her president and board of trustees. The college has been sufficient unto itself in times past, and though never refusing gifts, has not, so far as we know, stimulated the interest and loyalty of her alumni by annual reports of her wants, such as are issued by the president of Harvard, or by direct appeals for aid. Accordingly, there is a general impression abroad that Columbia is rolling in wealth, and really wants no more money than she has. This self-sufficiency is, undoubtedly, very dignified, but it has many and obvious disadvantages. Large sums of money, which might be offered to Columbia if the public were impressed with the fact that she needed them, find their way elsewhere, and that healthy interest which is aroused and kept alive by constant public discussion is allowed to languish, because the institution, while pursuing the even tenor of its way, holds aloof from the burning educational questions of the day, and thus furnishes no food for discussion.

The president of Columbia, who is an able and progressive man, would spare no effort to make his college second to none in usefulness if the financial condition of the institution warranted him in under-

taking well-recognized but expensive reforms. That the board of trustees, notwithstanding its conservative attitude on certain subjects in the past, would second him in every well-considered effort having this end in view, can scarcely be doubted; but until the financial problem shall have been satisfactorily solved, the board can hardly be expected to adopt any scheme involving heavier outlay. In the meanwhile, New York is waiting for her great university, and it is by no means an imaginary danger that Columbia, if she neglects her opportunity, may wake up some morning and find herself confronted with a formidable rival.

Slave or Master?

A COLORED clergyman of some education and much native wit was once discoursing to his congregation on what the apostle calls "the sinfulness of sin." "There are those, my brethren," he said, "who tell us that there is no such thing as sin; that man is created with certain appetites and propensities; that these were made to be gratified; and that, whenever we gratify them, we do that which is perfectly lawful and right." The last sentence was spoken with some emphasis; and four or five of the "leading brethren," understanding that it was the proper place to respond, punctuated the parson's falling inflection with a stalwart "Amen!"

The chorus in the colored meeting-house, like the chorus in the Greek tragedy, may be supposed to reflect the philosophy of the period. To an acute observer, the close relation between what is sometimes called the "advanced" thought of the day and the rude notions of the lowest stratum of society is often apparent. You shall find the fine-spun theories of materialistic science reduced to their lowest terms in the mouths of men in country groceries and city beer-gardens. The sentiment which the colored brethren rather infelicitously applauded—how does it differ from this dictum of Karl Vogt?—"Free will does not exist, neither does any amenability or responsibility, such as morals and penal justice, and heaven knows what, would impose upon us. At no moment are we our own masters, any more than we can decree as to the secretions of our kidneys. The organism cannot govern itself; it is governed by the law of its material combination." The doctrine that the colored clergyman was endeavoring so laudably, but with such indifferent success, to controvert, how could it be more clearly stated than in these words of Moleschott?—"Sin lies in the unnatural, and not in the will to do evil. Speech and style, good and bad actions, courage, half-heartedness, and treachery, are all natural phenomena, and all of them stand in a direct relation to indispensable causes as their natural consequences, just as much as the revolutions of the globe."

This kind of philosophy enters into the thought and speech of the most ignorant and depraved classes of the community to a considerable extent. Doubtless there is need of considering the disabilities that inhere in diseased organisms,—the hereditary tendencies to evil by which virtuous purposes are impeded; our judgments of our fellow-men will often be modified by such facts. But the "charity," or the "science," that denies human responsibility finds its proper issue and its natural votaries in the slums.

It is not, however, with the theological consequences of this philosophy that we are now concerned, but rather with its effect upon the education and training of the young. A doctrine that denies free will, and makes of man only a bundle of appetites and impulses and propensities whose law is in themselves, destroys not only religion and morality, it destroys also the foundations of education, and makes discipline a solecism. A logical deduction from it is the notion that pupils should study only what they like to study, and when they like to study; and that children should do only what they like to do, and when they like to do it. Modern theories of education are tinged by this notion; it finds place in the regimen of the home and the curriculum of the university. The popular lecturer who criticises the Old Testament with the fairness, erudition and wit of a stump-speaker, sneers at the old-fashioned notions of obedience and discipline; says that children ought to follow nature in the formation of their habits; and his audiences applaud the sentiment. It does not take such ideas long to filter down through all the strata of society, and thus to affect, in many ways, the conduct of old and young. Do we not note an increasing tendency to depend on moods and impulses? "I don't feel like work," is often proclaimed as the sufficient excuse for idleness. Disrelish for any particular pursuit is mentioned as ample reason for abandoning it. Even the paupers who beg at your door justify their failure to find employment by telling you that the labor offered them is not congenial.

Of course this plea has always been made, and, so long as the original sin of indolence continues to be so deeply rooted in human nature, it will be made; but it seems that now this vice of human nature is to be well-nigh elevated into the rule of life.

It is a pestilent notion. In it lurks the disorganizing force by which characters and communities are undermined and ruined. There never was a strong character that was not made strong by discipline of the will; there never was a strong people that did not rank subordination and discipline among the signal virtues. Subjection to moods is the mark of a deteriorating morality. There is no baser servitude than that of the man whose caprices are his masters, and a nation composed of such men could not long preserve its liberties.

This is a truth that the young must lay to heart. It will be a sorry day for this world, and for all the people in it, when everybody makes his moods his masters, and does nothing but what he is inclined to do. The need of training the will to the performance of work that is distasteful; of making the impulses serve, instead of allowing them to rule, the higher reason; of subjugating the moods instead of being subjugated by them, lies at the very foundation of character. It is possible to learn to fix the wandering thought, to compel the reluctant mental energy, to concentrate the power upon the performance of a task to which there is no inclination. Until this victory has been gained, life holds no sure promise; the achievement of this conquest is the condition of future success. No matter how splendid may be the natural gifts, unless there is a will that can marshal and command them, the life is sure to be a failure.

Even in the fine arts the highest inspirations wait on those who have learned to work. The poets who

never write except when they are in the mood, who do not learn to hold their minds firmly down to the work in hand, to justify the thought and shape the utterance, are not among the immortal bards. To the man who has wrought long and faithfully in perfecting the art of expression, in studying the subtle shades of meaning and the subtle tones of music that are found in words, and in combining them so that they will harmoniously tell some master truth of human experience, or show some phase of natural beauty, many a strain of beautiful and perfect melody comes suddenly; but it is because the molds of beauty were fashioned in the poet's mind by long and painful study. What is true of the poetic art is true of every other; the condition of artistic success is faithful work and thorough training.

The young men in the colleges know that training is indispensable to physical perfection. They know that the men who eat and drink just what their appetites crave, and take their exercise only when they feel like it, never win the boat-races or the foot-ball matches. It should not be difficult for them to see that mental and moral power, without which success and happiness in life are impossible, are equally dependent on discipline. The body will not do its best work unless, as a great authority says, it is "kept under"; and what is true of the body is equally true of the mind; its whims and caprices and moods must be brought under the subjection of a masterful will; the man must become not the servant, but the ruler of his own nature.

The Press and the New Reform.

THE platform seems to have had less to do proportionately with the triumphs of the principles of civil service reform than it had to do with the triumphs of anti-slavery principles. It would appear that the new political reform owes more to the arguments of writers than to the eloquence of speakers. We by no means intend to disparage the labors of speakers in Congress, in political conventions, in the pulpit, and elsewhere; but it should not be forgotten that the great work of educating the people in the matter of the new reform has been mainly by means of the printing-press, by means of books, pamphlets, and periodicals.

When Mr. Curtis, in a recent number of "Harper's

Weekly," writes of the late Thomas Allen Jenckes, of Rhode Island, as "The Father of Civil Service Reform," he does justice to one who should not be overlooked in the apportionment of honors. But Mr. Curtis is hardly the man to give a full and truthful account of the entire struggle, for modesty might occasion a serious hiatus in the story. As an orator, and in his office as President of the Reform Association, Mr. Curtis's labors have been great; but, as a writer and editor, they have been greater. Mr. E. L. Godkin should be mentioned with Mr. Curtis among those whose pens have been powerful in bringing about the just-begun reform. The wider dissemination of Mr. Curtis's political writings, in the pages of a popular illustrated weekly, is to be taken into the account; but the influence of "The Nation" upon the great body of thoughtful minds in all sections of the country can hardly be over-estimated. Not only the direct teachings of "The Nation" on the subject of civil service reform have been of incalculable value at this epoch in our history, but the tone that this journal has helped to impart to political thinking and discussion in general has been of the greatest importance.

We have named Mr. Curtis and Mr. Godkin especially; but we think it no more than just that Dr. Holland's convinced and convincing writings on this subject, in these columns, should be mentioned in this connection. Many of the monthly magazines and reviews have, moreover, welcomed papers by such able and persistent promoters of the reform as Mr. Dorman B. Eaton and Dr. Washington Gladden; and many of the religious weeklies and a certain number of the daily newspapers have kept up for years an able and earnest advocacy of the reform, though in these cases it is not so easy to detect the individual writers and single them out for the praise they deserve.

But, as we have said, the great reform is really only just begun. The adaptation of these new methods to our political system, the proper enforcement of the law, the extension of the reform to the machinery of our State and municipal governments,—these, also, are matters not so much for oratorical discourse and appeal as for the alert watchfulness and calm arguments and warnings of the press. Our political writers have by no means finished their work, with relation to the civil service; there is, if anything, more need of vigilance and wisdom than ever before.

LITERATURE.

Conway's "Emerson at Home and Abroad,"*

THE numerous readers of Mr. Conway's earlier books are accustomed to think of him as an insatiable explorer of facts and traditions, an enthusiastic hero-worshipper, and a *littérateur* of unflinching vivacity and almost unerring tact. His drawbacks have seemed to

lie in a certain exuberance of material, some neglect of arrangement, and an occasional want of minute accuracy in details. It is pleasant to see that, as time goes on, he gains more and more self-mastery, and puts his faults behind him. In this book we find him at his best. Even that which has been criticised as a slightly over-confidential and too autobiographical tone, in the opening chapter, is so frank and ardent as really to disarm all objection; and it has its peculiar value as giving the key-note for the whole

* Emerson at Home and Abroad. By Moncure Daniel Conway. Boston: Jas. R. Osgood & Co.