John Ballance.

"Amicus Huinani Generis."

The inauguration of his statue, February, 1898.

Behold this shape against the setting sun,
Whose rich red glory bends to crown it now.
The form 'twould seem of one who erstwhile moved,
And bad his being 'mongst the sons of men,
Now formless like the leaves of bygone years.
Tho' what's a shape upon this fleeting stage,
Whe'er e'en the very landmarks fade away,
And man himself becomes the silent dust.
Here sure we have a *deed*, a *deed enshrined*
Within the chiseled form before our eyes,
And as we mourned the day when Death's cold breath
Fell foul a'slant a Saviour of the race,
So now we stand and mark the setting sun
Play softly on his imaged form serene,
And feel that he, at least, lived not in vain.
* * * * *
When in the countless years that lie beyond
Each full diurnal roll, and onward plunge,
Of this our sphere bedecked with endless forms
Of varied life. When shuddering winds no more
Shall rouse to wrath Old Ocean's slumbering form
To vent his rage against each towering cliff;
When all mankind, the flow of this lone earth,
Have withered from the face of hill and plain;
And deadly silent on its downward course
The cold sphere falls to its funereal pyre.
What then the worth of pomp, and great estates,
And richest mansions raised against the skies?
One single spark of pure and homely joy
Had far outweighed the weightiest golden hoard
That ever laid within the grasp of Greed.
If then the measure of our greatest good
Lies here, and now, where all men stand in need;
Then this great heart who spent his living breath
To raise the race upon a higher plane—
Where Self, the tyrant, shorn of his fell power
Should wither 'neath the light of ardent Truth—
Were worthy of that holiest shrine on earth,
Which lies deep down within the heart of man.
And as yon sun, now sinking in the west,
Suffuses earth with many a glorious sheen;
As round and round it coils an endless course,
So shall the light, which sprang from this brave heart,
Fill all men's minds with brighter gleams of hope;
And stir them on to strive to that true goal,

Which lies beyond the narrow bounds of Self.

J.T.W.

Wanganui, N.Z.,

3/2/98.

Brief Notes Upon the Late James Edward Fitzgerald.

Brief Notes Upon the Late James Edward Fitzgerald.

James Edward FitzGerald

Born at Bath, England, March 4/l8.
Died at Wellington, New Zealand, Aug. 2/96.
Youngest son by his second marriage of Gerald FitzGerald of Killminchy and Catherine, daughter of Sir L. O'Brien, Bart, of Drumoland, County Clare.

Educated-1839 to 1842

at Christ College, Cambridge University and graduated B.A.

FitzGerald intended at first to adopt the military profession and was preparing to qualify for service in the Royal Engineers, but was prevented by a temporary failure of eyesight from following up this intention.

During the idleness enforced by this misfortune he undertook one or two walking tours in England and Ireland, as a result of which [*unclear:* water] colour and sepia sketches of considerable merit dating from 1838 to 1843; on the back of one is a note: "Remember to call to-morrow and pay for the bread and cheese; "and upon another is recorded the opinion of an old Irish ferryman who affirmed that the happenings surrounding the terrestrial visit of a well known saint of the locality had taken place "at laste eighty years gone, your Honour"!

British Museum-1844 to 1849

In '44 he entered tie Antiquities Dept, at the British Museum as a clerk, and was promoted to the position of under-secretary about '49, but for two years previously had been giving attention to the problem of British Colonization.

About this time and for some years previously a strong feeling was evinced in favour of extending British Colonization.

The administration of the Colonial Office was much criticised, and an energetic colonial party was formed under the style "Society for the Reform of Colonial Government" for which society FitzGerald acted as secretary.

As usual the intending promoters of Colonial expansion got neither assistance nor encouragement from the British government, because they were regarded as irresponsible persons who would probably drag the Govt, into financial difficulties, and who might not improbably sooner or later complicate foreign relations. The history of this time is, from a Colonist's point of view, a long struggle to secure the passage of Acts by the British Parliament warranting the operation of their colonising schemes, and to prevent the passage of Acts that seemed likely to make their difficulties greater. Looking backward from the present day it is singular to notice how unmistakably each colonizing project was regarded by successive British ministers as an unmitigated

nuisance, and to contrast that view with the changed feeling of later times, and especially with the strong imperialistic feeling of to-day.

The New Zealand Company had then been formed and the settlements of Wellington, Nelson, New Plymouth and Wanganui had been launched, but the Company had got into financial straits and could do no more.

FitzGerald threw himself very warmly into the colonising movement which suited his ardent temperament, writing and speaking effectively whenever an opportunity presented itself, and this brought him into contact with others who were also interested in the movement, such as J. R. Godley, Lord Lyttelton, Mr Selfe, and all the other supporters of the New Zealand Company and the Colonial Reform Party.

Before the Canterbury settlement was considered, several other propositions had been debated. Godley published his "Plan of Colonisation for Ireland" (by emigration to Canada) which appeared as a supplement to the "Spectator" on April 3/47. This was the scheme which E. G. Wakefield's son (E. J. Wakefield) says was his father's conception-a matter that it is difficult to understand since Godley, who would never have made an unacknowledged use of another's work, published it as the work of himself and others, with the approval of a large committee amongst whom Wakefield's name does not appear; whereas it certainly would have so appeared if he had been prominently interested in the movement.

On May 3/47 FitzGerald issued a circular setting out the advantages of a proposal to form a colony at Vancouver's Island about which much discussion had centred, because the Colonial Office had proposed to hand over the island to the Hudson Bay Company.

On Feb. 1/49 FitzGerald published a book which purported to be "An Examination of Charters and Proceedings of the Hudson Bay Coy."This was apparently the culminating point in a long series of pamphlets and writings upon the subject extending over two or three years, which was at the time said to have killed the Hudson Bay Coy.

The formation of a colony at Vancover Island was, however, found to be impracticable, and the project was abandoned.

Enquiries were also being made elsewhere with a similar object in view, viz.: the formation of a colony, and amongst others the Indian Peninsula was brought under scrutiny.

Robert FitzGerald-a brother, and captain of the 5th Punjaub Cavalry in India, sent very uncompromising answers to questions about colonisation. They were generally to this effect:—"Don't attempt to come here. The Govt, run this country; they won't tolerate any colonies."

In connection with the foregoing, it is interesting to note that the Canterbury settlement was, after all, the outcome of a movement which began with another object in view, or at all events without Canterbury as its objective at the time of its inception.

FitzGerald became a member of the Managing Committee of the Canterbury Association some time in '49 and upon Mr Godley's departure for New Zealand in Dec. '49 was appointed to succeed him as Emigration Agent in London, but he retired from the office to accompany the first four ships to the Canterbury settlement, sailing in the "Charlotte Jane" on September 7/50.

In the same year he had married Fanny Erskine, daughter of George Draper, a London merchant, and his young wife accompanied him to New Zealand.

Canterbury-1850 to 1857

The ships arrived on Dec. 16/50 bringing all the material for the "Lyttelton Times" newspaper, which was published for the first time on January 11/51 pursuant to an announcement by circular issued three days earlier. The paper was owned by Shrimpton and was for two years edited by FitzGerald, who also occupied the offices of Immigration Agent and Inspector of Police.

As bearing upon the prudence of his administration of the last mentioned office it is said that, while walking with his half brother, Gerald George FitzGerald, they overtook an escaped prisoner who waved above his head a hand saw with which he threatened to resist capture. The Inspector of Police called upon his brother "in the Queen's name" to arrest the absconder which the civilian expressed himself as entirely willing to do if the military arm would first remove the hand saw. As the result of an excusable disagreement upon this aspect of the case, the prisoner is said to have made good his escape.

Mr Godley returned to England in December '52 and in '53 FitzGerald was elected as the first Superintendent of the Province of Canterbury, opening the first Legislative Council on September 27th of the same year. About the same time or prior to leaving the Colony in '58 he took up the "Springs" Station to which reference is made elsewhere.

The First Parliament of New Zealand was summoned by Col. Wynyard-the officer administering the government of the Colony-at Auckland in '54.

FitzGerald, then member for Lyttelton, was invited to form a Cabinet, which he did with Mr Weld and Mr Sewell as his colleagues, and with sundry permanent officers of the Govt, as part of his executive. This convenient method of administration broke down almost immediately, because Col. Wynyard declined to accept the advice of the so-called responsible ministers upon the degree of responsibility to be accorded to the executive. As soon as it became known that the se-called "responsible government" was to be merely an extended form of administration by the representative of the Crown, the ministry resigned and were succeeded by others who for the time were less insistent upon the policy defined by their predecessors.

FitzGerald had striven for a truly responsible government instead of the sham government put forward by the administrating officer as "responsible", and the present constitution, which was granted some two years later, was very largely due to the exertions of the first executive. It is very remarkable to note that in these early days the pioneers of the Colony had a complete grasp of the principles of the kind of government they advocated, and a conviction that no other kind of government would satisfy the requirements of the Colony-a judgment which subsequent experience has shown to be sound and accurate.

In connection with this matter, which at the time was one of paramount concern to the colonists, it is astonishing to find that Mr Wakefield, who with Mr Swainson was advising the administrator, should have lent the weight of his valued judgment and mature experience to aid his principal in resisting the strenuous demands of the responsible government party, when it is remembered that his magnificent work in Canada had been consummated by the acceptance of his broadminded and liberal policy of an exactly opposite character. This alleged change in Wakefield's principles, and his apparent forsaking of the responsible government party, led to a regrettable breach with FitzGerald which was never healed.

Illness caused FitzGerald's retirement from politics in '57 when William Sefton Moorhouse succeeded him as Superintendent, and he left for England via Australia late in '58 taking his wife and four children (the youngest-the writer hereof-then only a few weeks old) in a small schooner called the "Speedy" which took over six weeks to reach Australia.

England-1858 to 1860

In England FitzGerald held the offfic of Emigration Agent for the province of Canterbury, and in that capacity he devoted himself to the service of the Colony both writing and speaking upon all favourable occasions.

Early in '59 he was approached by Lord Carnarvon with reference to the governorship of Moreton Bay, but in the meantime Sir George Bowen had "been appointed to the vacancy; and in any case his health at this tine would have prevented his acceptance of the position.

New Zealand-1861

Late in '60 he returned to the Colony in the ship "Matoaka" and for a time devoted his attention to the pastoral industry at his station "The Springs"in Canterbury in partnership with the late Mr Hunter Browne, Mr Percy Cox and his own brother-in-law-G. D. Draper, of whom both the last mentioned survive at the present time.

Christchurch Press-1863

Member for Akaroa

In January '63 FitzGerald bought the "Chch. Press" newspaper, which he owned until he left Canterbury in '67, and about the same time or in '62 he was elected member for Akaroa.

Native Minister-1865

In Aug. '65 he became Native Minister in Mr Weld's government which resigned because their majority in parliament on an important policy measure appeared to them inadequate-a course which colonial governments now-adays do not consider it imperative to adopt, but in which Mr Weld was supported at the time by British precedents.

Controller General-1867

In January 31/67 FitzGerald was appointed to the office of Controller General, which in '72 was enlarged

into "Commissioner of Audit' and in '78 into "Controller and Auditor General" and he held this office until his death, making one short visit to England in '82.

Capt. Adams of the "Matoaka" was at Lyttelton with his ship when FitzGerald left for Wellington to take up his new appointment. He left with his ship a few days afterwards for England and was never heard of again.

In the administration of the office of auditor he defined the duty of the guardian of the Public Purse as a charge to prevent fraud, and to encourage an offender to restore what he had fraudulently taken before compelling the dept, to resort to a prosecution. In his view reparation and repentance were of more concern to the country and of more permanent value to the individual than the scandal of exposure and the degradation of a criminal, and the office is administered upon the same principles to-day.

During his term in the Public service of the Colony he was commissioned "by several successive governments to draw important Policy Bills; amongst others he drafted the Public Works Act of '76 which was brought into operation by the late Sir Julius Vogel, and he was appointed a special Commissioner to report upon the audit systems of the neighbouring colonies of Australia, the result of which is embodied in a bulky departmental return.

James Edward FitzGerald

Writings, Speeches &c.

1843-1849

Sundry essays and Debating Society speeches on a variety of subjects.

1847-1849

Proposal to from a colony at Vancouver Island.
Letter to the "Noblemen of England" upon the condition of Ireland.
Letter to Mr Monsell, Esqre., M.P. on Irish migration. Pamphlets, letters &c. on Vancouver Island.
Examination of Charters and proceedings Hudson Bay Coy.
Three manuscript volumes upon the exchequer.
Poetry, songs &c. (one by Crosbie Ward).

1853

Address to Canterbury Provincial Council upon financial arrangements between General and Provincial governments.
Paper on Dreams and sequel there to.
Essay on Federation.
Essay on Modern Psychology.

1863 or 1865

Lecture delivered to working men at Christchurch, N.Z.
"Home Rule from the Colonial Point of View".
Sundry Essays.

1862 or 1863

Lecture delivered at a Conversazione at Christchurch. (The same ideas afterward repeated at the Wellington Museum, 1867).
Article on Ship-money case and John Hampden.
Address delivered at the Union Debating Society, Wellington (opening).
Stories and Plays.
"Eye-sores"-manuscript book of charades written during a period of failing eyesight.

1842-1844

Plays &c.

1842-1890

Manuscript book-Random Verses.

1870

Pamphlet "On Government"-Wellington, Independent.

1882

Speech-Union Debating Society, Wellington-"Possible
future developments of govt, in free state."
"Darwinian Thology".
"Fourth Dimension".
"Public Debts & Sinking Funds."

1886

"Gymnastic Training."

1869

"Self Reliant Policy in New Zealand."
Sundry Tales (manuscript).
Sundry political and private letters &c.

Schedule of References

Our first Premier James Edward Fitzgerald Sketch of his Career A Lecture Delivered at Victoria College on July 31st, 1906, by Sir Robert Stout, C.J., Chancellor of the University. Wellington New Zealand Times Co., Ltd., Printers. Lambton Quay. 1906.

Our First Premier.

James Edward Fitzgerald.

Sketch of his Career.

A Lecture delivered at Victoria College on July 31st, 1906, by Sir Robert Stout, C.J., Chancellor of the University.

I believe the first tiling that must strike the student of the history of New Zealand is the very large number of able men that were to be found amongst the early settlers To understand why it should have been so, one has to look at the history of England during the early part of the nineteenth century. England had ended a successful, and yet what might be termed a disastrous war. She had had hundreds of millions added to her debt. She had seen her industries paralysed, and thousands of her people killed. She had not only fought a duel with France, but she had been engaged on one side or the other in many European wars. Her taxation was heavy, and her people were poor and ignorant, and their sufferings cannot be adequately realised by us to-day. But amidst all her troubles a new spirit was growing up, and her able men were devising means to uplift the nation and the race. One of the means suggested was emigration or colonisation and along with this another means suggested was the education of the people and giving to them of political power. Much was being accomplished in education. Two great educational societies had been founded, one on the Bell and the other on the Lancastrian method. One was founded in 1808. called the British and Foreign School Society, and the other in 1811 called the National Society. But it was not till 1846 that education was recognised as a State duty and function, and then only in a partial and insignificant manner. Political agitation had ended in a step forward by the passing of

the Reform Act in 1832. and it was thought that a new era was at hand for England if her people could only be politically educated. There were others who had not much faith in the extension of the franchise, and they looked forward to a settlement of the people in new countries where there would be freedom to develop without the clash of vested interests or class institutions. One of the early settlers of New Zealand had written a notable book on colonisation—"A View of the Art of Colonisation." This was Edward Gibbon Wakefield, and his book was but the expression of what many felt. We see in looking at past history how an idea can get hold of a people, and how all their policy and all their efforts may be forced into one channel, so that this idea may have a realisation. I may illustrate this remark by referring to two historical incidents. For example, what Scotchman has not heard of the ten years' conflict, when all the earnestness and ability and zeal of Scotland were employed from 1833 to 1843 in dealing with a church question, it has been well said that the intellect of Scotland at that, period seemed concerned with nothing else, but the gov- ernment of its State church, and that struggle produced a wealth of intellect in the church that has not been seen since. And in our own memory we have seen a wave of feeing for union pass over Europe. We have seen Germany united, Italy made one, and the struggle for the creation of great federations, which has found expression in the Dominion of Canada and the Commonwealth of Australia, and what is Imperialism but a struggle for the same idea? Nay, we have also seen outside of the political arena the same aim in the creation of large companies and trusts. Association and union are in the air. We have international societies, trade unions, conferences, etc.. etc. Even churches have been invaded by the feeling for union and co-operation. At one time the struggle was for individuality: now it would seem as if humanity imagined that its only hope lay in co-operation, and the existence of this feeling may count for much of what is termed Socialism. Beginning in 1830. there was a struggle to give expression to the idea of colonisation, and the ablest men of England. Scotland, and Ireland entered with zeal into the question, and formed societies for the purpose of giving effect to many of their plans. The colonisation of New Zealand was one of the fruits of this movement, and because the movement had many able men at its head, there were many young men at the universities who became enthused with the colonising spirit, and eventually became pioneers in New Zealand. They started for New Zealand, not with the idea of amassing wealth, and then returning to England to end their days in comfort and, luxury, but they left their homes with the hope and ambition of being the founders of new nations. Their vision of the future of colonisation may be expressed in the words of a poem by J. A. Symonds:—

These things shall be: a loftier race
Than e'er the world hath known shall rise
With flame of freedom in their souls,
And light of knowledge in their eyes.

I believe that this is the explanation of why so many men of rare ability were to be found amongst the early settlers of New Zealand.

The First Parliament.

And that there was a large percentage of able men amongst them can be at once seen if we scan a list of the members of our first Parliament in 1854, and consider how short the history of New Zealand had been at this time, and the small number of white inhabitants in the colony. The first colonisers of New Zealand landed in 1840. I do not forget that there were stray settlers in New Zealand before that date, whalers, and some that had drifted from New South Wales, but the first real attempt at colonisation began in 1840, when settlers landed in Wellington and Auckland. Later there were settlements made in Taranaki and Nelson, and in 1848 in Otago, and in Canterbury in 1850. The total white population in 1854 of the whole colony was only 31,243, and yet if we examine a list of the members of our first Parliament we will find among them men like Bartley, Cargill. Carleton, Clifford, Cutten, Featherston, Fitzgerald. Forsaith, Hart, King, Ludlam, Macandrew, Merriman, Monro, Moorhouse, Re vans, Rhodes. Sewell. Stuart-Wortley, Taylor, Travers, two Wakefields—Edward Gibbon and Edward Jerningham—and Weld in the House of Representatives, and in the Legislative Council such men as Dillon Bell. Bellairs. Petre. Richmond, Swainson, and Whittaker. I venture to say that we could not now produce out of any 31,000 of our people so many able and distinguished men. And in succeeding; Parliaments we had other men of rare ability, such men as Domett. Fox, Fitzherbert, Stafford, and Gillies, the two Richmonds, Tancred, Wood. Mantell, Crosbie Ward, Pollen, Russell, Menzies, Johnston, Jollie, Logan Campbell, Williamson, Atkinson, and many others, and outside of Parliament we were fortunate in our early settlers. In the churches we had Mars-den. Selwyn, Hadfield, Harper, Burns, Bruce. Barclay. Buller. Watkins,

Reid; and as Judges we had Martin, Chapman, Johnston, etc. We had also merchants, settlers, bankes and fanners who were able and experienced men. And they were men, as the earliest debates in the House of Representatives and the Legislative Council show, who were imbued with what may be termed philosophical radicalism, Liberalism placed on the true foundation of science and philosophy, and not on a system of obeying the passing whim of the populace. One cannot but be impressed in reading the debates by the far-reaching prescience of most of the members, and their devotion to the true idea of colonisation—the foundation of a nation that would be the home of a great and free people.

Fitzgerald's Early History.

To-night I wish to speak of one who at the opening of the first Parliament of New Zealand was recognised as the ablest man in the Parliament—James Edward Fitzgerald. He was the youngest son, by his second marriage, of Gerald Fitzgerald, of Kilminchy, in Queen's County, and of Catherine, daughter of Sir L. O'Brien, Baronet, of Drumoland, County Clare. At a speech which he made at the O'Connell Centenary in Wellington, he said:—"I am an Irishman, who was born in the town of Bath. England." and he went on to explain that the mere place of birth could not affect his nationality. He was born on March 4th. 1818, was educated from 1839 to 1842 at the Cambridge University, being a student at Christ's College. Here he met many men who afterwards had distinguished careers in England. His intention was to adopt the military profession, and he prepared to qualify himself for service in the Royal Engineers. Unfortunately, perhaps through over-study, his eyesight failed him, and he had to give up his work. He undertook one or two walking tours through Scotland and Ireland, and during these tours he became acquainted with what is often termed the "common people." During these tours he had an opportunity of doing what he always delighted in—indulging his artistic sense. He made many sketches, for he was an artist, but what was of more value to him than a knowledge of the scenery and the beauties of his ancestral country, he became acquainted with the people. His appreciation of humour and wit was much gratified, as he has often told me, by his journey-ings in what may be termed his native land—Ireland. The quaint remarks of his countrymen often enlivened his travels, and it was always interesting to listen to the excellent stories he could tell of these journeys.

He left the University in 1842, and in 1844 he joined the British Museum as a clerk. He was placed in the Antiquities Department. Two or three years later he was promoted to the position of Under-Secretary, and was recognised as one of the ablest men of the British Museum staff. Whilst at the museum he had taken part in a debating society in London, which was attended by many distinguished men. He had also become, shall I say, to use the words of the late Mr Rolleston, "infected with the colonial microbe," and he looked to colonisation as one of the ways of saving England. He was one of those who formed a society in London entitled the Society for the Reform of Colonial Government. Of this society he was secretary. Its object was to force upon the British Parliament and people the need of colonisation, and the need of the Government passing such measures as would enable the schemes of the society to be carried out. It was an uphill battle. The British people were not impressed with the need of colonisation, and it is marvellous when their apathy and indifference is considered that so many colonies were preserved to the British Empire. If it had not been for the efforts of a few far-seeing and able men in Britain and Ireland I doubt if either Australia or New Zealand would have been settled by British people. The British people lost the Argentine through their indifference to its value, and they would have also lost these southern colonies had it not been for the efforts of such men as Fitzgerald. We have now what is termed the imperialistic feeling that was so sadly wanting from 1830 to 1850, but it was private associations that practically forced the hand of the British Government so that colonisation took place. We are all aware that the New Zealand Company had great difficulties in carrying out its scheme and that it got into financial straits which at one time threatened the very existence of New Zealand as a sphere for British colonisation. Fitzgerald, with all the enthusiasm of his race, threw in his lot with those who formed the Colonial Reform party. He wrote and spoke strongly in favour of Government assistance, and thus he became acquainted with such men as God-ley. Selfe, Lord Lyttelton, and other leaders of the movement. Godley bad urged a plan of colonisation by the Irish peasants, and lie proposed that a large area in Canada should be set aside for them; and who knows but that, if Godley's scheme had been carried out, it would not have been better both for Ireland and the Empire?

In 1847 Fitzgerald issued a circular in favour of founding a colony in British Columbia at Vancouver Island. This was opposed to the ideas of the Ministers of the Crown, for they had proposed to hand the island over to the Hudson Bay Company. In making this suggestion, therefore, Fitzgerald was fighting a wealthy corporation. In 1849 he published a book examining critically the charters of the Hudson Bay Company, and showing that they had no right to make any claim to Vancouver Island. This was the last of his struggles for the formation of British Columbia as a colony. He had written many pamphlets, and delivered many speeches on

the question, and the effect of his writings had been that the Hudson Bay Company did not obtain the control they sought: in fact, it was recognised that his examination of their charters had shown that they had obtained more power and more territory than they could legally or morally claim. The effect of his book was such that it was said in London that he had killed the Hudson Bay Company." The foundation of a colony at Vancouver could not, however, be undertaken, and other territory was looked for. One suggestion was that India might be made the home of British colonists. Robert Fitzgerald, his brother, a captain in the Fifth Punjaub Cavalry, strongly dissuaded him from taking up the plan. New Zealand was then thought of, and the Canterbury Association was formed. Fitzgerald became a member of the managing committee, and when Godley set out for New Zealand in December, 1849, Fitzgerald was chosen to succeed him as Emigration Agent in London for the new settlement, and he continued to hold that office until the first four ships sailed for Canterbury, he himself sailing on the 7th of September, 1850, in the Charlotte Jane. In this year he had married Miss Fanny Erskine Draper, daughter of George Draper, merchant, London, and his wife accompanied him to New Zealand. All who had the pleasure of knowing Mrs Fitzgerald knew that she was an able, highly educated woman, and a great helpmate to him in his colonial life.

On the voyage out Fitzgerald was, I have been told, the soul of the ship; he entered into the amusements on shipboard, instigated fun and frolic, and encouraged the new settlers, firing them with hope and ambition for the life which they were going to undertake. He wrote a poem on board the Charlotte Jane, which I shall quote, as it shows the hopes that animated the early Canterbury settlers:—

The Night-watch Song of the "Charlotte Jane."
'Tis the first watch of the night, brothers,
And the strong wind rides the deep;
And the cold stars shining bright, brothers.
Their mystic courses keep.
Whilst our ship her path is cleaving
The flashing waters through,
Here's a health to the land were leaving,
And the land we're going to.

First sadly bow the head, brothers,
In silence o'er the wine,
To the memory of the dead, brothers.
The fathers of our line—
Though their tombs may not receive us,
Far o'er the ocean blue.
Their spirits ne'er shall leave us.
In the land we're going to.

Whilst yet sad memories move us,
A second cup we'll drain
To the manly hearts that love us
In our old homes o'er the main—
Fond arms that used to caress us,
Sweet smiles from eyes of blue,
Lips which no more may bless us.
In the land we're going to.

But away with sorrow now, brothers,
Fill the wine cup to the brim!
Here's to all who'll swear the vow, brothers,

Of this our midnight hymn:—
That each man shall be a brother.
Who has joined our gallant crew;
That we'll stand by one another
In the land we're going to!

Fill again, before we part, brothers,
Fill the deepest draught of all.
To the loved ones of our hearts, brothers,
Who reward and share our toil—
From husbands and from brothers,
All honour be their due,—
The noble maids and mothers
Of the land we're going to!

The wine is at an end, brothers.
But ere we close our eyes.
Let a silent prayer ascend, brothers,
For our gallant enterprise.
Should our toil be all unblest, brothers,
Should ill winds of fortune blow,
May we find God's haven of rest, brothers,
In the land we're going to.

Arrival in New Zealand.

Fitzgerald landed at Lyttelton on the 10th of December, 1850. On board the ships there were materials tor printing a newspaper, and on the 11th January, 1851. the "Lyttelton Times" was first issued. The paper was owned by Mr Shrimpton, and it was edited for the first two years of its existence by Fitzgerald. He occupied at the same time the positions of. Immigration Agent and of Inspector of Police. He had to look after the well-being of the early settlers, and also to see that there were law and order in the new settlement, and I believe his rule was much appreciated. There is one story told by him of this period which I cannot forbear from retelling. His half-brother, Mr Gerald Fitzgerald, who was afterwards a Magistrate in the colony, a member of Parliament, and editor of the "Timaru Herald." a man of ability and much public spirit, was out walking with him one day, when they overtook an escaped prisoner. As they approached him, the prisoner waved above his head a handsaw, threatening them if they came near him. With a smile, and that gleam of wit which often started from his eye, he called upon his brother in the Queen's name to arrest the absconder. His brother, as a civilian, expressed himself as entirely willing to do what was desired, but he added as a condition that the inspector of police would first remove the hand-saw. I need not add that the prisoner made good his escape: I have no doubt to the intense amusement of Fitzgerald, for about this anecdote he often had a hearty laugh.

From 1850 to 1853 were times of strain and stress in New Zealand, for the early settlers were struggling for self-government. They had come to the colony for freedom, and they found that in their own government they had neither share nor voice. This led to petitions, remonstrances, etc., etc., and several men were notable in those days for loading the settlers in the agitation for local self-government. Godley and Fitzherbert were two of the most noted, and Fitzgerald also used his pen to some purpose. I have not time to-night to refer to some of the most ably-worded remonstrances that were ever penned, and which the early settlers sent to London. After Godley's death, his life and some of his writings were published in a book by Fitzgerald, and I must refer you to this book for further information. Through the agitation that had taken place in the colony, and through the influence of Adderley, Lyttelton, Gladstone, and others, a constitution was at last granted to New Zealand.

There were six provinces There were to be six local Parliaments and a General Assembly over all. The Constitution Act was passed in 1852. and in 1853 it was brought into operation. Fitzgerald was elected the first Superintendent of Canterbury, and on the 27th of September, 1853. the Canterbury Provincial Council was opened by him. His speech was long and able, and laid down a policy in no uncertain way on all things that the Council had to consider.

I must quote to you a few passages, so that you may see the grasp he had of public affairs. He began thus:—

"There is a certain solemnity about every event which can occur, but once in the life of an individual or the history of a people : of such a character is the act which it falls to my lot to perform, in addressing from this chair the first Legislative Assembly of the Province of Canterbury. You will feel with me that the language of ordinary congratulation falls short of the dignity of the occasion. . . . We have had restored to us in this Legislature a semblance of the revered and tried institutions of our native land : affording to us a guarantee of the preservation of that most precious gift to a people, the inestimable blessing of civil and religious liberty: uniting us by fresh ties to the great Empire of which we form a part, and kindling afresh within every heart sentiments of loyalty and devotion to the Crown and person of her Most Gracious Majesty the Queen." In one passage he asks the members of the Council to look to the future, and he lays down the ideals that should be ever before them. "I feel that I do not need," he says, "to remind you that your responsibility is measured, not by the smallness of the interests, but by the magnitude of the principles with which you have to deal: that the laws which you enact ought not only to meet the immediate requirements of the present community, but should form the expression of principles which shall be applicable to the future, when every existing interest shall have augmented to a hundred fold its present importance."

Perhaps it would be well for us if we conned over these words and appreciated their import. As to the struggle betwixt the churches, his words on that subject, uttered in 1853, might, if listened to, be of service not only to us, but to our kin beyond the sea. He said:—"The State should stand in an attitude of absolute indifference to all religious communities, that we should regard the State as an organisation of society for the purpose of regulating the intercourse between individuals in matters relating to this world, religious communities as coexistent, but wholly independent of organisations of the same society for the purpose of ordering the conduct and promoting the well-being of their several members in matters relating to another world." I do not know if the relation of the State to religion could be better stated.

In the Legislature.

In 1854 the first Parliament of New Zealand met. It was opened on the 24th of May—the Queen's birthday—1854. The Chief Justice, William Martin, administered the oaths to the members. Fitzgerald had been elected member for Lyttelton, and it is apparent from the record of the proceedings of the first Parliament that the members looked to him as their leader. Here I may state that the first division in the New Zealand Parliament which took place was on the question whether the proceedings were to be opened with prayer. Mr Macandrew moved that before the House proceeded with any further business a prayer should bo made for a blessing on their labours. This was opposed by many, because they were afraid that it would lead to the recognition of one church above another, and they desired equality. In the Legislative Council the same question was proposed by Colonel Kenny, and there was a difference of opinion there also as to the use of prayers in Parliament. The matter was arranged by the suggestion of Mr Bell, afterwards Sir Dillon Bell, that the Speaker himself should say the prayers, and this was carried. In the House of Representatives the motion was carried, but Fitzgerald voted with the minority.

Fitzgerald was chosen to propose a reply to the Governor's Speech. The address was short, and couched in beautiful language. In his speech in proposing the address, after pointing out the need of being careful in the expressions used in addressing the Governor, so that their time might not be wasted in recriminations with the chief executive officer, he said:—

"It is not, I hope, presumptuous in me to remind the House that there never was an assembly whose proceedings were watched with more anxious attention or more ardent hope than those in which we are about to engage. You well know for how long a period this colony has been suffering under the effects of a struggle between political parties, or rather, I might almost say, between the people and the Government. You well know how disappointed hope has vented itself in indignant complaints, remonstrances, petitions, and addresses; you know, too, how all have tended to one end, all have looked to one remedy—the establishment of the political institutions of England. Sir, the wishes and hopes of ten long and anxious years in the history of New Zealand are consummated in the scene which I see around me.

"Sir, I have endeavoured to express the feelings by which, I conceive, the framers of this address have been

actuated. In calling attention to its language I would first ask the House whether it would not be wise that, suppressing for the time all differences of opinion, even in the most important matters, our first act should be one of unanimity and congratulation; that, however we may differ in future times—as differ we shall—however hereafter this House may be divided by the struggles of party and the animosity of faction—as divided it certainly will be; for as it has been justly remarked, party is the price we pay for freedom—our first act should be one expressive of our common loyalty to the country of our birth and to the Crown of Her Majesty, and of an earnest and patriotic desire to support Her Majesty's representative in all his efforts for the good government of the country, so far as we shall believe them to be calculated to that end. . . .

"There is one other omission in the speech to which I cannot but allude; I mean all allusion to the question of responsible government. I will not precipitate a discussion which is about so soon to be raised on this question. I have only mentioned it for the purpose of remarking that His Excellency appears to me to have exercised a very wise discretion in omitting to mention that subject in the speech. The introduction of the principle of ministerial responsibility is an act which does not, as I conceive it, require the sanction of any new law; it requires a simple act on the part of the supreme executive power, but that act is not to be hurriedly and arbitrarily performed, it should be a spontaneous development of representative institutions. Had His Excellency originated such an act, and had the Chambers not been ripe for its completion, or not been thoroughly satisfied not only of its abstract propriety, but that the time had arrived when it was necessary that the principle should be fully recognised, it is obvious that the Governor would have been placed in a posi tion of great embarrassment. I cannot, therefore, for a moment gather from the silence of the speech on this head that any objection to the principle is indicated by the Government, or any desire to shrink from the responsibility, should the necessity of the step become apparent, of carrying it into immediate operation."

His speech is able, statesmanlike, and eloquent, as, indeed, all his speeches were. In fact, reading some of the old "Hansards," and comparing them with the new, I do not think the student of New Zealand history will come to any other conclusion than that in our first Parliament we had men of wisdom, culture, and oratory with which it is doubtful if our recent Parliaments can at all compare.

On June 14th, 1854. Fitzgerald was asked to form a Ministry. He had some correspondence with Dr Monro, towards Sir David Monro, about his joining, but they did not agree as to the attitude the General Government should take up towards the provinces. Dr Monro was an out-and-out Centralist, and Fitzgerald desired that the provinciial institutions should be utilised, though not to the extent of some of the extreme Provincialists. The new Cabinet was composed of Fitzgerald (Premier), Sewell, and Weld, and Bartley afterwards joined the Ministry. Mr Dillon Bell was also sworn in as a Minister on June 30th, but there was some disagreement on a question of policy, and he resigned some days afterwards. The Ministry only remained in office until August 2nd, when it resigned. The cause of its resignation was that the Governor desired to retain in office Messrs Sinclair. Shepherd, and Swainson, who had been members of the Executive Council before the Constitution Act had been passed, and also because the Governor would not grant full representative government to the colony. On this, Fitzgerald and his colleagues resigned. The next Government was not appointed until the end of the month—August 31st, when Forsaith, Macandrew, Travers, and Edward Jerningham Wakefield formed a Ministry. This Ministry only lasted two days, when the feeling of the House was so strong against it that it resigned. The fight during the first session was mainly on the question of the relationship that should exist between the Executive and the House. On August 17th the Governor prorogued the House. The House then had some backbone, of which this illustration can be given:—On August 17th the Governor sent two or three messages to the House. The first was a message enclosing returns of electoral rolls, and the second was a vindication of the position he had taken up in reference to the Executive Council. Immediately after the second message a third message was announced, and the members knew that it was a message proroguing the House. Before the third message could be read Mr Sewell rose to speak, and he moved that his Excellency's Message No. 32 (the message of vindication) be at once taken into consideration. This would have deferred the prorogation until the House had had time to protest. Mr Travers and Mr Wakefield, however, pointed out that by the standing orders, whenever a message was received from the Governor it must be at once Head. To meet this Mr Fitzgerald moved that the standing orders be suspended, and a division was taken on his motion, but as twenty-four members—that is, two-thirds of the members—were not in the House when the division was taken, the standing orders could not be suspended. Shortly afterwards, Dr Featherston and Mr Moorhouse and another came in, and, with the Speaker, made up the quorum of twenty-four. There were twenty-five present. Another motion to suspend the standing orders was then moved and carried, and the House went into committee, considered the [*unclear:* rnor's] message, and passed ten very strong resolutions against the Governor's conduct in failing to establish proper Ministerial responsibility. It was only after these resolutions had been carried that the message proroguing Parliament was read.

The Assembly was called together on August 31st, and a long speech was delivered by the Governor, the second Ministry, as I have before stated, being then in power. After the resignation of this Ministry, Parliament

was carried on without any Government being appointed from the House of Representatives until 1856. when the Bell-Sewell Ministry was formed.

In 1857 Fitzgerald was stricken with illness which forced his retirement from politics. He resigned the Superintendency, and Mr Moorhouse was appointed in his stead. In 1858 he left for England, via Australia, in a small schooner called the Speedy, which took six weeks to reach Australia. He took his wife and his four children with him. From 1858 to 1860 ho remained in London, holding the office of Emigration Agent for the province of Canterbury, and during that time ho was not idle. He was on all favourable occasions bringing the Canterbury settlement under the notice of the British people. In 1859 he was informally offered the governorship of the new colony of Queensland, and at another time he was offered the governorship of British Columbia, but on account of his health he had to decline both offers. In 1860 ho returned to New Zealand, and for a time devoted his attention to the pastoral industry, having a run in partnership with the late Mr Hunter Brown, Mr Percy Cox, and Mr Draper, his brother-in-law. In [*unclear:* loud] he became proprietor of the Christchurch "Press" newspaper, which he owned until he left Canterbury in 1867. He had entered politics again in 1802, being elected member for Ellesmere in that year, succeeding Mr Row ley who had resigned. He was again recognised in Parliament as one of the ablest men in the House of Representatives, and in that year, 1862, he delivered perhaps the ablest and most eloquent speech that was ever delivered in the New Zealand Parliament, or perhaps in any Parliament. I was told by a member who was present that no speech ever moved the House as this speech did. He said:—

"The present state of things cannot last. The condition of the colony is not one of peace; it is a state of armed and suspicious neutrality. If you do not quickly absorb this king movement into your own Government, you will come into collision with it, and, once light up again the torch of war in these islands, and these feeble and artificial institutions you are now building up will bo swept away like houses of paper in the flames. Tribe after tribe will be drawn into the struggle, and you will make it a war of races. Of course, you will conquer, but it will be the conquest of the tomb. Two or three years of war will eradicate every particle of civilisation from the native mind, and will elicit all the fiercest instincts of his old savage nature. The tribes, broken up, without social or military organisation, will be scattered through the country in bands of merciless banditti. The conflagration of Taranaki will be lighted up again in every border of the colony: and in selfpreservation you will be compelled—as other nations have been compelled before—to hunt the miserable native from haunt to haunt till he is destroyed like the beasts of the forest. I am here tonight to appeal against so miserable, so inhuman, a consummation. We are here this evening standing on the threshold of the future holding the issues of peace and war, of life and death, in our hands. I see some honourable friends around me whose counsels I must ever respect, and whose tried courage we all admire, who will tell me that you cannot govern this race until you have conquered them. I reply, in the words which the poet has placed in the mouth of the great Cardinal, "In the hands of men entirely great, the pen is mightier than the sword. Take away the sword! States may be saved without it.' I know well that evil days may come when the sacred inheritance of light and truth, which God has given to a nation to held and to transmit, may only be saved by an appeal to the last ordeal of nations—the trial by war : but I know, too, how great the crime which rests on the souls of those who for any less vital cause or for any less dire necessity, precipitate that fatal issue. I grudge not the glory of those who have achieved the deliverance of a people or the triumph of a cause by any sacrifice of human life or human happiness; but I claim a higher glory for those who, in reliance on a law more powerful than that of force, and wielding spells more mighty than the sword, have led the nations by paths of peaceful prosperity to the fruition of an enduring civilisation. I claim a higher glory for those who, standing on the pinnacle of human power, have striven to imitate the government of Him who 'taketh up the simple out of the dust, and lifteth the poor out of the mire.' And I claim the highest glory of all for that man who has most thoroughly penetrated that deepest and loftiest mystery in the art of human government. 'the gentleness that maketh great.' I have stood beside a lonely mound in which lies buried the last remnant of a tribe which fell—men, women, and children—before the tomahawks of their ancient foes; and I sometimes shudder to think that my son, too, may stand beside a similar monument—the work of our hands—and blush with the ignominy of feeling that, after all the memorial of the Christian lawgiver is but copied from that of the cannibal and the savage. I appeal to the House to-night to inaugu- rate a policy of courageous and munificent justice. I have a right to appeal to you as citizens of that nation which, deaf to the predictions of the sordid and the timid, dared to give liberty to her slaves. I appeal to you to-night in your sphere to perform an act of kindred greatness. I appeal to you not only on behalf of the ancient race whose destinies are hanging in the balance, hut on behalf of your own sons and your sons' sons, for I venture to predict that, in virtue of that mysterious law of our being by which great deeds once done become incorporated into the life and soul of a people, enriching the source from whence flows through all the ages the inspiration to noble thoughts and the incitement to generous actions. I venture to predict that, among the traditions of that great nation, which will one day rule these islands, and the foundations of which we are now laying, the most cherished and the most honoured will be that wise, bold, and generous policy which gave

the Magna Charta of their liberties to the Maori people."

The Peace Party.

The question of questions before the Parliament of those days was the attitude that, the Government and people ought to take towards the native race, and you have seen from the passages which I have read on which side Fitzgerald was ranged. He desired that the natives should be treated not only with justice, but with extreme kindness. He was the leader of the Peace Party, and how rare his advocacy was can bo learned from the speech which I have just quoted from. He was Native Minister in 1865, having been appointed to that office by Mr Weld, but ho held office for only about two months. But during the time he was in office he introduced and carried what was really the Magna Charta of Maori liberties, the Native Rights Act. 1865, which provided that every person of the Maori race within the colony shall be deemed a natural born subject of her Majesty. The bill was seconded by one I could call my friend—the Hon. Major Sir J. L. C. Richardson—a man who was always to be found on the side of the weak and the oppressed. A glance through the statute books of 1865 will show that the law-givers were affirming principles of much import in dealing with the natives, and also with the duties and privileges of Parliament. In that Ministry there were some very able men. You will recognise that when I give their names. There were Weld, Fitzgerald, Fitzherbert. Sewed, Sir John L. C. Richardson, Major Atkinson, Mantel!. and J. C. Richmond. On one important policy question, though the Government had a majority, they had not, as Weld and his colleagues thought, a sufficient majority to carry on, and Weld therefore tendered his resignation. I can wed remember the news of the resignation coming to Dunedin, and though perhaps the majority of the Dunedin electors were not supporters of the Weld Government, there was a genuine feeling that New Zealand had lost an able Executive.

Another question that Fitzgerald devoted his attention to was that of public finance. Ho desired that there should be not only audit of the colony's expenditure, but control of it. The audit system in force had been what is called the post-audit system, that is, the Government paid accounts out of the Treasury, and the auditor afterwards audited these accounts, just as auditors do for public companies. Fitz gerald desired that there should be a control, and that before accounts were paid the Comptroller should certify that Parliament had authorised the payment, and that there were funds set aside for the purpose. In January, 1807, he was appointed to the position of Comptroller-General. The name of his office was altered by a later statute to that of Comptroller and Auditor-General, and he held that office till his death, in 1896.

And now I must say a few words about him as a man and a statesman. I have told you what his attitude was on several political questions in the colony, and I have given you a few extracts from his speeches so that you may realise that we had in New Zealand a statesman and a great orator. But he was a many-sided man. He took an intense interest, not only in political questions, but in social questions also. His early essays and speeches show that he had high ideals, and that he was using his talents and strength for reform. I have referred to his attempts to found a colony in Vancouver. He was also interested in the Irish question. He wrote a letter to the noblemen of England upon the condition of Ireland in the sad years of 1848 and 1849, and advocated Irish emigration in those years. He had, even in these early years, dealt with the Exchequer system in England, and had written largely on the question. He was a poet, too, for he had then written poetry and songs. In 1853. whilst in the colony, he wrote on psychological subjects and on finance. He was a Home Ruler and believed that the redemption of Ireland would come if she had a local Parliament. From 1860, when he returned to New Zealand, till 1867 he was the author of many essays, stories, plays, etc. As showing his many-sidedness, may I add that he was a good lawyer and a law draftsman. He drew the Counties and the Municipal Acts of 1876. and in many financial measures his advice was sought and his draftsmanship adopted. In the "Monthly Review" was published an essay by him on "Dreams," and two papers on the Shakespeare-Bacon controversy. I remember, in 1864 or 1865, being much struck by an article that appeared in the Christchurch "Press" on city architecture. It seemed to me to be influenced by Ruskin, and was yet unlike Ruskin. It was not until twenty years after that I found that Mr Fitzgerald was the author of it. In his lecture on the value of art in the Colonial Museum in 1868 he dealt with the same subject. I should like to quote many passages from it, but time will not permit me. I may, however, quote its message:—" I would," said he. "suggest to your earnest consideration whether, having not only been placed by our Creator under the authority of a moral law, but placed also by the same power in the midst of a world teeming, from the infinity of greatness to the infinity of littleness, with forms of unspeakable mystery and beauty, it may not be a mistake greater than most of us suppose, to neglect, individually and nationally, the study of this principle of beauty, for the recognition and enjoyment of which we are especially adapted by our nature."

Views on Government.

His lecture on government I think should be read to-day for its wisdom and its lesson. I have not time to give you more than one or two short extracts. He ever kept in view the need of freedom, and he saw, as who has not seen? that a government democratice [*unclear:* n] form may be tyrannical in action. Hear what he said (in 1870):—

"Now it seems a prevalent idea in these days that liberty depends solely upon the share which the people obtain of political power. Hence the enlargement of franchises, and the more complete subordination of the Executive to the Legislature, are spoken of as if they were the only guarantees for the preservation of liberty. But all that these things can do is to render government more completely subservient to the will of the popular majority. That no doubt, is for certain purposes desirable. But how does it protect personal liberty ? A majority may be as intolerant and tyrannical as an individual; and more so, because the tyrant has a head to be chopped off if the worst comes to the worst, which the majority has not. The tyranny of an individual is the evil of past times in civilised nations; at the present day, of still semi-barbarous people. But, in free countries, there is increasing danger of the tyranny of the majority of the hour. An act is not less unjust when done by a multitude than when done by one Liberty is equally destroyed if stabbed by a monarch or trampled under the feet of a mob. Hence in the struggles for liberty in past times it was not sought merely to render government popular, to substitute representative authority for hereditary right, to subordinate the will of the one to that of the many; it was found necessary to surround power, no matter in whose hands it might be, with a network of contrivances for its just use, amongst which we have had this handed down to us as the surest guarantee for personal liberty, the entire exclusion of those whose duty it is to administer the law from all political power, and their independence of those in whose hands the executive government is placed. And they are but shallow politicians who fancy that, because the representatives of the political majority of the day have become the depositaries of political power, the guarantees against its unlawful use which have been handed down to us from the past may be safely removed, I venture to speak thus, because there is a school of politicians who, in the eager desire for further improvement, and perhaps in a somewhat overstrained admiration for their own age, regard too lightly what we have received from the past. Let us not mistake forms for principles; and, rudely as we sweep away the technicalities and contrivances of a past ago whenever they stand in the way of substantial improvements in the political machine, at least let us endeavour to understand the great principles of the structure we propose to improve. I think no one can have watched the working of the democratic governments established in most of the British colonies, without perceiving a tendency to rely too largely upon the powers of the executive government under the impression that, because it represents the majority of the hour, the ancient restraints upon the authority of the executive may be safely set aside. And, if I regard with some apprehension the results of this doctrine, it is from no pedantic regard for antique forms, but because it, seems to me to tend towards a resumption by the supreme authority of those various powers of government, the disposition of which in separate and independent depositaries was, and ever will be, the surest if not the only real guarantee for personal liberty."

And he ended his lecture with these wise words:—"Far distant, apparently, is the promised era, when men shall beat their swords into ploughshares and their spears into reaping hooks. The worship of physical force will, perhaps, long be the reigning superstition of mankind. But, if there be any difference between one government and another, if there be any standard by which we can measure the value of government, surely our judgment should pronounce a government better or worse in proportion as it leads or obstructs the people under its rule in the march towards a higher national life."

In 1886 he wrote an essay on Imperial Federation, which was submitted to the London Chamber of Commerce for their prize. Froude. Seeley, and Rawson, the judges placed it second on the list of essays on the subject. It was not only an essay, but it put in practical shape what the constitution of England should be it it became a federation, and I would refer you to it. The essays were published under the title of "England and her Colonies, by Swan. Souneschein, Lowrey and Co.

There are, I suppose, some present tonight who heard his inaugural address to the Wellington Citizens' Institute in 1893; if so, you will remember his concluding sentences:—"For my own part, I cannot but hold that, of all the words which have ever been spoken by human voice, or written by human hand, the most valuable—the most precious of all the records of the past—those which have exercised the largest influence on the destinies of the human race, and may yet exercise an influence more extensive than the boldest visionary can imagine, are those two charters of human rights and human duties—the first, which claims to have descended from the mountain mists of Sinai, and laid the foundation of law; the second, which were spoken on a mount in Galilee, and taught, 'Love is the fulfilling of the law.'"

I might mention some other subjects which were discussed by Fitzgerald:—" Possible Future Development of Governments in Free States," "Darwinian Theology," "Fourth Dimension," "Socialism," "Public Debts," "Gymnastic Training," "Self-reliant Policy in New Zealand," etc.

I have said he was an artist. He painted many pictures, and many of them were of great merit. I remember being greatly struck by one which was a picture of a great wave. He said that while watching the waves during his last voyage to England in 1889 he had become so impressed with their majesty and beauty that he desired to put on canvas what had never been put there by a painter before, a huge wave, without any accessories or foreground. He found a great difficulty in getting a colour sufficiently blue and deep. He communicated with Mr Dicksee, the eminent painter, and obtained some hints from him as to colour. Anything artistic came easily to him. He could carve in wood, and you will see in the museum a picture-frame carved in walnut from a tree cut down by Mr. Gladstone and containing Mr Gladstone's portrait. He was a man of great wit and humour. His fondness for a joke, his ready wit in appreciating one and his delightful fund of anecdotes could only have been fully appreciated if you had had the good fortune to have been a listener. You must have known the man to have appreciated this trait of his character. I can only say that no more delightful evenings were ever spent by me than those in his company. When he visited Dunedin on business I always called on him. I remember once calling on him when he was staying at the Criterion Hotel. There was a street musician playing not far from the window of the room in which we were seated. The hotelkeeper came in to know whether he should not send this musician away. Fitzgerald's reply was:—"For goodness sake, no. It is the best accessory to your hotel. Give the man 5s—here it is—and tell him to go on."

He took an intense interest in all social development, and it could never have been said that he was on what is termed the conservative side. But, above all, he was a man of the highest rectitude, and unbiassed in the performance of his public duties. He did what he believed to be his duty undeterred by fear or favour. He was one of the public servants of the colony of whom New Zealanders should ever be proud. Among the many able men who gave their lives to lay the foundations of this young nation, he was perhaps unique in his public spirit, in his high character, in the variety of his intellectual abilities and attainments, for he was orator, poet, artist, financier, statesman, essayist, and philosopher. And so long as the name and remembrance of New Zealand and her pioneers endure, James Edward Fitzgerald will be revered and his memory honoured.

vignette

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On the NATURE OF ART.

BY JAMES EDWARD FITZGERALD

[*Lecture delivered at the Colonial Museum, Wellington*, *August* 18, 1868.]

IT was once said that "Man made the town, but God made the country and I do not know that any expression more immediately or strikingly suggests the two great branches into which all human learning may be divided;—the two great divisions, in one or other of which must be placed all the objects which are presented for our curiosity or our study, in such a Museum as that in which I address you this evening.

The phenomena of nature, and the phenomena of man—the study of nature and the study of man—these two embrace the whole range of human enquiry.

It is no new discovery, although we seem to realize it more distinctly with every fresh step in scientific knowledge, that all the operations which are going on in the universe around us, all the subtle and manifold changes, which transform the external appearance of our planetary home, from epoch to epoch, year to year, season to season, and hour to hour, are conducted, not by the chapter of accidents, not by arbitrary will, but by fixed and irrevocable law.

In our present provisional and partial insight into nature, we call by technical names, and arrange and classify under technical systems, the unity of which, or the connection between which, are at present but very dimly perceived, those hidden relations which subsist between the particles of matter, and which produce the various phenomena which become the subject of our observation and study. That strange quality by which the

planets revolve in their orbits, and the mountains remain fixed in their places undisturbed by the gyrations of the world in space, we call the law of gravity. We speak of the laws of chemistry and electricity, of light, and heat, and sound, of statics and dynamics, and of the rest and motion of fluids, and so on; and, with a far less definite sense of what we mean, we talk of the powers of animal and vegetable life; and perhaps the day may come, when we shall be able to recognise in all these various laws, the evidences of one all-comprehensive principle, impressed upon and inherent in all created matter, of which the laws at present within the scope of our philosophy are but partial and subordinate manifestations. However this may be, it will be admitted by all, that the tendency of scientific knowledge has been to present nature to us as under the influence of fixed law, as opposed to arbitrary will.

In the earlier ages of the world, when the intelligence of man had not penetrated beyond a superficial observation of the external appearance of things, he was wont to ascribe to the powers of nature, a personality similar to that which he recognised in himself. He loved to symbolise its localities and operations under the forms of imaginary beings, invested with such human characters and attributes as were suggested by the emotions and feelings which those localities and operations naturally awoke in his mind. Thus the streams and the groves, the winds and the ocean, the volcano and the whirlpool, were clothed in the language of the poet, and in popular belief, with the forms and characters of semi-human beings—fawns and satyrs, nymphs and dryads, Æolus with his cavern-bound winds, Neptune and his Tritons, Vulcan and his Cyclops; until every power of nature was endowed in popular superstition with a personal and individual will, influenced by motives and subject to caprices similar to those of humanity, and operating sometimes for the benefit, and sometimes for the destruction of man.

It has not been until comparatively modern times, and even now, I fear, but over a small part of the human family, that scientific knowledge has triumphed over popular credulity; and that the realm of nature is presented to us in every part, as subject to immutable *law,* from which the idea of choice or will, of object or design, residing in matter itself or in the powers of nature, is absolutely excluded.

When, however, we pass from the phenomena of nature, to those connected with man, a new scene opens to our view. We stand face to face with free will; with a new creative power at work in the midst of the vast and complex machinery of nature. If you take two seeds from the same plant, apparently, so far as you can judge, similar in all respects, and plant them in the same soil, and in the same climate, there shall grow from them two trees widely differing from each other, in size, and strength, and character. Yet we do not suppose for a moment that any act of choice or will on the part of the tree has modified its form or its growth; but rather that the unknown incidents of nourishment and of atmosphere, of sunlight and of moisture, have dictated the development of every leaf and every fibre. But if you take two human beings, apparently similar in the cradle, subject them to the same education and the same influences, and observe them at successive periods of life, you are compelled to admit, that the result in each has not been arrived at solely by the operation of natural and mechanical laws, but by those laws modified, controlled, interfered with, by the operation of an independent force residing in the man himself,—by his power to choose or to refuse—by his free will.

At what exact point this free will first enters into the scale of nature, is perhaps the most insoluble of all the mysteries by which we are surrounded. Does it appear first with locomotion ? Is the cow absolutely free to turn to the right hand or to the left, to crop the wholesome, and reject the poisonous herbage as she pleases ? Or are all animals like plants, only more delicate and complicated parts in the one vast mechanism of nature ? Or if we admit a certain degree of free will to the higher animals, shall we apply the same law to the oyster and the polypus ? Or what shall we say of that large portion of animated nature, which lies in the border land between the animal and vegetable kingdoms ? In truth it would appear as if not only the will, but most, if not all, the mental powers of man had their latent germs in the lower animals; and that these germs are more perfectly developed as we rise in the scale of creation. Thus we can trace in animals the emotions of courage and fear, memory and hope, love and hatred, gratitude and revenge, joy and sorrow, and a distinct though imperfect power of reason, connecting cause with effect and governing the actions accordingly. Of the creative power of imagination I am not aware that any trace has been discovered except in man.

To whatever extent, then, if to any, we may consider animals as governed by a personal will under the influence of moral emotions, superimposed upon mechanical law, it is certain that the evidence of such an independent wall in man is infinitely greater than in any lower order of beings; and that, so far as we know, he stands alone amidst creation as possessing a creative power of imagination. And there is no reason, because impenetrable mist obscures the boundary line between matter subjected to mechanical law alone, and matter subjected, not only to such law, but to the operation of external and independent will, that we should therefore ignore the broad and unmistakable difference between the two classes of facts which present themselves at the opposite ends of the scale; between, on the one hand, such facts as are presented to us by chemical experiments, the result of which we can confidently predict, and on the other, by the phenomena of human action and caprice, which elude all possibility of scientific mensuration.

I know, indeed,—and I notice it, not because it will enter into consideration this evening, but because it would be disingenuous if I were to pretend to be ignorant of the fact;—I know it has been argued, that man himself, not only in his lower and material organisation, but even in the more subtle and impalpable action of his reason, his imagination, and his will, is equally the unconscious subject of the same immutable law which he recognises in external nature; that he is no more than a passive and predestinated instrument, no more than one inert link, in the mechanical chain of cause and effect, which unites the past to the future in the sequence of the operations of nature. I will pass by the wide field for discussion which this strange philosophy opens to our view; because it is sufficient for our purpose this evening to assume, that, even were the doctrine of predestination established, were it proven that free will in man is a chimera, and the creative powers of his imagination no more than a delusion, still the laws of human action, what we are content to *call* his power of choice, his free will, are so entirely different from and independent of the natural laws of growth and change, that, as compared with the latter, we may logically consider man as possessed of an inherent power of action, independent of mechanical law. And we recognise this power, not only as modifying his own growth and development, but still more clearly in the action of man upon the world which he inhabits, in the creations of his hand and his brain. I have said the tree grows in obedience to mechanical law. Given its origin, and the circumstances surrounding it, and it must of necessity have attained its own particular form and stature and character; that individual one and none other. But the house does not grow in obedience to any such law. It was not in compliance with any such law that there are so many windows in the roof above me, instead of six or seven or any other number. That particular number, and so all the special proportions of this building, were the result of choice and design on the part of the architect, who was free to select or reject as he pleased. And so it is that when we pass from the operations of nature to the works of man, we pass from the world of nature into the world of Art; for Art is a term which embraces every modification in the forms of nature which has been achieved by the intelligence, the imagination, the memory, the creative power, the imitative ability, the skilful ingenuity of man.

What is it, then, which we mean by Art ? It is not the mere mechanical combination of matter into new forms, designed for new uses, with which Art deals. Art takes no cognizance of the principles of structure, or the nature of materials, or the composition of the elements which it uses as a language in which to convey its ideas. Art deals only with the images produced, in respect to their beauty or their ugliness; that is to say, in respect to the effect which such images have upon the mind of man; upon that quality of his mind which receives pleasure from the perception of beauty, and pain from the presence of the opposite. And this feeling of pain or pleasure is evoked, not only by the manifestation of beauty or the contrary in material form, but from ideas which have a less material embodiment. It is the images which arise in or are impressed on the mind, in respect to their beauty or the reverse, which, and which alone, are within the realm of Art.

Although Art takes no cognizance of the laws of nature, even when expressing itself in materials subject to those laws, yet it is limited and controlled by them. For example: if you build a house, you must build it in compliance with the law of gravity operating on your materials, or it will cease to be a house; it will tumble down. If you paint a picture you must use pigments and colours which will not undergo chemical change, or your colours will fade under your brush; the idea in your mind will have no expression. If you would produce a strain of music on a violin, you must rub your bow with resin and not with grease, or your music will remain amongst the eternal silences. If you make a pudding, you must use ingredients which will combine in the manner you expect, or your pudding will curdle, and, as a work of art, will be nothing more than a praiseworthy intention. But still it is not with the material conditions of the work that Art deals. These are within the province of the mechanist and workman, not of the Artist. Nor does Art enquire what are the uses for which a thing is made, nor of its fitness or the contrary, for such uses; further than our perception of such fitness or unfitness may enhance or destroy our sense of beauty. Art deals solely with works *in respect to their beauty;* that is, in respect to their capacity to kindle in the mind that emotion which the contemplation of beauty affords.

When we say that Art is limited by the laws of nature, we mean no more than this—that Art is limited by the possibility of expression in material forms. And all ideas must be expressed more or less in material forms; for even ideas unwritten and unspoken are incapable of being recognised by the mind, except through the medium of language. If we think at all, we think in a language of some sort. Art, therefore, must have an expression; and that expression is subject to the laws which govern the materials which it uses for the purpose. But within these limics, subject only to the conditions thus imposed, the artist roams free and uncontrolled in a paradise of his own fancy, peopled by the creations of his own teeming brain. And so, in and around the material world, and out of elements of which he is himself a part, man weaves a new world, which hangs like a vision around the coarser elements of matter, and by the spells of his creative fancy, he calls into existence the world of Art.

I may seem, by what I have said, to imply, that the idea of material beauty, is wholly independent of the physical laws which rule the operations of nature. But upon this point we should speak with the caution and

modesty becoming a very limited perception of truth. For we do not know that there may not be some necessary connection between the laws of nature and the manifestation of beauty. How can we say that the glories of the evening sky are not a necessary result of the same causes by which the revolution of the earth brings the sun every evening on the horizon; which guide the light of the sun through space, and refract it through our atmosphere, and, absorbing some of the rays, transmit the rest in colour to our eyes; which suck up the moisture of the earth into the heavens, and suspend it in graceful drapery over our heads? Who shall say that the solemn beauty of the primeval forest is not an essential and necessary consequence of the laws by which the forest grew? Certain it is that the full development of the powers of life in an individual bears with it a higher degree of physical beauty than the same individual exhibits, when its vitality is impaired by age or sickness. The more perfectly fitted things are for the uses for which they are designed, the more beautiful do they frequently appear. For example, a yacht is more beautiful than a coal barge, even in the eyes of those who are entirely ignorant of the superiority of one over the other as a machine for sailing. I say not that this is a universal law; but I do say that its frequent appearance is sufficient to raise a doubt, whether the production of beauty may not, in some manner of which we can form no conception, be inherently and necessarily connected with the mechanism of nature.

I have said that Art, in the proper sense of the term, does not deal with the productions of man in any other respect than as regards their beauty. Indeed, the term is often used in a more limited sense, as applying only to works which are produced solely for their beauty—such as pictures, statues, and so on; which are therefore called, *par excellence*, works of Art. But it is clear that the term is capable of a much wider application; because, if we make anything for a special use, if it be only a toasting fork, we can conceive a vast variety of forms in which it may be moulded, all of which may equally subserve the same end, but which may differ widely from one another in ornament and in beauty. In so far as the thing is a machine for doing a particular work, it is beyond the cognizance of Art; but in so far as it is more or less beautiful, it is a work of Art.

Hence it is, that not only objects which are made solely for creating pleasure, such as pictures and statues, but things which are in the first instance designed for physical utility, are equally works of Art. Thus our churches, our houses, our chan's and tables, our fire-irons and our clothes, our carriages and our crockery, all bear witness, not only to the skill of the workman, but to the inventive fancy of the artist; and the graceful curvature of a chignon has no more claim to the dignity of Art than the delicate colouring of a tobacco-pipe; though the one object is designed to enhance the beauty of women, the other the comfort of men; nor does it alter the result that the former as signally fails, as the latter succeeds in its mission.

In short, there is nothing upon which man bestows labour, which does not come more or less within the realm of Art. Hence it is that the study of Art is co-ordinate with the study of mankind. It is not only in monuments and pictures and statues, but in every specimen of handicraft, that we read the history of the people by and for whom they were made. A people thus unconsciously writes its own history in the daily works of its hands. For by these records we learn not only what its workmen and artists could do, but what the people for whom they worked used to admire. The artist not only acts upon, but is reacted upon by the age and race in which he lives. When he aims at producing the beautiful, he is influenced by the consciousness of what his patrons, the public, will accept or recognise as beautiful. It is the same with the poet. In his creations, the poet unconsciously assimilates the standard of his readers. If he describes a hero, he describes a character such as his age and race recognises as heroic. Thus Homer has not only handed down to us poems which have for centuries commanded the interest and admiration of mankind, but he has preserved to us for ever the great historic fact, what was the true type of a hero in the mind of an ancient Greek. And thus, too, the legends of King Arthur's table teach us what was regarded for centuries in England as the highest standard and model of chivalry. So it is in Art. From the works of past ages, we learn what sort of thing it was which a people admired at the time those works were produced. And it is owing to this sympathy between the artist and his race and age, that we trace a distinctive character in the Art of the different nations of antiquity, which can never be mistaken for one another. Thus the Assyrian, the Egyptian, the Greek, the Roman, the Saxon, the Byzantine, the Moorish, and so on, all present peculiar characteristics of style and design and workmanship, which are easily recognised. And there is, moreover, a sort of relation, which it is far easier to appreciate than to describe in language, between the productions of the artist and those of the poet and the historian of the same age and people. Perhaps the most striking instance of this is that presented by the Assyrian sculptures discovered by Mr. Layard, and now in the British Museum. Often have I been powerfully moved when gazing on those strange monuments, made, as they are, of the most perishable material, and yet almost miraculously preserved for us for more than two thousand years, by being buried in the warm and dry sand of the desert—often have I thought that those very monuments had been, no doubt, seen by the Prophet Ezekiel himself, when he penned his inspired visions on the banks of the River Chebar; and that the artistic forms by which he was surrounded impressed themselves upon the peculiar imagery in which he delivered his divine message to his captive race. The unity of feeling, of fancy, of imagination, between the language of Ezekiel and the marbles of Nineveh, is too obvious and

remarkable not to strike any one who has carefully studied them together.

And thus we read in the material works of Art, as in the creations of the poet, the character of the imagery, the style of workmanship, the type of ornament, the sort of ideas, in fine, in which, the people for whom the work was made were accustomed to seek the gratification of that yearning for the beautiful, which is one of the ruling powers of the human soul. The most barbarous people has some sort of perception of the difference of forms, in respect of their beauty; and seeks, it may be in very grotesque ornament and distorted images to gratify its capacity for admiring. And so it leaves behind, in the works of its hands, a record from which we may infer somewhat of the character of its mind, and the state of its civilisation.

But not only do we find a perceptible difference in the character of the Art of different races, but there is also a history in the Art of each. There is a distinct law of growth and change, of culmination and decay. In no Art is this history so distinctly traceable as in the Greek and the Roman. The Roman, indeed, may be regarded as merely an off-shoot and product of the Greek; for in Rome, Art was exotic and imitated, not indigenous. And this, no doubt, arises from the fact, first, that no other race has left us anything like the same number of works of Art extending over so many centuries, in coins, and gems, statues and vases, made in imperishable materials; and secondly, because no nation ever approximated to the Greek in the perception and love of the beautiful; and therefore in the Art of no people is there the same difference between its worst and best works. Now we find one remarkable law pervading this history of Art; namely, that it grew with the growth of a race, and decayed with its national vigour. And this is by no means accounted for by the increased wealth which accompanies national prosperity; for neither a man nor a people can do more than it is in them to do, because they get more money for it. There is, besides, abundant evidence, that the standard of Art and the perception of beauty do not rise and fade with mere wealth. Long before the time when the wealth of the Roman began to decay, he had lost the only inspiration he ever received from his Greek master; and his Art was rapidly degenerating, when his wealth and luxury were at their greatest. But with the Greeks, the growth of their race, not only in the parent States but in all their numerous colonies which studded the coast of the Mediterranean, from the Pillars of Hercules to the valleys of Lycia, is written in indelible characters upon their Art, from the earliest ages to the culmination of their glory in the age of Pericles; and in the same language, the decay of national life after the time of Alexander the Great, is recorded with equal fidelity. And so well ascertained is this law of growth and change, that the arclæaeologist is never at a loss to assign to any work of Art, the approximate period, in which it was produced. If yon take the scries of coins of any one city, such as Thurium or Tarentum, in Magna Græscia, on which one type occurs throughout, you get the most perfect illustration of the growth of Art. The common type on the coins of Thurium was a rushing bull; on those of Tarentum, on the obverse, a horse, and on the reverse, a boy riding on a dolphin. In the earlier part of the seres of these works, you find the first attempts of the artist to express his idea. The character of the work is hard and crude, but thoroughly honest and conscientious. You can see that the artist is doing his best. He never slurs an outline, but always renders it distinctly. There is no flow in the lines, they are rigid and unyielding. They are like the first lispings of the child to speak; the effort is great and the success imperfect, but you feel that it is but lisping; it is not the language the child will one day talk. As time goes on the work improves; the skeleton is filled in with flesh, the detail is elaborated. The artist gets a more complete mastery over his subject, but loses none of his truth; for it is evident that he is still taking his inspiration from Nature. Recollect, I am not speaking of the life of one artist, but of the operation of many cycles of years. Each artist deals with the same type, sacred to his city from its relation to its mythical traditions, but he does not copy from his predecessors. He works in the studio of Nature, and owns no other master. And so, at last, you have in some of these little silver coins, on larger than a shilling, some of the most glorious works of Art which the world has produced.

It was this character of faithfulness and honesty to his Art and his subject, which was the peculiarity of Greek, as it is of all truly great Art. Take, for example, those marbles which stand unrivalled in the artistic efforts of mankind—the groups from the Pediment of the Parthenon, now in the Elgin Gallery of the British Museum. These statues stood more than forty feet from the ground; they were somewhat larger than life size; and they stood, of course, against the wall of the pediment, so that one side only could be seen, and that from a distance. And yet you find that, not only in front but behind, the same wonderfully elaborate and detailed work has been devoted with the most lavish and ungrudging honesty. The hard and brittle material vanishes from sight as you gaze; now melting into softest flesh, which seems as if it would yield to the pressure of the hand; now ossifying into bone; here quivering in a muscle, there palpitating in a vein. If we be inclined to say—why waste so much labour on a work, so much of which was never to be seen ? I reply, the man who had failed so to work for the unseen, would have been incapable of producing what was seen; for the true artist works, not for gain or for applause, for vanity or for fame, but in a pure, unselfish, and absorbing love of his Art, and in reverend adoration of the spirit of beauty which he worships. And in Ancient Greece this passion for Art was no doubt elevated and intensified by the feeling of religion. It was not in painting portraits of one another's faces, and chronicling imperfections, but in striving to realise forms fit to impersonate the gods, that Art attained its

highest perfection.

If we turn now from the period of growth and culmination, to that of decadence, we find the picture reversed. The lines are no longer wrong through unsuccessful effort, but through careless neglect. The artist, instead of going to Nature for his inspiration, is evidently only copying from his predecessor, and his expression becomes wavering and indistinct. The outlines are slurred, and the faults of the past repeated and exaggerated. The character of the work becomes sensuous as the feeling becomes superficial. The sacred type has changed from a faith to a fashion; and so the artist's right hand loses its cunning, and can no longer grasp the idea, when the soul of the idea itself is passing away. There is one most remarkable instance of this history of decadence in the barbaric imitations of the coins of Macedon. The common type upon the coins of Philip and Alexander was the head of some deity personifying the King, or rather the head of the King in the character of the god, bound with a fillet of laurel leaves. Barbarous races seem to have copied this type from one to the other, until at last the original type became so indistinct that it was lost. There are ancient British coins, in which the head consists of nothing more than some rude lines and dots; and it is only by seeing a whole series of these coins at once, and tracing the deterioration down from one to the other, that you can believe that a head is intended at all. Amidst this chaos of marks, the laurel wreath, being the easiest to copy, remained somewhat more distinct, when other parts of the head had disappeared; and there are some curious coins of Cunobolinus, one of the kings of Britain in Roman times—the Cymbeline of Shakespeare—in which some artist, evidently a genius in his way, finding these curious marks on the coin he had to imitate, and not liking to imitate what he did not understand, assumed that they were meant for an ear of wheat, and reproduced an exceedingly good representation of an ear of wheat, evidently taken from Nature. Thus, in the course of time, and by the decadence of Art, the head of Philip of Macedon is changed into an ear of wheat. A singular analogy to the cynical philosophy of Hamlet.

I will not delay you by applying these principles, as I might, to the Christian Art of the Middle Ages, but you will at once perceive what a close analogy there is between the archaic character of the early Greek Art which I have been describing, and that of the Italian masters before the time of Michael Angelo and Raphael, which may be considered as the culmination of Christian Art. You are all now familiar with the character of this early style, from its revival in recent times under the name of the Pre-Raphaelite school.

Taking, then, these two great principles:—First, that the Art of every race has a distinctive character of its own, which follows it wherever it goes; and, secondly, that the Art in each race undergoes a steady and perceptible change, either for the better or worse; it is apparent how powerful an auxiliary the study of Art becomes, to those who are seeking through other channels an insight into the history of the human race. The philologist traces the several streams of mankind up to their parent fountains, by analyzing their language, and discovering from what source its first elements, its bases, its roots, were derived. The comparative anatomist pursues the same enquiry by studying the minute peculiarities of his physical structure, the form of his skull, and the proportions of his limbs. But the student of Art follows up the investigation by an independent course. He takes the works of the hands of a people, and forces them to tell their faithful, because unconscious, story as to the sources from whence they derived their traditions of taste and of feeling, their modes of interpreting or representing the beautiful, the character of their ornament—in a word, from whence they derived the symbols and standard of their Art.

I cannot pass from this part of my subject without expressing my conviction, that the machinery thus provided by the study of Art might well be put in motion, and brought to bear upon the very interesting subject of the origin and cradle of the aboriginal inhabitants of these islands. We have a considerable number of works of Maori Art; the most interesting of which is the *runanga whare* of Tauranga, which is fortunately preserved in this Museum. And there are preserved amongst us a considerable number of canoe heads, spears, and other weapons and vessels, mats, and so on, which must have been produced at the cost of considerable skill and labour. Now, it is obvious to the most casual observer, that there is a similarity of ornament and design and workmanship running through all these objects. The two great questions which we might, by a sufficiently extended study, be able to decide are—where does this Art come from ? It was not created in New Zealand for the first time. It was no doubt displayed on the canoes and the arms of the warriors who first landed on these shores; and I have no doubt that it might be traced up, through all its changes amongst the Pacific Islands, to its cradle on the Continent of Asia. I think it not unlikely that a study of the works of the country from which it springs, would enable us to judge, with fair approximation to the truth, of the date at which the Art now existing in New Zealand was severed from its parent stem in Asia. This is a work, which, so far as I know, has yet to be undertaken. And the first step towards it is to bring together into one Museum such as this, a sufficient number of objects of all kinds, arrayed, so far as possible, according to the dates of their production. The latter is, of course, the greatest difficulty. But an object whose approximate date is known, is worth a dozen about which we know nothing. Every effort therefore ought to be made to collect those objects, such as spears and meres, which are known by the Maoris to have been in existence for several generations. I think it quite possible that

enough might be done to establish something like the law of change in Maori Art; and then we should be able to answer the second question;—is this an Art in advance or decay ? Is it in a period of growth or of decadence? Is this grotesque ornamentation the work of a people straggling out of primitive ignorance towards a higher perfection ? or is it the fragment of a higher art from which the soul has departed, anil of which the traditions have been imperfectly preserved, by a people which has relapsed into barbarism ? I venture not to offer any theory upon the subject, but I cannot but think that the subject is one full of interest and instruction, and that it is within the scope of such an institution as this to collect the materials which shall enable some competent archæologist to do for Maori Art, what Sir George Grey has so ably done for Maori literature.

I have endeavoured to show the relations in which Art stands to physical law, and to explain its limits. I have also shown how it is incorporated into and forms an important part of the external history of man. I proceed now to enquire what are the relations which exist between Art and the subjects of the other intellectual and moral powers of man.

That upon which Art is based, without which it could not exist is the natural and inherent capacity in man to distinguish the beautiful from the ugly;—that quality in his soul which has an affinity for the one, and revolts from the other. And I lay this down as an undeniable truth, that such a capacity is an essential part of the organization of man, in spite of the fact constantly presented to us, that not only individual men, but whole ages and races of men, have derived pleasure from forms and ideas, which to other men and other times have been utterly painful and repugnant. Hence it is that, even amongst cultivated men, we hear the heresy constantly repeated, that Art is all a matter of taste, and that that is beautiful to each man which he feels to be so. And so upon no subject, except perhaps religion, is there so much unsettled opinion as in matters of Art. In the philosophy of Art, as in religion, men range between the extreme limits of a superstitious reverence for authority on the one hand, and, on the other, a sceptical rejection of everything outside an individual, and mostly an ignorant, private judgment.

But does it not seem a sounder philosophy to believe that this great, distinctive, and powerful capacity of the soul—this affinity for the beautiful—is cognate to other capacities and powers of our being ? We have a capacity for distinguishing abstract truth from error; and we do not doubt that truth is truth, and error error, because the majority of men are only partially capable of perceiving the distinction. We have a capacity for distinguishing right from wrong in morals; and we do not conclude that there is no right or wrong, because whole races and generations of men have failed to recognise which was which. Why, then, should we argue that there is no standard or test of the beautiful beyond individual and undeveloped judgment? Man does not create the essence or principle of beauty, any more than he does that of abstract truth, or of moral goodness. He only recognises it and assimilates it. If he fails to do so; if he takes that for the beautiful which is not so; if he worships false gods; it is not that the nature of the object is altered, but that his powers are either undeveloped or depraved. Is it not rather the case that all the spiritual and intellectual organs in man are subject to the same law which obtains in the material organs of all animated nature, in that they are more or less perfectly developed by circumstances, and grow by use and cultivation ?

Most of these difficulties vanish if we realize the distinction between the real and the ideal. The ideal is that type to which the real ever tends, as the curve to its asymptote, and the infinite series to its sum, although the one never reaches the other in finite time and space. If you take every oak leaf upon an oak tree, you will perceive that they have all one type, although they all differ from one another. You can conceive the *idea* of an oak leaf having that perfect form towards which each individual tends, but of which each falls short, some in one particular, some in another; but which the imagination seems to grasp, as the possible perfect form of the oak leaf in its full development. I have already noticed the perfection of Greek Art; this it was which was the key to its excellence—that the artist sought, by the study of the imperfect individual, to reach the conception of the ideal, and so to symbolise the idea of a god under the material form of a perfect man.

If, then, we would emancipate ourselves from the difficulties which so often entwine us in æsthetical as well as ethical questions, we must shake off the trammels which imperfect development casts around every subject, every idea, every faculty; and endeavour to look, not from the lower standing ground of the real, but from the loftier region of the ideal. Thus we shall recognise that only to be perfectly and eternally true, which man, in the most perfect development of his intellectual faculties, would recognise as such. We should accept as morally right, not that which may seem to man, living under provisional and circumstantial law, to be so, but that which man, in the full perfection of his moral faculties, would acknowledge as a perfect moral law. And so we shall receive as a standard of true excellence in Art, and regard those only to be manifestations of perfect beauty, which man, in the ideal and perfect development of his æsthetic capacity, would feel to be in perfect affinity and harmony with his power of appreciating the beautiful.

But I would endeavour, if I do not weary you, to trace even further the relations which may possibly subsist between, subjectively, the intellectual, ethical, and æsthetical powers in man; objectively, between truth, goodness, and beauty, in the harmony of things. It seems to me, that prior to the conception of all created being

and all action, and, *a priori,* prior to the idea of matter, we must conceive some necessary law or principle underlying and pervading the whole structure; underlying, as it were, the possibility of any scheme of creation whatever. Such a principle seems to me to be—*the law of truth:* and by *truth* I mean perfect consistency—the perfect harmony of part with part, and of every part with the whole. This is, if we consider it, the widest and most accurate definition of truth. Its absence involves the idea of something more than chaos—of an impossibility of existence at all. This idea of truth seems to be the essence of all possible schemes of all possible creations. The dogma that "God is truth," which we reverently receive as in harmony with our instincts in religion, is not only the assertion of a fact, or the attribution of an incidental quality to the Deity: it is the enunciation of a necessary philosophical law. Without the law of truth, we are incapable of conceiving that a universe could have been created, or a God could have existed to make it. Now we first come in contact with this principle of truth—involving the idea of its co-relative untruth—in abstract reason. And we have a faculty or quality of our minds, our pure intellect, which recognises and accepts this law in matters which are independent of all action and of all matter. But the moment the idea of a being capable of action is introduced, it follows that the quality of his action must be determined by the same all- pervading law. Moral goodness, therefore, is truth in action: it is the operation of truth performed upon action: or to use a mathematical formula, goodness is truth multiplied into action. As yet our reasoning has not involved the existence of matter at all; but no sooner does the idea of matter arise, with all its sensive attributes of form, colour, sound, and so on, than we are compelled to enquire, how this new economy is affected by the omnipresent law in subordination to which it must have been created. The character or quality of form must be determined by the same rule. In other words, the operation of truth performed upon form, is beauty; or to use the same mathematical formula, beauty is truth multiplied into form. I use the word form of course as comprising every external quality of matter by which it becomes present to the mind. If this be so, then, the true, the good, and the beautiful, are no more than the three different manifestations of the same one law, which are recognised by the three spiritual faculties in man, his pure reason, his moral judgment, and his æsthetic power. Having once recognised the idea of truth in the abstract, goodness is truth in action; beauty is truth in form.

And it is curious to observe how this identity between the three seems to be witnessed by the unconscious testimony of language. In our daily communication of thought we are in the habit of interchanging the words by which we express intellectual truth, moral goodness, and physical beauty; as if we were secretly conscious of a unity of idea or principle pervading these three objects which operate upon our different spiritual powers. Thus for example we talk of a *good* man, and a *good* picture—meaning by one moral excellence, by the other beauty. Again we speak of a *good* bargain—meaning a bargain consistent with its object, to make money; and we should equally use the word good, if the character of the transaction had been the reverse of good morally. Again we speak of the *truth* of a painting; and the *beauty* of a mathemathical demonstration; and of the *beauty* of holiness; and we tell a boy at school that it is *wrong* to tell lies, and that his sum is *wrong*. Now I say that these unconscious witnesses of language are not unimportant, as testifying that there is a real connection—a common principle, underlying our ideas of truth, goodness, and beauty; so much so, that we seem unable to express our full perception of the one, without borrowing the language we have already assigned to the others. At all events, should this seem to you but a fanciful analogy, I plead that it is no unworthy object to endeavour to trace out one additional thread in the complex fabric of creation, or to elucidate some fresh view of the manner in which the worlds of thought, of feeling, and of matter, are bound together by one common principle, and so minister to the divine and eternal harmony of the whole.

If time allowed me, it would be my task to pass under review the various arts in which men have sought to gratify their perceptions of the beautiful, and to show how the principles I have been endeavouring to elucidate are applicable to all alike:—Arts which may be called those purely of the imagination, such as poetry and prose writings; which come within the region of Art, in so far as the modulation of the idea and the choice of expression appeal to our sense of pleasure, and are adopted with regard to their beauty: the art of oratory, in which the ideas are not only conveyed in written language, but the pleasure is enhanced by the melody of speech:—music, which like oratory, consists of two arts—the art of the composition, by which the master developes his idea and expresses his feeling by a disposition of possible musical sounds; and the art of singing or playing, by which these possible sounds receive utterance in vocal or instrumental music:—statuary, painting, and architecture, which deal with matter in its form and colour:—and even the arts which appeal to our touch—our taste—such as eating, drinking, and smoking, which must claim their place in the realm of Art, in so far as there is a greater or less degree of pleasure to be derived from the combination, situation, and treatment of the materials which subserve to their uses. But time would fail me in the attempt. I will therefore very briefly refer to that one art, which more than any other is within our reach in this country.

All Art in a country like this, in which the whole time, energy, and interest of the population is devoted to business and to the accumulation of wealth, must be in a neglected condition. Of pictures and statues we have comparatively speaking nothing. Poetry we can have as much of as each man wishes, in an age in which books

are within the reach of all. Of musical composition the same may be said; but of musical performance I can only say, that if we are to accept the critiques which I see in the local papers, there is nothing more to be desired. Over the Art of dining in the colony I draw a veil. It seems to me a subject to be spoken of only as amongst the sacred memories of the past.

All these Arts we engage in as our tastes or our powers suggest. But one Art there is, which is forced on us of necessity. We may or may not hang our walls with pictures, or adorn our vestibules with statues; but we must have walls and vestibules of some sort. We may or may not indulge in music; but we must have rooms to practice it in; or if we confine our efforts to the serenade, we must have ladies' windows under which to breathe our amorous strains. Over three-fourths of the earth's surface, the existence of an animal of a constructive mind but a thin skin, clothed with neither fur nor feathers, involves the construction of some sort of shelter; and out of that necessity of his nature grows the Art of architecture. Again, there are two features in architecture which give it an importance peculiar to itself. First, that its works are durable, and secondly that they are public. They are not like the production of musical sound, or the enjoyment of a feast, things that are gone and remain only in the memory; nor like clothes, which are perishable and change with the fickleness of fashion. Almost the most perishable structure outlives its builder. And they are public, not private. Your pictures are shut up in your own rooms for the enjoyment of yourself and your friends. Your music is mostly practised in the privacy of your own houses. But it is not so with your house. Once build it, and as a work of Art it ceases to be yours. It belongs to all alike. The bricks and mortar, the wood and the iron are yours, but the form, the image, the Art, is the property of every beholder. The humblest peasant who gazes on the vanes and pinnacles of the neighbouring mansion, as he rests from his labour under the evening sky, can derive as much pleasure from the sight as its lordly proprietor. You can levy no protective duty upon the admiration of your neighbours. You can take out no patent for the monopoly of the enjoyment of beauty. No action for libel will protect you from the rude criticisms of offended taste. Therefore is architecture above all others the catholic art, and more than all others reflects and expresses whatever a nation may have in it of the power of creating the beautiful. And so, on the other hand, there is involved in architecture a responsibility which does not attach to the productions of other arts. You may hide your little ugliness in your own chambers, and sing out of tune in your own boudoirs, and indulge in tawdry ornament and worship a false fashion in the privacy of social life; but you do not thereby poison the public taste, or pervert the popular judgment. But you cannot erect forms upon which for long years the eye of the public must rest day by day and hour by hour, without more or less moulding the feeling of the community at large. Whether you wish it or not, every house is a lesson, every town and village a school in art. The extent to which the popular taste becomes moulded by the impression of what is daily before its eyes, is evidenced by the distinctive character which particular towns, villages, and districts acquire in the course of time. Not that all the buildings are the same, but that there is a certain unity of feeling which pervades them all, and which gives a special character to the whole which it retains for ages. I have heard it said,—"of what use is it to devote money or labour to an architecture in perishable materials, in 3 x 4 scantling and inch boards ?" I reply, first, that wood properly used is by no means' so perishable a material as is generally supposed. The church of Beover, in Cheshire, which was restored some years ago, is one of the noblest specimens of the mediæeval wooden architecture of England. It was built, I believe, about 1350, and is in perfect preservation. I have heard there still exists a small chapel of oaken logs in which the body of St. Edmund was laid one night on its journey to Bury St. Edmunds, where it was buried. That was in the ninth century, a thousand years ago. Many of our finest roofs are many hundred years old: witness that of Westminster Abbey, built by Richard II. The spire of old St. Paul's, which was burnt in the fire of London, having lasted nearly four hundred and fifty years, was 500 feet high, and was entirely of wood.

But even were it so, I reply that your house itself may perish, but the *idea* does not perish; the effect on the public judgment is imperishable. If your house be false and hideous, it has diffused its ugliness into the hearts of all beholders for the period of its short but noxious existence. It has to a certain extent incapacitated the public mind from appreciating nobler forms. If you build ugly houses in wood, your children will build uglier houses—were that possible—in stone. All architecture was originally wood. The marble temples and porticos of Athens never lost the forms which were derived from their original wooden construction. England had a wooden architecture specially adapted to her climate, of remarkable beauty. In the perishable structures of earlier times are laid the foundations of that true and cultivated sense of the beautiful, out of which alone a noble Art can arise of more costly and permanent materials.

Now I cannot at present even glance at the sources of beauty in architecture, but I may indicate one principle which follows from what we have dwelt on this evening. One principle there is, from which there is no exception; that falsehood, sham, pretence, vanity, are incompatible with all that is great, noble, and beautiful in Art. I will take two instances of what I mean, derived from the architecture of this colony. First, the attempt to imitate stone in wood. This pervades the whole character of our Art. Even our construction is borrowed from stone. I see buttresses to our churches, which, were they of solid stone, would have been a source of strength;

but which, being no more than hollow boxes of inch board, covering a prop or strut, are of compartively little use. Secondly, all the mouldings and ornaments are borrowed from stone, and look well enough as long as they are new; but when the varnish is gone, and the paint cracked, and the wood distorted and shrunk, which very soon happens, they look tawdry and dilapidated. We adopt a style of ornament applicable to stone, but which cannot be durably rendered in wood. The result is that our towns look as if they had got up late after spending the past night in dissipation. Again, we complete the whole by painting and sanding the boards, and working the edges so as to make the wall look like stone. And so our building stands staring us in the face with a perpetual falsehood, and one which we can all the time detect. Now whatever we may think of a lie, surely an unsuccessful lie is the most contemptible of human efforts.

One more instance I will take, and it shall be the last. The noblest form in architecture is beyond doubt the gable; running, where both faces are equal, into the pinnacle and spire. The gable naturally rises out of the necessity for throwing the rain off the house-top by a sloping roof; and we have seen in the earlier part of this discourse, that it is out of such necessities that the most beautiful forms frequently grow. But in street architecture it is often more convenient to place the ridge of the roof parallel to the street, in which case the line of the eaves or the parapet of the gutter forms a horizontal line. Now a horizontal line cutting the sky is always a somewhat distressing form; except in the case of the sea horizon, where the infinite delicacy of the ruling, and the immensity of the object, enwrap the feelings and overawe every subordinate sense of pleasure. The horizontal line of the parapet is, however, bearable without offence where it is natural and consistent with the whole idea of the building. But I see frequently in all our towns, a gable turned to the street, and a large dead wall of scantling and boards built up to conceal it. A deliberate and wilful determination to hide the more beautiful form by the less beautiful;—false in construction, for it weakens the house materially by exposing a needless surface to the wind; false in economy, for it costs money without increasing accommodation; utterly false in Art, for it is a miserable sham in every aspect. What then is it for ? It is to gratify a false and ignoble vanity. It is to make the house look bigger than it is. I stand opposite such a building, and it seems to say to me, "Now, look at me. You see I am a good substantial two-storied tenement, with an upper storey about ten feet high, and a comfortable upper room with a window in the middle of the wall;—a building of which my architect and owner may well be proud." I reply, "Friend house, you are a complete humbug. That square front of yours is for the most part exposed to the blasts of heaven, behind as well as in front. You are in a great measure not a house, but a signboard, a hoarding stuck up in the air. That square window is not in the middle of the wall of a large and comfortable chamber, but of a wretched garret, and has been with difficulty squeezed in between the sloping rafters. You are not a two-storied house, but a cottage with one floor and a cockloft; and as a work of art, you are everything that is odious and contemptible."

The one class of buildings which most awaken my feeling of the beautiful, and they are now very rare, are those small unpretending tenements which were built by the early colonists; some of them not ungraceful in their proportions; all of them possessing the beauty of simplicity and truth, devoid of vulgar pretension, tawdry vanity, and inappropriate ornament.

And I cannot but take this opportunity of earnestly impressing upon you the great responsibility which rests upon the Government of every country, to erect public buildings which shall elevate and educate, instead of depraving the public taste. If a Government represents, as it should do, whatever there is of worth and nobility in the nation; if it be, as it ought to be, an impersonation of the strength and wisdom, the knowledge and the feeling of the people; so ought it, in the public works which it undertakes, to reflect and embody the great qualities of which it is the representative and depository. But besides this, it should ever bear in mind that the external symbols of power are not the expression of a love of pompous or idle pageantry, but arise out of the consciousness, that human nature requires that power must ever present itself to the public in the habiliments which may remind men of the respect and homage which are its due. It is not power in palaces which we have to dread in these countries and in this age: it is power in the tavern and the hovel; and I cannot but tremble for the life of authority which a nation is content to deprive of the external symbols of respect.

Gentlemen, I conclude this long and uninteresting discourse, by entering my humble protest against the sacrifice of public honour and dignity to private wealth and luxury; by entering my protest against the vices of an age which subordinates its love of the beautiful to its worship of wealth; which prefers false glitter to true taste; which makes Art the advertisement of riches instead of their crown and glory; which wears false hair, false jewels, false gold; which makes one storied houses look like two storied houses; whose tastes and whose arts are essentially vain and selfish. I would deliver my own soul by proclaim- ing, that truth is the one element in Art, as in all that belongs to man, without which he can produce nothing that is permanently great or noble.

And I would suggest to your earnest consideration, whether, having not only been placed by our Creator under the authority of a moral law, but placed also by the same power in the midst of a world teeming, from the infinity of greatness to the infinity of littleness, with forms of unspeakable majesty and beauty, it may not be a mistake greater than most of us suppose, to neglect, individually and nationally, the study of this principle of

beauty for the recognition and enjoyment of which we are specially adapted by our nature.
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The Incorporate Institute of Accountants of New Zealand.

Address

Delivered by the President, J. E. FITZGERALD, ESQ., C.M.G., *at the Second Annual Meeting of Members, held in the Chamber of Commerce, Wellington, on the 29th August, 1895*.

GGentlemen,—It seems to be an established custom in societies such as ours that the President shall deliver an address, either on the occasion of his taking the chair or on leaving it at the conclusion of his year of office. Had the opportunity offered itself on my election to be your first elected President, it would have been my immediate duty to have returned you my grateful thanks for the honour you had done me; and although long delayed, I beg you will still permit me to express, in the warmest terms, how highly I appreciate that honour.

For many years, indeed ever since my attention to the subject of auditing accounts was called by my appointment to the office in the Government of the Colony which I still occupy, the formation of such a society as ours has been a subject of frequent thought and conversation, although it was only when taken up independently by gentlemen in the profession itself that any practical steps were adopted to realise the idea.

Gentlemen, I esteem the honour you have done me in making me your first President, none the less that I recognise that I owe that position to your respect for the office I fill, rather than to any personal claim to distinction as a professional accountant.

I have been the more gratified at finding myself in this position because it brings into strong light the great difference which exists in our mutual relations, and those which subsist between official and professional accountants and auditors in the Old Country. For we cannot take up any public journal, such, for example, as the *London Accountant*, without perceiving how strong is the antagonism between official and professional accountancy, and how jealously the latter resents every fresh encroachment by the former on the domain it considers peculiarly its own. In one branch of accounts in particular this struggle is displayed—that of bankruptcies and the winding up of companies. It is a favourite subject with some correspondents of the English press to point out the enormous costs of winding up an estate by an official administrator, compared with those which have been incurred where the matter has been left in professional hands. Another class of accounts in which the profession dreads the encroachment of officialism is in the audit of the accounts of local and municipal authorities. But there the strife is not so much with the officials—who have not yet in England absorbed that large field of professional labour and profit—as with what may be called amateur auditors, who are elected by the local authorities, and are often not chartered accountants, and whose work appears to be often performed in a very unsatisfactory manner, so much so as to give force to the growing demand on the part of the public that all the accounts of local bodies shall be subjected to the audit of the Board of Trade.

In this happy land, which poetically-minded folk call the "Britain of the South," no such rivalry, so far as I know, exists. Indeed, my presence in this chair would sufficiently refute the charge. The two classes of accounts to which I have referred, that is, those of bankruptcies and of local bodies, have for many years been audited by the Audit Office, and whilst there is, so far as I have heard, no desire to disturb present arrangements, on the other hand there is no demand or intention to extend the jurisdiction of the Audit Office into private or commercial affairs, and I should strongly deprecate any proposal in that direction.

There is one reason why it is very desirable that the audit of the accounts of local authorities in this country should be provided, as at present by the Government, and that is, that a great number of these bodies are so small and so poor, and so distant from the larger centres of population, that they could not possibly afford the cost of employing professional accountants; and thus before the work was imposed on the Audit Office, the audit of their accounts was frequently entrusted to very incompetent persons. For example, a caso came under my notice some years ago, when we first took up the work of auditing the accounts of local bodies, in which two gentlemen had been for some years the elected auditors of a local body, and who not only had passed the accounts of the clerk year after year as correct, but on the last occasion had gone out of their way to give him a testimonial of the admirable way in which his accounts were kept. As a matter of fact, he had been robbing his employers for years, and as soon as the accounts came into our hands he had to exchange the profession of accountant for one of a more laborious character in an official uniform.

Now, under a Government audit, the ratepayers of the smallest and poorest community have the advantage of having their accounts audited by men of the same capacity and experience as those who are employed on the accounts of the largest and richest towns, and they have the further protection arising from the fact that instant prosecution follows the discovery of any misappropriation of their funds.

The practice of accountancy has of course existed from the earliest times, when every man of business was his own accountant, and traded on his own capital. Its development into a distinct profession in modern times, is merely one of the many instances of the differentiation of human labour to supply the multiplication of human wants. The vast extension of commerce, both internal and international, the large increase in the amount of property held and the business carried on by companies, the extent to which credit has supplanted cash in mercantile operations, the process by which the savings or the capital in the hands of multitudes who have neither the knowledge or opportunity for employing it reproductively, can be placed in the hands of those who can so apply it with security for its due return with profit to the owners—all these are the causes which have called into existence the modern professional accountant, whose duty it is to see that the books of his employer contain faithful records of all his transactions, from which can be prepared a truthful statement of the financial position of the business at any given time the position of an accountant, therefore, is one of high and honourable trust. He is, as it were, arbiter between the claims of all the creditors and debtors of his employer, whose interests he is bound in honour to conserve no less than these of his own employer. Nor is the duty of an auditor in any way different from that of the accountant. He is, indeed, considered to be more independent than the accountant, who is presumed, in homage to the weakness of human nature, to be biassed in his judgment by his employer's interests, whereas the auditor derives his authority from an independent source. But so far as their duty is concerned, and so far as the conclusions they arrive at are concerned, the work of the independent auditor and of the honest accountant is identical.

I used just now the expression *truthful* in reference to an account. It is, however, necessary to qualify that expression. For it is often forgotten in discussions as to how an account should be made up, that in all mercantile accounts we are not dealing with facts only. Nor can you predicate of any commercial balance-sheet that it is *true* in the sense in which a mathematical proposition is true. Of a simple cash account in single entry we can say that it is absolutely true or untrue, because we are dealing with facts—our clients did or did not receive, and did or did not pay away so much money. But we all know that is not the case with a commercial balance-sheet. In drawing up such an account we leave the region of fact and wander into that of opinion, and the accountant is compelled to enter figures in his account of which he may be quite ignorant whether they represent truth or fiction. He is compelled to deal with estimated values of goods, sometimes even with that most volatile and fluctuating of all commercial entities, the goodwill of a business.

And here arises a matter which has been the cause of much discussion amongst accountants, that is, to what extent is an auditor or accountant responsible for valuations? It seems to be the opinion of lawyers, and has, I believe, been asserted by some of the judges in England, that an auditor of the accounts of a company is as personally liable as the directors themselves for false statements in the company's accounts; that is, statements of what has been done or what has not been done which are untrue. But it has not been held that they are liable for the values put upon goods. There are indeed cases in which auditors state explicitly in their certificates that the values given in the accounts are true, and in many cases the auditor may be a competent valuer. For example, he is often a competent valuer of landed estate, and it may be presumed that in such case he would be responsible at law for wilfully and knowingly introducing fictitious values into an account. However this may be, what I am desirous now to press upon your attention as accountants and auditors is, that the science of which we are professors is not an exact science, that there is a large region in which *opinion* takes the place of law and of fact in determining how books should be kept, and how a balance-sheet should be drawn up. And you can hardly take up a journal dealing with accounts without meeting with a case in which one professional accountant has taken exception to the form of stating an account adopted by a brother accountant of equal authority with himself in the profession. There are, of course, certain principles and rules to be observed in

constructing a balance-sheet, but within adherence to those rules there are certain elements in every commercial balance-sheet which deprives the result of that character of certainty which attaches to the solution of problems in other sciences.

But on the other hand, exactly as our science fails in guaranteeing a theoretically correct result, in the same degree does the responsibility of the auditor increase—to take care that where opinion enters into his account, it shall be the opinion of experts, based on the soundest judgment and most extended knowledge of facts obtainable. It was only the other day I came across a report of an address delivered by the President of the Accountants' Institute at Ontario. In many respects an admirable address, but I find him saying in one part of his speech:—"I am desirous that it (that is, the Institute) shall be a tribunal of ultimate resort on all questions of accounts; a court to which all classes of men shall come, voluntarily, and as a matter of course for the demonstration of actual facts in respect to disputed or complicated accounts, and that they shall be ready and willing to pay liberal fees for all the work done by its members. In order that this may be the case, it is absolutely necessary that no one of us shall permit himself to descend from the profession of an accountant to that of an advocate; it is necessary that none of us shall be governed by the fees, rather than the facts; that none of us shall bo induced by sympathy or prejudice or any feeling of loyalty to put forth figures in place of facts; and that none of us shall disturb facts or figures from any fear of personal consequences."

These are noble sentiments, which I doubt not will find an echo in the breast of every member of our society. I quote it at present in order to point out that when the President, Mr. Henry Sye, uses the word fact, he speaks as if a commercial balance-sheet dealt with absolute facts only, and that an account could only fail to be correct by a misstatement of facts, forgetting that the weak point in every balance-sheet must always be that it consists in a large degree of estimates, which, however honestly stated, may prove to be very wide of the truth.

There is one question which has been raised incidentally, although no definite proposition has, so far as I know, been submitted to the Council or to any Committee, but on which it may be as well that I should say a few words. It is whether it is desirable that the Institute should apply to Parliament for a statutory recognition of its existence, or, still further, for enlarged powers or privileges. It is, I know, argued by some that there should be a recognised profession of accountancy as there is of law, and that only members of that profession should be entitled to act, and to charge and recover fees. I fear I shall not be saying what is popular in this assembly if I say that this idea seems to me a mistake. The professions of law and accountancy seem to me to stand on different grounds, and that what applies to the one does not apply to the other. For what do we mean by law as a profession? We mean a large and complicated machinery for ascertaining and enforcing rights between man and man. Now those rights are very various, and embrace the whole range of human action. Accountancy, on the other hand, deals with only one part of human action, that, namely, which can be expressed numerically, and in the standard coin of the time and place. It is not within the function of the accountant to determine matters of right, but only to record what has been done, whether right or wrong. The law court takes up the work where the accountant leaves off, and determines the right on the facts which the accountant has registered. Again, in law, as a profession and science, there is finality, that is a machinery for finally determining the right, embracing all matters submitted to its decision, whether or not capable of being expressed in money value. If accountancy is to be recognised as a separate profession, is it proposed that it is to have a separate machinery for trying and determining rights and wrongs in matters relating to money? I think it is only necessary to state what is involved in the idea of creating a separate profession of accountants, in order to show its impossibility. A privileged profession of lawyers is defended on the ground that thus only could be obtained a supply of competent judges to administer the law, and yet, even as to law, there are not a few who clamour for opening its ranks to all. Is it contemplated then that there shall be a separate set of courts and judges to determine matters in dispute relating to accounts? I think that will hardly be claimed. Yet without it I hardly see how we can demand a privileged profession. On this point I may mention, not as an argument in favour of the view I am advocating, but as an incident of some interest connected with it, that the oldest of the English Courts of Law, the High Court of Exchequer, which existed so early as in the time of the Norman Kings, not long after the Conquest, was, and continued for a long time, a court for the trial exclusively of Crown Revenue Causes, and only in the course of ages became a Court of Common Law; and thus its history would seem to suggest the inconvenience of, or the absence of, any necessity for the existence of separate tribunals for the trial of rights which can be expressed in money and those which cannot.

There can be no doubt that any movement in the direction of obtaining from Parliament powers which would vest in the members of the Institute anything like a monopoly in the profession of accountancy would be very unpopular, and would not be likely to succeed. What we might reasonably ask for, and would be readily granted, is to secure to our members the exclusive legal right to the use of certain letters after their names as indicating such membership, and rendering it penal in all other persons to adopt them. But I would advise that any application for even such limited privilege should be postponed until the Institute has a position more firmly established, and more fully recognised than is the case at present. Indeed, we can hardly bo said to be in

full working order, even at the present time. And this brings me to the principal question to which it is my duty to call your attention, namely, the present position and future prospects of our Institute. The question for what purpose was it founded, and how is that purpose to be attained.

In arguing against the necessity for creating a separate and privileged profession of accountancy, I do not lose sight of the fact that it is a distinct branch of learning, the correct knowledge of which demands careful study and training, and a correct application of which to all the manifold problems which present themselves in commercial affairs can only be obtained by long and varied experience. Indeed, otherwise than is the case in more exact science, where any correct method of solution will lead to a fixed result, the element of uncertainty which clings to all commercial problems makes a larger demand on the personal and individual judgment, skill, and ability of the accountant or auditor who is called on to summarise the financial result of any large or intricate commercial operations.

The first object of any Institute such as this is to provide the machinery by which a line may be drawn between those who are skilled accountants and those who are not. We do not pretend that that line is or can be drawn at present. That must be a work of time. All we can do is to provide the machinery by which that result will assuredly be ultimately obtained. That machinery is the constitution of a society which shall ultimately assume such a character and such a position in the estimation of the public that all professional accountants will find it a matter of necessity in their own interest to join its ranks, whilst all will be excluded who have not acquired such an amount of knowledge as to entitle them to admission. Of course it is easy for anyone to write to the public papers and say that we are none of us entitled to have been placed in such a position, not having passed any examination entitling us to membership. The obvious answer to such an obviously puerile charge is, that before a society can establish examinations the society must itself exist. I believe it will be found that all similar societies have been formed, and must have been formed in much the same manner as ours. It is true we did not all sit round this table and examine one another. Had we done so, we might have all perhaps plucked one another, which would not have much advanced matters; or we might have formed a mutual admiration club, and passed one another, which, it seems to me, would have left matters pretty much where they now stand. In point of fact, the first members of this Institute were, as you are aware, selected by a committee of gentlemen partly nominated by the Chambers of Commerce at the several principal towns, and partly by professional accountants elected for the purposes of making such selection; and I confess it seems to me that no better means could possibly have been devised for obtaining a fair representative body.

It may be quite true that some of us would find it difficult to pass with credit the examination to which all future candidates will have to submit. If that is the case, it is an evil which time will cure. We know our own lives are limited. We trust and believe that the life of the Institute will be durable as that of the country and the community in which it has sprung up.

It is a miserable and contemptible idea that we have, any of us who have founded this institution, spent our time, our labour, and our money for the sake of any petty advantage we might thereby obtain over rival competitors in the same profession. Indeed a ridiculous charge, when it is considered that we are but doing that which has been found to be useful and necessary in so many communities of our fellow countrymen in other parts of the world. For my own part, I have joined this movement because I am deeply convinced that it is one which cannot fail to confer a permanent and widespread benefit upon this country and community, to the service of which my life has been devoted, and I well believe there is none of us who has been influenced by less disinterested motives. We desire to see a powerful organisation in our midst to which appeal may always be made in all questions relating to right or wrong, to what is honourable or dishonourable in the practice of a profession which must, year by year, become of more and more importance in proportion as wealth increases, and is necessarily entrusted for management to others than those to whom it belongs.

The accountant and auditor is virtually the custodian and trustee of the honesty and honour of the commercial world. Should there be no guarantee of his own fitness for such a responsible position? It is to provide such a guarantee that all accountants' institutes have sprung into existence. The initial of a London chartered accountant is an ear-mark all over the world of a recognised standard of knowledge and competency in the bearer. The initials of every local institution has a similar though lesser value in a smaller sphere. Time alone will show the estimation in which the accountancy of New Zealand will be held. It will be the task of the Institute to provide the machinery by which it may be guaged.

The character which our institute will bear will depend mostly on the character of its examinations. It is to be regretted that a year should have passed without exhibiting this sign of our vitality, and far more that such should have been the result of the death of one of our most valued members, who had undertaken the work of preparing the papers for our first examination. His loss is indeed one which we can never replace, but that arising from the delay in commencing the work of periodical examinations time will soon repair.

Gentlemen, forgive me if I presume upon this, in all probability only occasion, upon which I shall have the opportunity of addressing you, if I urge in the strongest terms that the whole policy of our Institute should be

based on the idea that its object is not primarily to benefit ourselves by establishing a monopoly of professional profits, but to confer a great public benefit on the community in which we live and work.

No one could scan the records of bankrupt estates which pass before me without being impressed with the conviction of how much financial calamity might be avoided if accurate accounts had disclosed in time when a business can no longer be conducted except at a loss.

The direct public benefit which the Institute will confer on the community will be the guarantee that if the work of constructing or auditing accounts is placed in the hands of one of its members, it will be entrusted to one who has a certain amount of knowledge and ability. Indirectly its influence may bo more extensive by promoting and cultivating a livelier interest in all matters which come within the cognizance of the accountant. And this is the principal object of those alterations in the Articles of our Society which the Council has requested you to take into consideration on the present occasion. We think it desirable, and within the objects for which the Institute was founded, to meet those who are engaged in the study of accounts at intermediate stages of their career, and not only as at present, at its maturity. I have always felt that an examination of youths at the period when they are first taken into offices and shops as cadets, would be largely taken advantage of by those seeking such employment, and ultimately be considered desirable, if not indispensable, by those offering it.

As to the wider and indirect influence which the Institute may acquire by wise and prudent administration, I cannot express in more fitting language than that I have already quoted from the address of the President of the Ontario Institute, my hope and expectation that it may one day become "a tribunal of ultimate resort on all questions of accounts—a court to which all classes of men shall come voluntarily and as a matter of course, in respect of disputed or complicated accounts." I, at least, shall never live to see that day, but even the conviction that it will some day come, is some reward in anticipation for the trouble we have taken in founding the Institute of Accountants of New Zealand.

vignette

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Religious Teaching: A Speech
By J. E. Fitzgerald, Esq.
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Religious Teaching.

At a Soiree given on the 15th of June, 1868, to commemorate the opening of a Sunday School in connection with the Presbyterian Church in Wellington, New Zealand, Mr. WARING TAYLOR in the chair, Mr. FITZGERALD spoke as follows:—

Mr Chairman, and ladies and gentlemen—If I feel some difficulty in responding to the kind invitation which I have received to take a part in the proceedings of this evening, it is not because I do not heartily sympathise with the object you have in view, but because this is the first occasion upon which I have addressed any similar assembly upon such a subject. Indeed, for a great part of my life I should have declined to do so upon principle. I used to hold that it was each man's duty to confine any exertions which it might be in his power to make in aid of the spread of religious instruction, to that section of the Christian community in which he had been brought up, or to which he conscientiously belonged. I need not say that, had I not in late years modified my opinion in this respect, I should not be here to-night. But as we advance in years, and enlarge the range of our experience, I hope we take somewhat more extended views of the obligations of duty, and perhaps regard with a somewhat wider charity the opinions of others when they differ from our own. As we toil up the mountain of life with steps which grow ever feebler as we approach the summit, it does seem to me that the horizon of human affairs, with all its rights, duties, responsibilities, and obligations, expands its circle before our gaze; our failing vision is more than compensated by the serenity of the atmosphere in which we stand, and those narrower views and more active prejudices which monopolised our attention in earlier life, are now seen only amidst the mists at our feet, or are dwarfed into insignificance in the presence of the larger panorama which is opened to our view.

I hope it is from this cause, and not from any indifference to the realities of religious truth, that of late years those great principles which underlie, or are enshrined in, all Christian communities, have assumed in my mind an importance immeasurably greater than that of the peculiar forms and phases in which those truths have commended themselves to various religious sects, or have been expressed by different classes of human intelligence. And I embrace the more readily the opportunity you have afforded me for expressing these views, because I perceive with uneasiness the growth of principles in the Church to which I belong, and which I love and revere as much as I do any earthly institution, which tend to limit and narrow the range of human thought,

and enquiry, and criticism, and to bind the religious aspirations of the soul in the chains of a formal ritualism. Nor is this spirit confined to the Episcopal Church, but is shared in some form or other by every sect of Christians. So far as my personal feelings are concerned, I do not quarrel with those who would clothe religious ceremony with the artificial beauty of vestments, or canopy it under the shadow of architectural splendour, or train its devotional utterances to the strains of a skilful and regulated harmony. The beauty of divine worship is ever to me more beautiful, when ministered to by those arts, in which the inner perceptions and cravings of the soul for the sublime and the beautiful, are typified and reflected in the external economy of form and colour and sound.

That is not the error of which I complain. On the contrary, I think we Northerns and Protestants sometimes display much bigotry and ignorance, and do our fellow Christians of more mercurial natures and of warmer climes much injustice, in condemning their ceremonials as simply the offspring of superstition. A nation gifted by God with keen perceptions of physical beauty, and inspired with the native love and power of song, will express its devotional, as its other feelings, through the same medium; and so, colour and dress and music will be the natural and necessary mode of its expression, in a manner which is inappreciable by men of colder blood, and of sterner, and, it may be, of coarser mould. To this we should fairly attribute much of the gorgeous ceremonial of the Italian and Spanish and Greek Churches, which we are apt invidiously to compare, in a somewhat self-satisfied and self-righteous spirit, with the more unadorned forms of worship practised in the gloomier temples of northern Europe.

But it is not the mode of expression or the mere forms of worship which are objectionable. It is because I perceive that these revived and antique and foreign ceremonies, and especially the efforts made to force them upon a reluctant people, who do not appreciate or love them, involve a sort of fetish worship of the ceremonies themselves, to the obliteration or subordination of the immortal truths of which all ceremony is but the symbol and expression. But I must speak what I feel to be the honest truth in this matter, and I must say that this charge of fetish worship among Christians does not attach to the Episcopal Church alone, or even to the Roman Catholics, but is shared by all the sections of the Christian community. It is possible to make a fetish of an idea or a dogma, as much as of a vestment or of a chaunt. If one sect gives undue prominence to a ceremony, another gives equally undue prominence to the opposition to a ceremony. And so in our time we have seen serious riots about a clergyman wearing his surplice in the pulpit; as if it mattered whether a human soul were saved or God glorified, in a white dress or a black one: and yet for this, Christian Churches have, in our time, been made the scenes of scandal and of brawl. Formalism, my friends, is not the only danger to the Church of these times. There seems to me to be a spirit of superstition—a spirit of what I call fetish worship, in which all sections of the Christian community are too apt to indulge. I mean the worship of their own special dogmas or particular forms of expressing and interpreting truth. If Galileo was compelled by the Papal Church to recant, as false, his great discoveries in the motions of the heavenly bodies, as heresy against the faith of the Church, have I not seen many a good and pious man in these days set his face hard against the discoveries of modem science, because they seemed to disturb his own peculiar views of the meaning of revealed truth. Geology has had to fight its way against the superstition of the Protestant world, as astronomy of old had to struggle against the ecclesiastical authority of Rome.

And now we see the same old spirit evoked to crush the researches in that new science which has made such marvellous strides in our day—I mean the science of philological criticism—a science closely akin to that of geology, because it evokes out of the ruins and relics of the dead and forgotten languages of former ages, evidences of the past history of mankind, just as geology elicits out of the crumbling rocks and broken stones, the physical history of the world which that man has inhabited. I ask not that we shall hastily or rashly accept the conclusions offered to us by modern criticism. I say not that, so far as my humble powers extend—and very humble indeed they are—to understand such enquiries, I say not that I accept myself all the conclusions at which these critics have arrived. But I do claim, in the spirit and in the exercise of the same right for which our fathers fought and died at the Reformation, and which they have bequeathed to us—the right of private judgment and of free enquiry—I do claim that scientific research shall not be stifled, or placed under ban, by the lingering superstition of modem Protestantism, any more than by the senile anathemas of Rome. Between revelation rightly understood, and true science, there can be no possible or conceivable discrepancy; for was it not the same Divine power which communicated its will to man by the mouth of bard and seer, of prophet and apostle, and which spreads open before man the great book of nature, and lays bare its secrets and its mysteries before his eager and inquiring intellect, and has clothed his mind with the capacity to discover and understand its laws.

When I have seen how texts of Scripture, strangely misunderstood, have been wrenched from their context, and hurled at the head of approaching criticism, I sometimes feel as if there were a tendency on the part of Protestants to make a fetish, as it were, of the very Bible itself, and to bestow upon the human words and syllables—those mechanical contrivances which are after all only the vehicle of communicating the will of God

to mankind—to bestow upon those mechanical contrivances that reverence which is due only to the truths which those words were intended to convey; a tendency, in one word, to worship the book itself, more than the truths which it reveals, or the God who inspired it.

It has often appeared to me that all differences in religious opinion arise not so much from the acceptance of error, certainly not from the desire or the intention to accept error, as from a partial and narrow view of truth. Our minds, in their present state of education, seem incapable of grasping the whole body of truth, and of reconciling all the infinite and diversified and complex phenomena, physical, moral, intellectual, and spiritual, which constitute this world and its inhabitants. This partial perception of truth has throughout all ages created those differences, divisions, and discords, which have been the bane of humanity, and especially of the Christian Church. Most vividly does this thought present itself to the mind when we ponder over what I may call the impotency of Christianity at the present day, as compared with its early vigor. You all know how Christianity arose amidst the plenitude of the Imperial power of Rome. You know how it triumphed over persecution and violence, and how nation after nation was converted to the faith. And when the heathen hordes of Northern Europe were let loose upon that mightiest fabric of empire, and that most gigantic mass of human corruption which the world had ever seen; you know how, amidst the wreck of nations and the chaos of society, the form of the Christian Church appeared rising into power and splendor, moulding the minds and characters of men to the reception of a newer and a higher civilisation.

Sometimes, as in the early history of our native country, nations were converted to Christianity, and were swept away by some fresh wave of heathenism rolling out of the dark-caverns of the North; and then the conquerors themselves were absorbed into the faith which they had fought to destroy. Compare the history of the spread of Christianity in the first few centuries after Christ, with its efforts during later ages. I venture to say there is no one who has honestly thought upon this subject, whose mind has not been filled with doubt and perplexity at the contrast; no one who does not ask himself—Why is it that the religion of Christ seems powerless in these later ages to war against the heathen world? How is it that for so many centuries the star of Bethlehem has paled before the crescent of Mahomet? How is it that Christianity has striven in vain to penetrate among the countless millions of the human family, who, during the past eighteen centuries, have lived and died in the vast continent of Asia? How is that, in this very island, the faith which we thought had been established by the efforts of good and holy men amongst the native inhabitants, instead of taking vigorous and enduring root, as amongst the nations of early church history, has withered and died in a single lifetime, swept away before a cruel and puerile superstition?

I can offer no solution of this great mystery in the world's history; but I can perceive one cause which may possibly have helped to paralyse the arm and sap the vigour of the Christian church, in the intestine discords and divisions amongst its members. The early church was one. The church of later ages has been torn into sects, which have hated and persecuted each other as cordially and as cruelly as their common heathen foes could have done. And now, the Christian church, instead of going forth as in early times, an army of martyrs, marshalled under one faith, one hope, one baptism, to wage war against the wickedness and misery of a heathen world, is like that same army, each division shut up in its several fortress or encampment; each battalion entrenching itself, not against the common foe, but against its own friends and allies; entrenching itself by forms and ceremonies, by narrow prejudices, or superficial dogmas; some amusing themselves with pageantry; some nursing a self righteous abhorence of pageantry; some taking refuge in the sternness of asceticism; some ridiculing the mortifications of the ascetic; whilst that one great law of Christian society—that principle upon which our Lord and Master based, if I may so speak, his scheme for the transmutation and elevation of the human race—the law of self-sacrifice—the law of love—seems well nigh banished from the Christian code: and the sacred image of Christian truth, in the divine beauty of its full and perfect ideal, is hurled from its pedestal, while each sect seizes some broken relic, some paring of a nail, or lock of hair, or shred of the hem of its garment, and, setting up the fragment on its altar, deems that it forsooth is in exclusive possession of the secret counsels of the Most High, and that the poor figment which it worships, represents the whole majesty and glory of the complete image of divine truth.

And when we look at the social and political attitude of Christian Europe at the present hour, are we not sometimes compelled to ask in a feeling akin to despair—what has become of Christianity? when I see the millions of men who are abstracted from the sacred duty and wholesome discipline of productive labor, who are kept in idleness at the expense of their toiling fellow-men; countless hosts, bristling with arms, glaring upon one another with menacing aspect, ready to precipitate the world into deadly strife, to gratify the will of a despot, or the ambitious schemes of a statesman, or the more dangerous and deadly passions of a misguided people; when I think of the enormous mass of human labour, and the vast hoards of wealth, and the inestimable riches of scientific knowledge and inventive ingenuity and mechanical skill, which, instead of ministering to the progress and happiness of man, are at this moment unceasingly, year after year, more and more, being devoted to the production of implements for the destruction of human life by land and sea; and when I think that this is

the outcome of well nigh nineteen centuries of the teaching of Him who, with his latest breath on earth, bequeathed to mankind the heritage of peace; I seem staggering in amazement and wonder at the mystery of so strange a spectacle, as if I were living in the midst of one of those fanciful tales of Oriental romance, in which the form of the beneficient genius of human destiny had been borrowed and simulated by some hideous and malignant demon; and as if under the external semblance of Christ, the destinies of the Christian world were being ruled by the genius of a destroying angel.

Shall we then say that Christianity has done nothing for the race of man?—nothing to elevate his moral and social being? That I think were a very false conclusion. However disappointed we may be—however perplexed and surprised, that so divine a scheme has apparently failed as yet to realise all the results which we might well have anticipated; history compels us to acknowledge that the condition of mankind, oven under the partial and fragmentary form of Christianity received by the world, has vastly improved and is improving. It is a remarkable fact, and one which I would earnestly commend to the attention of those who are inclined to regard the advance of science with feelings of religious jealousy, that it has been to the Christian world alone, that scientific truth seems to have been revealed. We might indeed have been sorely perplexed had we found that nations rejecting Christianity were advancing before us in the march of true scientific discovery. But, on the contrary, it is only by that portion of the human race, whose mind had been touched and transmuted by the fire of Christianity, that the prosecution of true scientific discovery would appear to have been possible.

There are evidences that mankind is slowly improving. Religious intolerance is not yet cast out of our churches; but it is feeble to what it once was. There are signs around us of the collapse of long-cherished bigotries, none more remarkable than the approaching downfall of that stain upon England and Christianity—the Church Establishment of Ireland. The civilisation of man is advancing, not receding. The elevation of man may be a very slow process—as slow as the geologic changes which transform the features of his earthly abode. As has been said:

"The mill of God grinds slowly,
Though it grind exceeding small."

Yet the steady upward tendency of our race entitles us to rest in the faith that the consummation of Christianity will come at last, and its highest ideal as shadowed out by its divine Author will one day be realised. And whilst we deplore the schisms in the Christian Church, it may be that, in the providential order of the world's growth, these very divisions are necessary to train mankind for a fuller and larger perception of the divine laws. It may be, that only by such external differences will the spirit of earnest and reverend enquiry and investigation and criticism be thoroughly evoked, stimulated, and cultivated; and the mind of man thus trained to perceive, and his intellectual and spiritual capacities enlarged to embrace the whole and perfect truth of God. It may be, that when mankind has been so trained and elevated as to be capable of accepting higher truths, and of living under a nobler law, the days may come when those maxims of Christ, which are now by universal consent almost banished from Christian teaching and practice, as if they were the unattainable dreams of a visionary, may become the universal law of human society;—days when we shall call no man Rabbi, for one is our master, even Christ—when it will be no strange thing to sell all that a man has and give to the poor—when a brother's sin will be forgiven until seventy times seven—when the unsmitten cheek will be offered to the second blow—and the coat be given to him who has taken the cloak; in a word, when the world shall have learned to look back on the worship of physical force, as the miserable barbarism of a scarcely Christian age, and the law of self-sacrifice and love shall bo found to be practically coincident with, and coeval with, the highest and noblest development of which the race of man is capable. Then, indeed, may perhaps be realised that vision, of which holy men of every age have loved to dream—which all the riches of imagination and of language have been exhausted to portray—the apocalyptical glories of a pure and sinless world.

If I have not wearied you with these somewhat wide speculations on the aspect of Christianity, I would ask your permission, before I sit down, to come somewhat nearer home, and to call your attention to the effect which these divisions in the Christian Church have had upon the question of the education of the young. There is, I venture to say, no man in the full possession of a healthy moral and reasoning faculty, who does not think that religious teaching is an essential part of all education. And yet I am driven to the conclusion that, whilst it is the bounden and imperative duty of every State to provide that its children shall be educated, it is a necessity of the position of a State in which religious differences exist, and in which religious liberty is respected, to exclude all religious instruction from its schools. I believe this colony to fall strangely short of its duties in respect of education. We live in a State whose government is almost completely democratic. And where the demos—the people—is educated and intelligent, I know of no better form of government which can exist in the world.

On the other hand, I firmly believe that an uneducated and ignorant people are absolutely incapable of working the complex machinery of popular and parliamentary government under which we live in this colony. You have not attempted to work it yet by native skill and labour. The men who have had the working of your Government are for the most part men of English education and training. The mass of the electors themselves have brought with them much of the traditions of the old country. But the time will come when you must supply leaders of the people out of home manufactured materials. Therefore, that the generations who are born and brought up in this country shall be sufficiently intelligent and informed to distinguish honesty, ability, and learning, from dishonesty, ignorance, and assumption, and to select the really best men in the country for the high offices of government—this seems to me a first and imperative necessity under our constitution of society and government. Therefore I say that the State must insist on the education of the young, in obedience to the law of self-preservation.

But when we are told that this secular education by the State will be a Godless education, we reply—it is not pretended that the education thus given by the State is a complete education. You must teach religion if you would develope the highest character of the man. And for this reason—that the feeling of submission to authority—the instinct of reverence for what is above us—better, wiser, greater than ourselves, is based upon the feeling of reverence for the divine power. Reverence, teachableness, submission, are habits of the mind not to be arrived at by the cultivation of the intellect only, or by the acquisition of learning: and yet these qualities in the young are the basis of all that is greatest, strongest, and noblest in the character of the man.

Then, as the State cannot, owing to the untoward circumstances of religious differences, undertake the teaching of religion without violating liberty of conscience, it remains for the Church to supplement the want by its own internal means. The State is, after all, only an organisation of society for certain limited objects—for the protection of life and property, and the ascertainment and enforcement of private rights between man and man. But the State is not the only organisation of society. We associate for a multitude of objects; to supply ourselves with railways, gas, water, and so on. The Church is the organisation of society for the teaching of religion and the public worship of the Deity. When the State has done its work in respect of education, the work is not all done. The responsibility lies with the Church to do its duty also. You have recognised this duty in the establishment of this Sunday school. If the youth of this great country, as it will become, are to grow up a sober, steady, God-fearing people, loyal to their country, and to their Queen as the impersonation of their country's greatness and glory, reverend in their habit of mind, and therefore courteous in their manners—for, says the poet laureate—

Manners are not idle; but the fruit
Of loyal nature, and of noble mind;

—in a word, if they are to be deserving of the name of *gentleman*—and I use the word not as the heritage of a class, or the monopoly of the rich, but in its truest and widest sense—the *gentleman*;—you must lay deep the foundations of the character in early life by instilling into the child a reverence for God; a reverence for the divine law; a reverence for those authorities and institutions which are a part of the divine and providential governance of human society.

And if I may, without offence say, in conclusion, one word of advice to those who are to be the teachers in this institution, I would beg of them to teach the children to be Christians, rather than Presbyterians; to instil deeply into their minds those great divine truths upon which we all agree in theory, however we may vary in their expression, or however deficient we may be in their practice, and would leave to a later period of life the assertion of those peculiar points of doctrine in which the various sects of Christendom differ. And if, my friends, by your exertions, you shall so influence the mind and heart of a single child, that he may, by your teaching, grow up a good man and a good citizen; righteous and honest in his dealings, for the pure love of right and honesty; sober and industrious in his habits; respectful and courteous to others as he would that others should be respectful and courteous to him—you will have done that which a secular State education can never do without you: you will not only have conferred a great and lasting benefit on your country by helping to elevate the character of its citizens; but you will have been the means of bestowing an inestimable blessing upon the child himself for here and for hereafter. And I venture to believe that, though it may never be known on earth, you will not fail of that reward which was promised, by the lips of Him who spake as man never yet spake, to those who should give, if it were but a cup of water, to one of those his little ones.

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Front Cover

A Speech on the Possible Future Developments of Governments in Free States. Delivered Before the "Union Debating Society." At Wellington, N.Z., BY JAMES EDWARD FITZGERALD, C.M.G., *Controller and*

Auditor General, November 15, 1882. Wellington: Edwards & Green, Printers, Brandon Street. MDCCCLXXXII.

The Possible Future Developments of Governments in Free States.

I PROPOSE to speak to-night of certain possible future developments in the Governments of free States. Perhaps it may form the best introduction to such a subject if I glance very briefly at the growth of Goverments in civilized countries up to the present time. In doing so I will occupy but a few minutes whilst I sketch in the rudest outline the main features of that history with which, no doubt, you are all well acquainted;—and that only for the purpose of contrasting the condition under which Governments of the present day exist, with those of earlier periods.

It may be assumed that all government had its origin in the physical conditions of our nature—in the government of the father over his children; that it expanded into the patriarchal—the government by the head of a cluster of related households; that it further developed into the tribal, under the headship of the chief; and lastly consolidated into the national—the community of race, under the authority of the king. Under the chief or king in early times, the decisions of the ruling power, so far as they affected the action of the community, were often submitted to the assembled people, and were assented to or rejected by acclamation: and thus a rude democracy restrained in some fashion the will of the monarch. Personal equality of right was the rule where all were equally warriors. In this, however, there was one wide exception: for slavery appears amongst the earliest communities of which we have cognizance; and slavery arose from the conquest of feebler by stronger races. Slaves were chattels, not citizens; they had no existence in the polity of the State. Thus, even when Athens was at its greatest, and possessed a definite political constitution, and was perhaps the most perfect specimen of a democracy in ancient history, the slaves constituted a body which is said by some to have included nearly two-thirds of the whole population. It was a democracy in which two-thirds of the people were no part of the Demos. The kingly power was sometimes hereditary, sometimes elective, as custom had grown up in different communities: and sometimes it partook of both characters, being elective within the limits of the ruling family; often subject to disruption by the appearance of some man towering above his fellows in wisdom, courage and physical strength,—in all those attributes by which men acquire, by their own inherent character, the power to dominate over wills inferior to their own. Dynasties were changed by the Napoleons amongst mankind. Side by side with the kingly office grew up that of subordinate princes, who ruled each in his own territory, with power similar to that of the monarch; not unfrequently disputing and restraining his authority, and sometimes overshadowing the throne itself. A later period saw the growth of the political influence of the middle classes through the growing wealth and power of the towns; and a still later, the fall of the great feudatories, and the absorption of their power into that of the king; and from that epoch we trace the long struggle between the middle classes and the throne, to restrain the despotic power of the king within the limits of settled constitutional law. I say between the middle classes, because at the commencement of this struggle, the great mass of the people were little considered. There had been from time to time great popular outbursts of the lowest stratum of society, such as that of the Jacquerie in France, and the rising headed by Jack Cade in England; but as a rule it may be said the mass of the people had as little influence on the Government as the slaves had in Athens. But the last chapter in the history of government—a chapter not yet closed in many civilized countries—records the gradual extension to all classes of the community of a share in the councils of the State, and of the right of all to be bound by no laws except those to which they had signified their assent by the voice of their representatives in the popular assemblies.

The machinery of representation is of modern growth. It has been remarked by writers that there is little or no trace of such a contrivance in classical history; as little is there amongst oriental nations, or amongst those northern races from whom the civilized world has mainly sprung. The personal appeal to an assembled people could have been possible only in comparatively small communities. The delegation of political power to representatives was therefore the natural result of the enlargement of nationalities, combined with the sentiment of personal freedom handed down from the earliest traditions of a race. There have, however, been occasions when the contrivances of modem civilization have been utilized to enable a direct appeal to the masses of the people, without the intervention of representatives. Such we saw upon two occasions, when the late emperor of the French appealed to the people by means of a plebicitum, to confirm his power, first as president, and then as emperor. The machinery of the ballot-box rendered such an appeal possible. But that mechanism pre-supposes conditions which would have precluded success in earlier times. It involves a capacity to read and write in the majority of the people, and it requires that speedy circulation of intelligence which modern facilities, such as

printing and rapidity of communication, have alone afforded. It involves above all, to insure success, such a standard of moral and political rectitude amongst the people, and such a submission to the requirements of the law, that the inviolability of the ballot-box shall be secured. We have introduced the same principle in this colony to a limited extent,—not indeed in the general Government, but in that of municipalities. We appeal by a plebicitum to the ratepayers, to sanction loans proposed to be raised by boroughs; and, more recently, we ascertain the wishes of the people on the subject of increasing or not in ceasing the number of public houses in a district.

It is clear that this extension of the principle of democracy is within the possibilities of the future in free Governments; and, in respect to one class of subjects, its utility and propriety will hardly be disputed. It has often been argued that the body entrusted with the duty of making laws for ordinary purposes of government is not necessarily clothed with the power of altering the fundamental principles of the Constitution. This position was taken by Mr. Grattan and those who opposed the union of Ireland with Great Britain; and constitutional lawyers of high position maintained the same view. The name of Lord Plunkett alone is sufficient authority for claiming great weight to the arguments adduced:—that a parliament elected by the people to make laws for their government cannot exceed the powers confided to it;—is incapable, morally and constitutionally, of putting an end to its own existence, and can, in the extreme case, but restore to the people the trust which the people confided to its hands. This important principle was asserted by the framers of the Constitution of the United States, the fifth article of which provides that any alteration in the Constitution shall be made only by a convention of the people, whose decisions become a part of the constitutional law, only after adoption by the legislatures of three-fourths of the States, or by conventions of three-fourth of the States, as Congress should determine; and the Constitution itself was only brought into force by being accepted by a convention in each of the thirteen States, elected for the sole purpose of determining, aye or no, the acceptance of the new Constitution. In England it has always been held that in the king, lords and and commons in parliament assembled are vested full power to alter the Constitution; but it has also been asserted that, where any fundamental alteration in the Constitution is proposed, parliament should be dissolved, and an election should take place with a special view to the determination of the question. Thus the people would, for all practical purposes, have been consulted, and legislation would proceed in compliance with their will. Still it can hardly be denied that a direct appeal to the people would be a more satisfactory method of asserting the principle, which is in fact admitted by the argument I have just noticed; and would relieve the Legislature from those long and violent discussions which always occur when any fundamental alteration in the Constitution of a State is proposed.

How far this process of appealing directly to the masses may become incorporated into the practice of Governments, it is impossible to speculate; still less to predicate what might be the results. I have gone no further than to indicate it as not undesirable, in questions where there are grounds for doubting whether the Legislature is not trenching on the limits of its Constitutional powers. But this at least may be said, that the modern contrivance of the vote by ballot renders that possible, which could not otherwise be obtained without the risk which always attends the assembly of great masses of the people in times of popular excitement, and the difficulty of ascertaining with accuracy, in the confusion of public meetings, the real voices of those entitled to vote.

I have occupied your time in this brief sketch of the growth of government for the purpose of calling attention to this fact; that the aspect of government m the present day is different from what it has ever been, so far as we know, at any previous period; that it is only within, comparatively speaking, the few past years that the mass of the people, without any underlying substratum such as slavery, have become a predominant power; and that by the machinery of election and representation that power is now exercised without turmoil or violence, but peaceably and effectively. Step by step franchises have been lowered, until manhood suffrage has been reached in some countries, and is rapidly approaching in others; and even universal suffrage, that is a suffrage including women, is largely and ably advocated.

The momentous question for the future is—now that power has passed or is passing into the hands of the masses,—What will they do with it?

The history of the present century has been one of what may be termed specially *political* strife; the main attention of statesmen has been given to questions relating to the re-distribution of the balance of political power between the different classes; and on this platform political parties, and their outcome, party government, have been formed. But with the final adjustment of that question, with a franchise enjoyed by all classes equally, political agitation must cease, and party government disappear. Other matters must occupy the arena. The power once securely lodged with the people, to what purpose will they use it? That is the problem of the future. Political power is not an end; it is only a means to an end. It needs little sagacity to predict that the improvement of the social and physical condition of the people will monopolise the thought and mould the action of the governments of the future. Social reform will take the place of political.

We may predicate so much, not only from forecasting the probabilities of the future, but from a survey of what has already taken place even in the few years of the present reign. Just as the increasing pressure of the public mind has been felt on government, so has the spirit of administration changed its character, in the direction of ameliorating the conditions of of life, and softening the asperity with which laws, framed in ruder stages of society, pressed upon the people. The alterations in the criminal law, the treatment of criminals, the spirit in which the law of libel is interpreted, the care of lunatics, the management of hospitals, the provisions for public health both in towns and in country districts, the drainage of unhealthy localities, the extension of popular education—all these are matters which have received an amount of attention in the last few years which has never before been accorded to them. And, in addition, the inventions of modern science, such as railroads and telegraphs, have forced upon Government new duties and responsibilities, all tending towards the same end,—the improvement in the physical and social conditions of life amongst the great masses of the population.

And this brings us to the question so often asked,—What arc he limits within which the duties of Government lie? and what are those which ought-to be left—to use a common expression—to private enterprize? A question never satisfactorily answered, because public opinion, reflected in or led by the views of statesmen, is undergoing a gradual but great change in this matter. It used to be thought that the only duty of Government was to collect the revenue required tor the support of its power and dignity, to maintain order in the community, to provide for the due administration of the laws, to guide the nation in its action in relation to foreign States, and to maintain the national religious institutions of the country: that all interference with matters of a commercial character should be left to the private enterprise of its citizens. Nay further, it was argued that any interference by Government in other matters tended to impair the spirit of independence in a people, and to cripple the energy of individual exertion. No one will deny that there is a truth underlying this view. To have everything done for us by a sort of beneficent despotism, instead of being compelled to the wholesome exertion of doing it for ourselves, no doubt tends to emasculate the energy and to enfeeble the self-reliance of a people. But how if the people are themselves the Government, or the basis on which the Government rests, and in obedience to whose behests it lives and moves and has its being? It is clear that the old doctrine is one transmitted to us from ages, when Governments were regarded as something above and outside of, and often opposed to the people, instead of being in and of them. One of the most striking features of modern times is the exten- sion of trade and manufactures by moans of companies of shareholders. Do we consider that individual energy is repressed in shareholders, by their confiding the management of the concern for which they have associated themselves to directors whom they select for the purpose? Surely no one will say so.

The question then is,—Does not Government, exactly in proportion as it becomes more and more a reflection of the popular will, assume more and more the position of a directory of a company, in which every citizen is a shareholder? and if this is so, what then are the limits within which the action of Government should be confined? Let us consider for a moment the extent to which the old idea of Government has already been violated in all free States; that is to say, the matters in which Government engages, which might be left to private enterprise. Take the post office for example. There are companies for carrying goods and parcels and delivering them in towns and in the country. And what is the difference between a letter and a parcel? But no one will dispute that by the creation of a national organization for distributing letters, an immense benefit is conferred on the whole community. And yet can it be denied that Government not only interferes in this matter with private enterprize, but does so to the utmost extent, by vesting in itself a close monopoly, and debarring by penalties the competition of private persons? Take again the post office money order system, in which the Government competes with the bankers in the business of transmitting money; or the savings banks, in which it goes into the market against a multitude of private companies. I might also instance the case of railroads; which in this, as in many other countries, are Government monopolies; and are managed with at least as great satisfaction to the public as those which are still in the hands of private companies. Still more aptly may I quote the instance of telegraphs, which, in Great Britain, were bought by the State, after the experiment had been tried for some years of their management as private speculations; and it is, I believe, admitted that they are now managed by the Government with as much success and with as much benefit to the public as when they were in private hands. The Government Insurance Office, and the Public Trust Office are instances in which we in this colony have carried the same principle to a step further than has been elsewhere attempted, and, so far as I am aware, without any complaint against the establishment or the management of those institutions. And it is not only in the general government that this new principle has been asserted; for it has been still further extended in the subordinate or local governments; for instance, in the supply of gas, water, and tramways in towns, which are often provided by the municipality, the whole of the inhabitants being taxed for the purpose.

It is evident, then, that the old definition of the duty of Government fails to include much of what is now generally admitted to bo within its proper functions:—that the realm of private enterprise has been invaded at many points; and *that* with the greatest benefit to the people. Take for example the supply of water. A private

company would probably only supply it in such quarters as would prove remunerative. But in the hands of the governing body, it would be supplied equally to all classes; not only subserving the luxury of the rich, but bringing to the poorest home that which is a necessary condition of health and comfort. Seeing then the extent to which Government has already intruded into the territory of private enterprise, the question forces itself upon all who speculate on the possibilities of the future, to what extent may not the citizens of each State be beneficially associated in a common organization for special purposes?

In the existing organization of society two great underlying principles arc at work, pointing in opposite directions, and in distinct hostility the one to the other. I mean *competition* and *communism*. Competition claims that the interests of society are best subserved, by relying upon the instinct of human nature which impels each individual to acquire as much as possible for himself. It finds expression in the old proverbs "Self preservation is the first law of nature"—"Charity begins at home"—"God helps him most who helps himself" and such like. It regards success as the natural and predestinated reward of superior strength or skill, sagacity, forsight, or cunning; and in these days it appeals to a new sanction, derived from the all-pervading law of organic life, now generally accepted, that nature operates by "the survival of the fittest" and its advocates may well ask in the words of Scotland's bard,

"Why then ask of silly man
To oppose great nature's plan."

It asserts further, that, in the universal struggle of all for superiority, the self-reliance, endurance, skill, and prudence of every individual are sharpened and strengthened; that the result is a general increase in the products of human labour, and a necessary increase in the prosperity of the whole community; and it takes credit lor a still farther advantage, in that, by the competition between rival producers and distributors, articles of consumption are supplied to the people at a lower price than can be attained by any other method. Against this theory, communism wages perpetual war: and in using this ominous word, you will understand that I mean, not only or principally the ultimate development of the principle, which demands the abolition of all individual property—which says with Prudhome "property is robbery," and claims that all wealth shall be held by the community at large, each individual enjoying an equal share of its use; but I embrace in the term all arrangements whereby men associate themselves for common objects, and to which the milder name of *co-operation* is applied. Co-operation is no more than a partial adoption by one section of the people, and for a special purpose, of that which communism would apply to the whole, and for every purpose in the organisation of society. Communism was attempted in the first formation of the Christian Church, and was adopted in supposed compliance with the will of its Founder. We all know how the experiment first displayed its inherent weakness, in the dishonesty of some of the members. And even those who have no hostility to the extreme doctrine in theory, can hardly fail to perceive how inapplicable it is to human nature in its existing phase. Surely all but the most visionary must admit, that community of goods can only exist in a people amongst whom coexists a corresponding community of character and feeling, of principle and of honor, of motives and impulses,—a people trained to an entire abnegation of self, and possessing an all pervading faith in one another. Some of us may indulge in the dream, that such may be the final consummation of human society; that to such an end the destinies of our race are surely though slowly tending; but we must also perceive that community of goods, as a universal rule, will be the *result* not the *cause* of that refinement and elevation in the moral condition of mankind, without which it cannot exist.

No sane thinker on these matters can believe that communism, in its furthest development, could be suddenly or violently imposed, with any hope of practical success, upon men who have for long ages been trained in the opposite belief, and all whose conceptions have been moulded on other principles. Social systems are things of growth. They may be violently broken up by convulsions; but even then the new principles do not for a long time take abiding root in the national character. How soon did not England return from the republican to the old monarchical idea. It is now a century since the French Revolution, yet how recently have republican principles prevailed in that country. How short a time elapsed after the declaration of the rights of man, before France relapsed into the old forms under the new name of Empire; and distributed, as the prizes of successful conquest, the wealth and honors and titles, which it had destroyed as the possession of proscriptive right and ancient lineage. It was the old world story. The emancipated slaves, under the burden and hard training of unaccustomed freedom, sighed once more for the flesh pots of Egypt.

But what cannot be effected by sudden and violent change may be approached by the slow but irresistible growth of popular feeling, especially when awakened by the teaching of those who have applied great information and power of thought to the investigation of the causes of the unequal distribution of the comforts and conveniences, not to say the necessaries of life, amongst different classes and individuals. And such is one

remarkable feature of the literature of the present day. Such too is the tendency of those institutions of which so many have sprung up in the last twenty or thirty years, the co-operative clubs, and the still older Friendly Societies, and the older yet associations of Trades Unions. All these are separate and isolated endeavors, tending, in special spheres, to the same end as that which communism aims at applying to the entire organization of society; and they are based on the same great underlying principle which inspires the faith of the communist. Under the influence of those institutions the public mind is being schooled and educated, no less by their failures than by their successes; is learning the true principles, so far as they can be said to be established, if political economy—of the laws which regulate the creation and distribution of wealth; is being taught, above all, how much it is possible to achieve, consistently with the existing moral and mental condition of men; and, at the same time, by the reaction which wholesome exertion exercises upon the human faculties rightly used, is being elevated and trained to an extent which may render it capable of wider and more beneficent applications of the principles which inspired its earliest efforts.

Let us clearly understand the difference between the two principles of which I am speaking. The doctrine of competition is based on the belief that the mainspring of human action is self-interest; communism, in the faith that it is, or ought to be, the subordination of self-interest to the sense of human brotherhood. Competition looks mainly to production; and, deeming it proved that the progress of society depends on the advance of its powers of production, infers that the national prosperity must be the inevitable result. Communism looks rather to distribution; and asserts that, whatever may be the power of production, where the results are monopolised by the few, whilst a large section of the mass is left in destitution, society on the whole is not progressing but retrograding. From the stand-point of the present, it may be difficult to gather from the observations we are able to make on the infinitely complicated machine of society moving around us, what may be the outcome of the opposing forces at work; but from a moral point of view, from the principles of eternal right and wrong which are implanted in the human breast, we may judge of the character of the two principles of which I am speaking, and may determine which ought to tend, and unless all social organization is a piece of disjointed and inharmonious mechanism, must tend, to the advancement, the happiness, and the prosperity of a nation.

Which, then, is the nobler instinct of the two,—the law of self-interest, or the law of brotherhood? Test it by an extreme case. Let us suppose that some of us are cast adrift upon a raft in mid ocean; that there is but a limited supply of food and water; that the only hope of safety lies in being picked up by some passing ship before our supplies are exhausted. Shall we deem that a fulfilment of the highest duty of man, which would impel the strong to cast the weak to the sharks, so that their own chances of life might thereby be prolonged? Or shall we be ashamed of the weakness under which our breasts have sometimes heaved with emotion and our eyes filled with teal's, when healing, as we have sometimes heard, how the strongest and roughest seaman of the company has deprived himself of the portion which was his equal share, and waved from his burning lips the last drop of water, that he might alleviate in some measure the sufferings—perchance add something to the desperate chance of life—of the feeblest woman or the tenderest child with whom he was bound in a companionship of suffering. Shall we say that this is a strained or unfair test of what is noble or base in human action? Are we not all, each generation in its turn, adrift on the raft of time amidst the boundless ocean of eternity, with the same duty imposed on us, if not to share alike, at least to provide that the monopoly of comfort and luxury by the few does not condemn the many to suffering and destitution? How then can we refuse our admiration at the motives which have induced the Trades Unions to set their face against piece work or other means by which the stronger and more skilful workman can by working longer and more expeditiously, earn higher wager than his fellows? They may be wrong; it may be that the course they take would fustrate, not advance their object; but the impulse which moves them to determine that, where there is only a given amount of work to be done, and more men than are necessary to do it, they shall all share and share alike, this surely is dictated by a motive which appeals to the noblest and most heroic instincts of the human breast.

Among the manifold developments of the doctrine of competition, I will notice one, in the system of contracts, upon which the largest part of all undertakings, by private persons and companies, and also by Governments are carried on; until it has come to exercise a great influence on the organization of society. It has grown up out of the necessity, that, where works require the organized labor of large numbers of workmen, they should be directed and superintended by someone having skill and experience in the description of undertaking required. It is rightly assumed that such an overseer will apply the labor at his disposal in the most efficient manner. But it is further assumed that, by inviting public tenders, the work will be done in the cheapest manner for the employers if the lowest tender is taken. But what are the grounds for such an assumption? The cost of a work is a fact. With a known market price of materials, and of the current rate of wages at the time, a work will cost just the same, whether done by a contractor or by an employer. It is quite true that the employer has the advantage of knowing exactly, or thinks he knows exactly, what his utmost outlay will be; and, where he is ignorant of the mode of the execution himself, he thus insures himself against loss; but, as a matter of fact, the

work costs the same. If the contract price is less than that, the contractor loses; if more, he gains, and often gains enormously, very much more than the fair value of his labor and skill in superintendence. That this is so the enormous fortunes made by many contractors in all countries clearly prove. The workmen do not work more skilfully or harder for the contractor than they would for the employer. Why should they do so? They have no motive that I can see. The laborer or mechanic works his best, in order, by acquiring a good character in his trade, to secure constant employment and higher wages. Again, it is assumed that it is impossible to obtain the services of competent superintendents, who will honestly consult the employers' interests, at a fixed rate of wages; and that such men would display more skill and energy if working for their own pockets than if working for an employer. But surely the overseer has the same motive to establish a character for skill and management which the workman has, namely, the desire to prove himself the best man who can be found in his trade. It is idle to say that honest and skilful overseers are not to be procured for fair salaries, whilst we employ multitudes of superintendents in various classes of industry upon wages, not by contract. We do not let out our railways to be worked by a general manager by contract, or employ captains by contract to sail our ships; and yet in these and a thousand other cases, we require the experience and skill necessary in the application of organized labor; and the work in railway workshops, and in dockyards and arsenals is as well and as cheaply done as any that a contractor can produce. But the vice of the contract system is that it makes it the direct interest of the contractor to act unfairly by the employer. His profits depend upon the cheapness with which he can get the work done. If he can get inferior material at a lower price, or hire less skilful labour at a lower rate, that is so much in his pocket; and to prevent his doing so, we employ engineers, and architects, and clerks of the works, to see that we get the worth of our money; so that our protection, after all, is in the hired servant, not in the contractor. To put it broadly,—we make it the contractor's interest to cheat us. I am far from saying that he always does so. I willingly bear witness to the honesty and liberality of many contractors with whom I have been brought in contact. And the more honor to those who, in spite of the temptation to which the system exposes them, do really honestly carry out their contracts even at their own loss. But the frequent disputes which arise at the conclusion of contracts, evidence on the other hand the unsatisfactory character of the bargain. Again, such is the looseness of the terms in which contracts are often, and sometimes unavoidably, drawn up, that the contractor can generally speculate on necessary accessories to the work, for which he can charge as extras, and so supplement any deficiency in his tender for what is included in the specification. Singularly enough, in one large class of employment—I mean the collection of revenue—the practice of farming the revenues, that is of letting the collection of them out by contract, is an expedient which has long been abandoned by all but simi-barbarous States. In civilized countries it has been found that the system of employing paid servants in this branch of labor is, beyond all comparison, cheaper than the contract system.

I have taken this as one instance of the manner in which the application of the doctrine of competition operates to distribute the produce of labour with enormous inequality, and to produce a natural feeling of discontent amongst the masses. I am quite aware of the arguments put forward by modern writers, especially in that most remarkable work on "Progress and Poverty" by Mr. George, to prove that the possession of land by private individuals is the sole cause of the unequal distribution of wealth. But I confess myself to be unable to perceive why the monopoly of large estates in land should give one man the power to grasp an unfair proportion of the produce of labor, whilst the same evil should not arise from a similar monopoly of capital. It may be quite true, and no doubt is, that, in the war between labour and capital, the attention of those who are suffering from the existing condition of society has been mainly fixed on the monopoly of capital, and has overlooked the perhaps still greater evil caused by the monopoly of land; but to attribute no ill effect to the former seems to me to overstate the case as against land. The truth is that the monopoly of capital is a more patent fact presented to the view of the working classes. It is not unnatural that the labourer should regard the possession of great landed estate which has been handed down for generations as the heritage of a noble family, if not without a feeling of envy, still without active hostility; especially when relations of a kindly and beneficent character have existed between the fortunate possessor of wealth and the poor around him, which have been equally handed down from the ancestors on both sides; and the people may well fail to trace the cause of the increasing hardness of their lot, in arrangements which, so far as they can see, have been unchanged for generations. But far differently must they view the unequal division of the new wealth which is being daily created around them, by the labor of their own hands. When Tom and Harry, two stalwart youths, are working in a railway cutting at the age of eighteen, and twenty years after Tom is still using his pick and filling his barrow, whilst Harry drives by in his coach, and looks down on his former mate from the earthly paradise of half a million of money, can we be surprised that Tom and his friends should ask with some discontent,—why is this?—what is the secret of this complex machine of society, with its sacred rights of property, and its hard maxims of political economy, which permits, nay encourages, the absorption of the produce of the labor of all, into the hands of the few;—too often into the hands of men in no way pre-eminent above their fellows in any of those qualities which he has been taught to respect as deserving the esteem and

homage of mankind. Those who argue, as Mr. George does, that the real contest is not between labor and capital, but between labor and rent of land—that capital is not advanced by the capitalist to set labour in motion, but that it is really advanced by the labourer to the capitalist, because the former gives the produce of his labour to the latter, before he gets his wages,—have started a proposition which may or may not be theoretically true, but which does not, in its application, fit into or account for the phenomena of actual life. If a large manufacturing establishment stops payment, and hundreds of men are suddenly thrown out of employment and their families are brought to the brink of starvation, how can you persuade those who are exposed to such suffering, that the withdrawal of the source of their weekly wages, that is of the capital which has been lost, is not the proximate cause of their distress? Or how can you expect them not to believe that the aggregation of vast capital in the hands of one man, does not invest the owner with an enormous power for weal or woe over the fortunes and lives of his fellow creatures? Practically it does so. The political economist may be right; on the whole and in the long run, the facts may fit themselves to the theory. But there is one all important fact which is left out of consideration; namely, that a man must have food to live, and that if for a very few days he is deprived of food he dies. The capital lost by one has only passed into other hands. The labor must, in some fashion or other, follow it. But the transition is only effected with great misery, and often with loss of life. Water, we know, always tends to assume a level surface. But the water at one bank of a river will often be found higher than at the opposite bank. Why? because the element of time intervenes; it has not had time to distribute itself, that is, to adjust the fact to the law. And so it is in human affairs; but with this difference, that if the water does not find its level in a given time it does not die, and the man does.

You percieve I am arguing that the doctrine of the older writers, from Adam Smith downwards is, in its practical application to the circumstances of society, not to be set aside; and that capital must be regarded as the agent for setting labor in motion; and hence that the popular view, that the accumulation of vast hords of capital in few hands, with all the incidental power with which it invests its possessor over the lives and happiness of a large part of his fellow creatures, is a great and patent evil in a State—that this view, I say, is one founded on a truth which cannot be set aside. This being so, the remedy seems to lie in the direction of a more even distribution of capital amongst the community; not by violent spoliation of the rich and division of existing wealth amongst the poor, which would effect no more than a temporary change without affecting the cause of the evil, but by such adjustments of the economical machinery, that is, of the artificial arrangements we have made as regards property, that wealth shall naturally tend to distribute itself, instead of to accumulate in heaps.

It is common to hear it said these things should be left to the free working of economical law;—that the State should not interfere. But the State has always interfered. It formerly allowed the combination of employers, whilst it made the combination of employed criminal. In a multitude of ways in olden time it tried, both directly and indirectly, to force down wages, and to encourage the monopoly of wealth. The spirit of legislation has, indeed, to a great extent changed. Trades union combinations are no longer illegal. Friendly Societies and Savings Banks are under the patronage of the State. The great question for the future is, in what way and to what extent can the State encourage and stimulate the movement by which working men may become shareholders in industrial enterprises, and so become the recipients both of wages and profits?—to what extent can co-operation be aided by, or even be absorbed into the duties of Government?—to what extent can the vast accretions of wealth arising from all that a nation annually produces over and above what it consumes, instead of being poured into private tanks, be conducted into one great national reservoir, and held in trust for the benefit of the people by whose labor it has been created?

In railways which belong to a Government, this is already done to the fullest extent. Every taxpayer in the country is a shareholder in the company by which they are managed. It is on the security of the taxpayers that the capital has been borrowed to construct them. If your railways do not produce, in net profits, enough to pay the interest on the debt, the balance has to be paid by taxation. If the net profits exceed that interest, the money goes directly into all our pockets; because taxation for other purposes of Government can be remitted to an equal amount. A Government railway system is, in fact, nothing more than a large co-operative society in which every taxpayer is a shareholder, and shares the profits, or has to pay the losses by calls under the name of taxes.

A Government Insurance office is a somewhat similar institution applied to one section of the community instead of the whole; that is, to those only who voluntarily associate themselves. But there is this distinction. In a State Insurance office on the mutual principle, the profits are periodically divided amongst the insurers, not amongst the taxpayers; whereas if the office is guaranteed by the State, any loss, were any possible, would have to be made up by the taxpayers, most of whom have no interest in the concern. In this respect the plan of compulsory insurance proposed by the Rev. Mr. Blackley, which has been submitted for the consideration of this colony by our Government, is devoid of the inconsistency I have just pointed out; because, all being insured alike, all would share equally the risks and profits;—the profits in this case, being the allowance in case of sickness or accident, and the annuity after ascertain period of life. I can conceive no form of co-operation

more sound in principle or more entirely beneficial to a community than such a scheme, if carefully adjusted to the circumstances of the people in which it was in force.

Another form in which capital is accumulated in few hands is in the business of banking. Might not banking be more usefully carried on by the State, that is by the whole community as a co-operative concern, than by private persons or companies? It is generally supposed that banking requires capital. This is a mistake. Banks have been carried on successfully for long years without any capital. I can remember two instances in which, when failure having occurred in exceptionally bad times, it was proved that the bank had lost all its capital many years before. In fact, the dictum of an old country banker I remember was true, that if a man could not carry on a bank without capital, he did not understand his business. The simplest form of banking is where the banker invests the money placed in his hands in the public funds, retaining only so much in his safe as will meet the current calls over the counter. Thus, if his current dei)osits are £500,000, and £50,000 is sufficient for current demand, he can invest £450,000 in the funds, and live on the interest. The only capital he requires, is to recoup any loss arising from a fall in Government stock if he is compelled to sell out; and even that a prudent banker would have provided for by saving a rest out of his income. The only difference in the modern process of banking is, that the banker lends the money to private persons, instead of to the State, in the form of bills and overdrafts for which he takes security. He only fails, where he invests his money on bad security or in forms in which it is not readily available for conversion in case of extraordinary current demands. When we read of such large dividends being paid on the shares in bank stock, it must be remembered that these dividends are not the produce of the bank's capital only, but of all the money lent to it by depositors. The capital may be only a million; the current deposits may be five millions. The produce of the latter, invested at small interest, will allow of a very large interest being paid on the former. But under a system of a State bank, the bank would be a co-operative society in which the profits would belong to all the depositors. I can see no reason why such a bank should not exist, in which all the depositors should be dealt with as shareholders, each being credited with interest on his daily balance, or his average daily balance at longer periods, the interest being altered from time to time as the necessities of the bank required, so that on the whole no profit to the bank should acrue. If at the accounting period the assets were in excess, that would prove that a larger interest might safely have been credited to the depositors; if they were deficient, that interest had been fixed at too high a rate. An alteration in the rate of interest would adjust the account. The gain to the community would be,—first that the profits on the depositors money would go to the depositors instead of to a body of shareholders; and secondly, that the wide-spread misery the disturbance of trade in all its ramifications, and the great incidental loss extending through remote classes and interests, which always follow a bank failure, would be rendered impossible. The wealth of the whole community would be the guarantee of the bank's safety, and capital in the ordinary sense would be unnecessary to the management of its affairs. And I have no doubt that under such an institution the facilities of banking would be vastly extended, and would be taken advantage of by a stratum of society to which they are not at present available;—to such an extent indeed that the necessity of savings banks would be altogether superseded. By the ordinary system of fixed deposits, the national bank would fulfil all the functions of the savings bank for the people.

Here again the old objection would start up,—There would be no security that the affairs of the bank would be conducted with prudence, sagacity and skill. But what security is there at presenti We are told the motive of self interest: that the shareholders are certain to look after their money. But have we not recently had some startling examples of the contrary? The truth is that the shareholders rely on the directors; and the directors must rely on the fidelity and ability of the paid managers, who have no interest in the concern except their salaries, and their prospect of promotion by the exhibition of honesty and capability; and why those qualities should be found in the service of private persons only, and not in the service of the State, I am unable to see; the more so that I do see, as a fact, vast concerns conducted by all Governments, in which agents possessed of the necessary qualifications are not difficult to find. This, then, is only one of many directions in which it seems to me possible that Governments may aid in applying the principle of co-operation to embrace the whole community, and may impose a barrier in the way of a mischievous monopoly of wealth in private hands.

But here I must notice an objection not without weight. It is said that under our system of Government by representative chambers, and responsible ministers who are the organs of political parties, influences of a political character would be felt in the management of undertakings of a commercial nature, which would impair their utility. I do not deny it. Railways might possibly be managed, not for the interest of the railways or the public, but for party purposes. A State Bank might be converted into a most potent engine of party. I see the danger of this. But I see the remedy. It lies in a comprehension of the most ancient principles of the Constitution. What is usually called the *Government*, that is the ministry of the day, is not entrusted, according to our constitution, with more than a limited part of the powers of the State. The laws are not administered by the *political* Government, but by the judicial. And well did the great founders of the American Commonwealth comprehend the value of that principle, when they kept the judicial functions distinct from the political, and, in

some respects, extended the powers of the former at the expense of the latter. For example, the Courts of law in England cannot set aside an Act of Parliament. They can only interpret it But the Supreme Court of the United States can declare an Act of Congress null and void, as having been passed *ultra vires*. If, then, the administration of one large part of the functions and powers of the Government as a whole, are not entrusted to the administrative or political Government, where lies the difficulty in handing over the powers of the State, in what may be called its commercial capacity, to bodies outside of, and beyond the influence of the political Government? If we hold, as we all do, that the great bulwark of our liberties lies even less in franchises and popular government, than in the independence of the Courts of law, both of the Crown on one hand and of the people on the other, would it not be equally not only wise but necessary, and equally in accordance with the whole spirit of the Constitution, that the administration of the Government in its commercial character should, in a similar way, be protected from influences which could not fail to be mischievous, and should be vested in independent authorities, specially adapted to secure the success of the undertakings committed to their charge?

The last subject to which I will call your attention is that of possible changes in the nature of landed property. It is very remarkable how clearly the evil of the monopoly of land was foreseen by the first Jewish law givers. In the code of law which we find in the book of Leviticus, the law of Jubilee enacted that all lands sold should revert to the original proprietors or their heirs on the day of Jubilee, which occurred every fifty years. Thus the owner could only dispose of his patrimony virtually by lease, for the unexpired term ending on the next Jubilee day. The tendency to the aggregation of large landed estates was no doubt as great then as now, and would have been more severely felt in a small country, little larger than the Canterbury plains in this colony; and the wise provision for the periodical re-distribution of the land may be looked on as one principal cause of the vast increase in the population and wealth of Palestine, which took place up to the time of Soloman; nor can it be regarded as fanciful to say that the neglect of this law may have been one of the causes of the gradual dissolution of the Hebrew Commonwealth. For when the prophet Jeremiah bought a piece of land just before the captivity, in order to prove his own conviction of the truth of his prophecy of the restoration of the Jews to their land after seventy years, whilst under the Mosaic law, the sale would have been by that time anulled, we must conclude that the law of Jubilee, as affecting land, had become obsolete.

That all lands were, in early times, held in commonalty as the property of the State is now sufficiently established. That, as settlement on land for agricultural uses took the place of nomadic habits and the pursuit of the chase, private and personal rights intruded themselves into the communistic title, there can be no doubt. Under the Feudal system the land was vested in the Crown, and was held by the tenant, originally for service, which was subsequently commuted into payment in money. But before many generations had passed away, the interest of the tenant gradually exterminated the communistic title of the State. The history of the law of real property is one of a persistent encroachment of private upon public right, until at length the right of private property in land acquired a sort of sanctity superior even to that which was attributed to personalty. But it is clear that the national title was never wholly abandoned, nor, had the monarch been in realty, as he was in theory, the trustee and guardian of the public estate for the benefit of the whole community, would, perhaps, such encroachments have been tolerated. But this great change in the idea of private property in land took place in ages when the interests of the great feudatories were paramount, and the mass of the people had but a feeble perception of their rights, and little or no influence on the action of the governing powers. The vast confiscations of lands which, in troublous times, extended over so large a part of England, and over the largest part of Ireland,—the resumption of the lands of the monasteries and abbeys by Henry VIII., and in our own time of the property of the Irish Church,—were all more or less assertions on the part of the State of the ancient right to deal with land as public property; and traces of the same doctrine still find,—or till very recently found, expression in existing law. That, in the case of intestacy without an heir, the land reverts to the Crown—that the same rule is applied to the estates of those convicted of certain crimes, and attainted in blood,—the laws of mortmain and entail—the inability to convey land to the subject of a foreign State,—all bear witness to the vitality of the ancient idea, that private property in land only exists subject to such conditions and restrictions as the State may think fit to impose. And within the present century States have begun to resume to a further extent their old rights, by asserting the power to take lands without the consent of the proprietor, for public purposes; especially for railways; paying, it is true, compensation, but still asserting the principle that the public right must overrule all private rights in the proprietorship of the soil. And writers have now appeared who advocate the exercise of the same right, on the same grounds, that is the public necessities, to the extent that the State should resume the ownership of the entire soil of the country, and hold it in trust for the people at large. Some, such as Mr. George, to whose work I have already alluded, deny all claim to compensation on the part of the present owners; some, as Mr. Wallace, admit a claim for compensation, and would satisfy it in the form of a life annuity to the existing proprietors, and their immediate heirs, and, if necessary would extend it to a third generation. All writers agree that the improvements on land made by occupiers should belong to the tenant; but whilst some maintain that the State should resume the land itself, that is to say, the rent of the unimproved

value, others go only so far as to claim for the State the unearned increment, that is to say, that part of the value which has arisen from the general progress and prosperity of the community, over and above the original or natural value which it may be supposed to have been worth.

But whatever view we take as to the right of the State to resume the ownership of the soil, there remains the question of its expediency. Will such a policy produce the beneficial results promised? And again, are the evils such as to justify the application of so drastic a remedy! I confess myself unable to accept Mr. George's conclusion, so far at least as I have been able to consider the subject, that all the ills arising from the vast inequality in the distribution of wealth would be at once remedied by a resumption of the ownership of the land by the State; or to perceive the justice of the distinction he draws between the monopoly of land and of other forms of wealth as the only cause of those evils. For the purpose of this argument, land appeal's to me to have the same effect on the social system as any other form of wealth; and, if I assented to the doctrine of the abolition of private ownership, it would be because the more equal distribution of wealth amongst the different sections and individuals of society, appears a result which must in some fashion be achieved, unless the whole fabric of modern civilization is to be permitted to crumble into the dust. In this view the aggregation of large tracts of country in private hands should be subjected to the same restrictions which should be applied to wealth of whatever kind. I have only called your attention to this as one amongst the other burning questions which must before long occupy the minds of statesmen during the next generation. But I may point out that the recent legislation on the subject of the land in Ireland has greatly hastened the period when the question must be brought to a practical issue. That measure seems to me to be a final abandonment on the part of the British Government of the doctrine hitherto thought to be beyond the pale of discussion—the inviolability of the right of private property in land. The new land law for Ireland does without question admit the principle that it is within the power of the Legislature to partition the property in the soil between the landlord and the tenant, that it takes the land out of the category of those things which are the subject of free bargain, regulated by the ordinary law of supply and demand; and, more than all, that it does this without recognising any claim to compensation on the part of the landlord. Confiscation has been for ages the basis of title to a great part of the soil of Ireland; but it has been the confiscation of the property of the rich to give to the rich; now for the first time it is the confiscation of part of the property of the rich to bestow it on the poor. Idle indeed it is not to forsee the influence which the principle asserted by this law must have in the future discussion of this important question.

In conclusion, I have endeavoured to call your attention to some of the demands which may possibly be made on future Governments, because the phenomena of the present day indicate the approach of an epoch, which may be one of momentous consequence to the civilized world; phenomena which force on us the question—In what direction are we really moving? I have read that in one attempt which was made by the late Sir Edward Parry to reach the North Pole, by means of boats, used as sledges where no open water was to be found, as the seamen were toiling over the icefields, and dragging the boats at a rate which seemed to promise a successful termination to the expedition, the observation of the Commander shewed that their real position was, day by day, further south than on the day before. To the superficial view of the seaman he was travelling to the north; the higher knowledge disclosed the truth that the whole icefield was bearing him to the southward, faster than his wearied footsteps traversed its surface to the north. And may not this be our own case; May it not be that, dazzled by the glitter of the enormous wealth which is increasing with such amazing rapidity around us,—ministered to in every want by the stupendous powers of nature, which are being evoked from their secret recesses to be chained to our chariot wheels—may not we blindly fancy that we are building up an enduring structure of imperishable prosperity, whilst we are really underlaying the foundations with subterraneous forces, which, sooner or later, may shatter our palaces to atoms? How can we close our ears to the warning voices which, like the unheeded utterances of the prophets of old, tell us that our civilisation is rotten to the core; that its only result is, that whilst the rich are growing ever richer the poor are growing ever poorer? What can we say of a social system which is powerless to solve an economical problem except by the inhuman machinery of *the strike*; a machinery which at once paralises "the might that slumbers in the peasant's arm," and crushes, with equal and pitiless cruelty, the tenderness of maternity and the innocence of childhood? What shall we say to the incomprehensible phenomenon, that the Irish peasantry, with a population of five millions, are in the same state of misery and destitution as they were thirty or forty years ago, with a population of eight millions, whilst the wealth of the country has more than doubled? How do we explain the fact that whole districts in Scotland which were once the home of a strong and well fed race of hardy mountaineers, are now only the haunts of the wild deer and game which minister to the sport and luxury of the rich?—forgetful of the truth which revealed itself to the poet, though ignored by the economist,

"Ill fares the land to hastening ills a prey.
Where wealth accumulates, while men decay."

Or what, again, is the solution of the mystery that, after so many years of the boasted beneficence of our rule over India—the rule of the mightiest and wealthiest nation on the earth—periodical famine still stalks over the rice fields of Hindostan, mowing down in its ghastly stride more human victims than the car of Juggurnaut or the sword of the ruthless despots whose rule we have replaced?

What well grounded belief have we that this stupendous fabric of modern civilization of which we boast is destined to be more enduring than those of which the shattered monuments alone tell us of their existence and their extirmination? They fell—some we know—all we may confidently believe, because, in the fierce competition for wealth, and the insatiable lust for power, the moral elements which knit together all human society were dissolved; the luxury of the rich became licentiousness; the degradation of the poor wrought crime and lawlessness; wealth became the agent, and poverty the victim of corruption; the tics of home and the fires of patriotism were drowned in the rising flood of anarchy, and the seething mass preyed on itself until swept away by some stronger race;—some race which, though apparently of ruder and less matured social organization, was yet closely united by the strong affinity of its individual atoms; compact by the love of kindred and the pride of race; strong in the instinct of brotherhood and faith in one another, in all the true and only elements of enduring national greatness. And it is not enough to tell us that the poor are better off than they were, because the rate of wages is higher, and the price of food and clothing lower than formerly. You can measure lengths by a two-foot rule if you know that your two-foot rule remains unchanged; but to measure things in different ages by a standard which is itself constantly fluctuating from age to age, this is but a deceptive process. No one who knows anything of the history of the English people can believe that there was anything like the distinction, in bed and in board, between the Saxon Thane and the Saxon Churl, aye, or between the Saxon Thane and his British Slave, that there is at the present day between the millionaire and the peasant. But even were it so, were it true that the lower orders of civilized States are physically better off than of old, that is not enough. The question they ask you is—Are we better off in proportion to the enormous increase in the wealth and prosperity of our common country? If it be true that the whole standard, that the possibilities of comfort are raised, the supply of a lower is surely a cause for discontent It is not absolute want only that is felt; it is relative want; and the bite of want is ever deeper when its tooth is sharpened by the sense of injustice. And can we believe that this education, which is being so widely extended amongst the masses of all civilized States, will not tend to raise their tastes and stimulate their desire for a higher condition of personal comfort and refinement? If we are not prepared to re-adjust in some fashion the distribution of wealth, the present policy of universal education does seem to me something like the scheme of a maniac. What is it but to sow broadcast amongst the people the seeds of discontent at a system which at the same time we tell them is the result of inexorable economic law? To educate the people—to widen the sphere of their knowledge—to train their intellect and cultivate their taste, and teach them to aspire to a higher moral and intellectual condition of existence, and at the same time to tell them that any corresponding amelioration of their physical condition is a thing hopelessly impossible,—that the privations of penury and the pangs of starvation are necessary ills, which defy the wisdom of the legislator to correct, or the benevolence of the philanthropist to relieve, what is this but to transform discontent into despair, and ultimately to convert the national school into a hotbed of the deadliest Nihilism?

Shall we then say that there is no hope for the future?—that our modern civilization must die, like those which have preceded it in the world's history? Shall we, like the men of old continue to eat and drink and marry and be given in marriage, while the waters of anarchy are oozing up under our feet, and the windows of heaven—the divine retribution for national wrong—are opening above our heads? or will the men of this generation, warned by the ruin of the civilizations of the past, evoke the means of salvation for that which we have inherited? I would fain fancy that over the storm clouds which blacken the horizon I see the bow of promise, the symbol of safety. I see it in the fact that the governments of civilized States are becoming more and more the reflex of the will of the people, and that not of peoples barbarous and ignorant as of old, but of peoples growing year by year in intelligence and knowledge, as they have already grown in political power; and I cannot but believe that, when they once come to perceive the true cause of the ills which press so heavily on their condition, no prescription of birth, or rank, or wealth, or power, will be able to withstand the fulfilment of their desires, and the application of the remedies which they are certain to, and have a right to demand. At the same time I cannot close my eyes to the one disheartening feature in the present age; it is that in the great republic of America, the greatest experiment the world has seen in the science of government, where political rights have been more widely extended and longer enjoyed than amongst any people on the earth, the same

evils, which are the inheritance of older States, are growing with the same vigorous vitality as that which characterises every development in that wonderful country. The dominance and monopoly of wealth, the strife between labor and capital the insane contrivance of the *strike*, the widening gulf between class and class, between rich and poor, are all, to take the evidence of their own writers, repeating themselves in the land of republican freedom, with the same ominous aspect as that which looms over the future of the most aristocratic of European States. But I cannot lose all faith in America; I cannot lose faith in a country which came triumphant out of the great war for the emancipation of the slave, and the maintenance of the Union; I cannot forget how, whilst the purblind critics of the English press were prophesying that the self interest and selfishness of the Western States would induce them to withhold their aid in that great struggle, all minor, all selfish considerations were merged in the instinct of a lofty patriotism; and from the farms and log huts of the western prairies, from a people, though keenly suffering under the pressure of a protective tariff which they hated, mothers sent forth their sons and wives their husbands to fight in the common cause, that, come what might, the great experiment of a free republic, to which they were pledged in the eyes of the civilized world, come what might, should be maintained invoilate. And I cannot but believe, that when that great people come to perceive the real canse of the growing evils and the possible destruction of the nation of which they are so justly proud, the singular energy and inventiveness, which are the peculiar characteristics of the American citizen, will not fail to discover or be slow to apply such remedies as may avert the threatened disaster.

And not less in these colonies of our own Empire, which have grown up as if by an enchanter's wand on the shores of the Pacific, not less on us, though on a smaller stage, does the duty lie, to meet with courage the demands of the future. We stand in a position peculiarly fitted for the attempt. Tradition and precedent, and old world forms and prejudices, and a superstitious reverence for private over public rights, have not yet interwoven round us their inextricable web. The memory, though yearly growing fainter, still lingers amongst us, of those early days in these settlements, when a community of toil, and an almost equality of wealth, bound us all, class and class together, in a strong community of feeling and interest. To us then more than to all others has fate allotted the task of dealing with the problems of the future. By what specific laws, it is not for me now to suggest, but by legislation, I confidently believe, it must be, which must be based on such a reconsideration of the rights of property, as shall tend to redistribute more equally amongst all the joint results of the productive powers of the earth and the creative energy of human labor. That the poor will ever wholly cease out of the land, and crime be heard of no more, we may not hope; but it may be the imperishable glory of the statesmen in these new born nations, so to modify the social and economical conditions of life, that wide spread poverty shall not be the necessary result of artificial law, and crime shall not be bred by the cravings of want, and matured by the sense of wrong.

And if after all it be that our civilization too is destined to fulfil the law of all organic life, and to sink into decay; if the mighty empires of the present must pass away like a tale that is told, we may yet cherish the faith, that from their ashes a new civilization will arise, to which that of the present may be but as the rude institutions of the savage or the tottering footsteps of the child; that man will rise ever higher and higher to those lofty regions of social, moral, and intellectual being, to which the secret and prophetic yearnings of his soul assure him that he is capable of aspiring, until at last bis final destiny is lost to our present feeble sight in the light which shines around the throne of Him, whose image we are, and by whom and for whom all things are and were created.

vignette

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Inaugural Address

Vignette

I think it is my first duty, on taking the Chair at this first formal meeting of the Citizens' Institute, to express my cordial thanks for the honour you have done me in appointing me to be the President of your Society; and although I may not perhaps be able to take a very active part in your proceedings, it has been thought fitting that I should say a few words, by way of introduction to our duties.

I understand those duties to be of a very general character. There are already societies of various kinds in this city, having special objects in view. There is a philosophical society, an academy of arts, a debating society, charitable societies, and, I believe, societies for the promotion of special opinions on matters of public interest. But I understand the objects of this Institute to be of a more general character; that it contemplates to

afford its members, which it is hoped will comprise all classes of the citizens, rich and poor, learned and unlearned, the opportunity of meeting together for the purpose of hearing lectures and readings, and of discussing and conversing on all subjects which may tend to the improvement of the mind, and to the exchange of information and thought; and that upon all matters, not so much those which relate to our own local and temporary affairs, but rather to subjects of permanent and general interst—such as history, poetry, art, philosophy or science, politics or religion.

Meeting on a common platform we shall, I doubt not, be able to discuss such questions, not in a narrow and party spirit, but with the same respect for the opinions of others as that which we claim for our own; especially for such opinions as have been held by large sections of our fellow-men, and which we may therefore presume to have had their origin in, or to have been in sympathy with, some of the wants or aspirations of humanity.

I cannot conceive any association to be more useful than this, should it include persons of all classes and of all shades of opinion, in which those who differ from one another, no matter how widely, may become accustomed to discuss questions on which they differ, with mutual forbearance and respect; apart from Pharisaical contempt on the one hand, or scientific dogmatism on the other; but each recognising that, however clear and incontestable a proposition may appear to his own mind, the contrary may seem equally incontrovertible to a mind differently constituted and trained. Never let us forget the sternest lesson of history—that there has been no limit to the atrocities and cruelties into which men have been betrayed, who have once persuaded themselves, not only that they are the sole possessors of eternal truth, but that a moral or divine law demanded that they should compel others to agree with them.

That was a wise and Christian maxim laid down by one of the old fathers of the Church—*"In necessaris unitas; in dubiis libertas; in omnibus charitas."* And yet how often was the *charitas* wanting when the question was raised as to what were the *necessaria*.

One great advantage to be hoped for from such a society as ours is that it may tend to advance somewhat that movement, which is one distinct feature of our times, towards a closer social union between the different classes of society.

The separation of society into classes is a heritage from the remotest past. It appears in the initial organisation of society. It had its origin doubtless in war, in the conquest of the weaker by the stronger, the weaker being reduced to slavery; for the existence of slavery appears in the very earliest records of humanity. As time went on, wealth fell into the bands of the strongest, and wealth brought with it leisure, affording the opportunity for acquiring knowledge, whilst relief from the severe labour demanded by the struggle for existence promoted refinement of manners. Another cause for widening the severance of class from class may be found in the difference of language. The lowest class being mostly attached to the soil, handed down from generation to generation the tones and idioms of their forefathers, whilst the wealthier, even where they were of the same race and language, moving about their own and other countries, acquired a larger and more varied vocabulary, enriched in all European countries and in later times by the universal language in which the services of the Church were performed. Again, the laws which grew up as to the inheritance of land and of titles of honour had no small influence in stereotyping the distinction of class. For many centuries illustrious ancestry was the sole title to membership of the highest class, supported as it usually was by hereditary wealth. But wealth, as it increased by the increase of commerce, broke through the old barriers, and widened the circle within which the class of what were called gentlemen were enrolled. But we live in an age in which the tide is running strongly in the direction of obliterating class distinctions. On the one hand, members of the upper class are now compelled to engage in a multitude of occupations in which, a generation or two ago, they could not have engaged in without loss of caste; and, on the other, there has been a large and steady advance by the lower classes in education and refinement. The difference in language, too, is fast disappearing. It was only the other day I came across a sentence in a novel which is making some noise in the world, in which one of the characters is made to say, "My Lord the Duke's conversation differs very little from that of his groom":—not speaking of any particular duke, but as a critical comment on the manners of the day.

I remember a lady telling me a story—I regret to say it was some sixty years ago—of herself, or a friend, who was riding alone through the lanes in a county in England which was notorious for the unmannerliness of the rural population, and which, not to offend the susceptibility of any present, I will call Blankshire. She came to a gate across the lane on which a little boy was swinging. He jumped off and politely held it open for her, touching his hat. She said, "Thank you, my boy, I'm sure you're not a Blankshire boy." He looked up, and replied, "Thou'rt a liar, for I be." His action showed his real politeness. His speech was merely an inoffensive synonym, or rustic euphuism, for saying "I beg your pardon, ma'am, for I am." But I will undertake to say not a boy could now be found in that county who would use the same form of expression.

It will indeed be a happier world when the only title to honour and the only distinction of class will be found in rectitude of conduct, purity of morals, and gentleness of manners; and the phrase, "On the honour of a gentleman," will be exchanged for "On my honour as a man." And any such society as this will tend to

anticipate a result which the civilised world will one day see.

I mentioned "politics" as one of the subjects which might profitably be discussed in your Society. I do not of course mean those narrow and local questions which are popularly supposed to comprise all that is included in the word politics; but rather those general principles as to the organisation of society and the government of communities, which have been the study of statesmen and philosophers in all ages and countries. Whatever view we may take of the doctrine that man is only a development of inferior forms of animated nature, I think it must be admitted that, in its earliest phase, government was based on force alone. As the strongest monkey no doubt got most nuts, so the man strongest in limb and brain got the most spoil; and with his spoil was able to purchase the aid of his weaker associates. Strength procured wealth, and wealth bought additional strength: and so arose the earliest form of government amongst men—government by personal and uncontrolled despotism. The origin of government was, in fact, the same as the origin of classes. Out of the mass of the people the bolder and stronger became warriors; the feebler were condemned to less exciting and more ignoble tasks; they became tillers of the soil, hewers of wood and drawers of water, serfs or slaves. But this despotism bore in itself the elements of popular government; for rivalry between despots evoked the need of purchasing or retaining popular support by consulting popular interests or complying with popular demands; and so arose popular assemblies.

Out of these rude beginnings arose the various and complicated systems of government of our own times; and hence the importance of the study of politics as a science; for we are all of us called on to exercise our political privileges, not only as a right, but as a duty; and, surely, those who are best acquainted with the laws and principles, under the operation of which so elaborate a machinery has been evolved out of such rude beginnings, will be best able to form a correct judgment upon any experiments we may be asked to make on it in the future.

Theoretically it may be presumed that a community would be best governed by its wisest and ablest men; and that the art of government is reduced to the task of selecting the wisest and ablest; and that the task of selecting the wisest and ablest to be chiefs could be most fitly entrusted to the wisest and ablest class of the citizens; in other words, that the best government would be government by a class. That might be true, if there were any means of selecting the wisest and ablest as a constituency; and, secondly, if any men could ever be found in any community so wise and so able as to guarantee that they would exercise their power with equal regard to the interests of all, and without any preference to their own or those of their class. But, unfortunately, human nature exhibits very few specimens of such. The history of government teaches us that even the best cannot safely be trusted with arbitrary power. The sad story of Lord Bacon's declining years is an epitomy of the weakness of all humanity; of how learning, and philosophy, and statesmanship of the highest, may fail in overcoming the inherent influence of self-interest. And what is true of individuals is true of classes. I think it may be said that a better educated or more generally enlightened and fair-dealing class of men does not exist in the world than the County Magistracy of England; and yet, the force of class interests is perpetually brought before us in the extreme severity with which they visit the most trifling infringement of the rights of property, compared with the punishments awarded by professional law-courts for Climes of even greater terpitude. Hence, the problem of government is not confined to the construction of machinery by which power shall be lodged in the hands of the ablest and wisest and most virtuous of the citizens; but security has to be taken that the element of self and class interests shall not operate to cloud the wisdom and intelligence of the rulers.

I think the history of the development of government in the most civilized communities in modem times will teach us that governments follow the same law as that which obtains in the development of all animated organisms; and that, as they advance towards a higher state, and as higher demands are made on them, their functions become differentiated, and their duties and powers are distributed amongst different parts of the machinery, developing the principle of what is termed a balance of power. Thus the several functions of wielding the executive power of the State and representing its unity and dignity; the power of creating written law; and the power of interpreting and applying the law—which, in earlier ages, were centered in a single person—became separated, and were lodged in independent authorities—the Executive, the Legislative, and the Judicial. And at a later period the Executive became again differentiated in some communities, the Crown representing the unity and dignity of the State in its relations to other States; and the Executive presiding over the details of the administration of government, and advising the Crown in all its public conduct. This has been the case with States on the English model, where the headship of the State is hereditary in a single family, in all of which the separation of the legislative and executive functions has been, to some extent, incomplete, in that the members of the Executive arc still retained as a part of the legislative bodies. In some of those countries where the head of the State has become elective, such as the United States of America, the separation of the legislative and executive functions has been carried to its ultimate issue, the members of the Executive Government being altogether excluded from the deliberations of the Legislature.

It is a fair subject for speculative enquiry which of these two developments is likely to result, or has

resulted, in the most effective government, and in producing harmonious action between the Government and the people at large. The independence of the executive and legislative functions in the State has ever been insisted on by writers on political science as one of the most important conditions of good government. It was specially insisted on by the framers of the Constitution of the United States. And it becomes an interesting subject for enquiry and discussion whether that condition has been sufficiently regarded in the English system, and still more in the development of that system in the outlying parts of the British Empire. The question is whether, under the system by which the members of the Executive hold their offices only at the pleasure of a majority of the popular chamber, there is not danger lest, on the one hand, the executive duties may be performed, not so much to satisfy the requirements of good government, as to secure majorities in the legislative chambers, on which their own tenure of office is made to depend; whilst on the other hand the legislative functions may be allowed, by the working of what is termed party government, to fall almost entirely into the hands of the executive. That such has been thought to be the case in some of the Colonies is evidenced by the fact that, in several instances, certain executive duties and powers have been taken out of the hands of the supreme Executive, and placed in those of independent Boards, which are not directly represented in the legislature. It will be a most interesting subject of enquiry, how it is that in England and her dependencies the direct responsibility of the Executive to the popular chamber is looked on as the keystone of popular government, whilst in the great American Republic, the most democratic country in the world, that security for the government being conducted in compliance with the popular will is entirely wanting, and is provided for in other ways, and that to the entire satisfaction of a community above all others jealous of popular rights.

The latest development of the English political system is that of government by parties. The influence of party in political history is a subject deserving the most careful study. All great movements have been made, all great reforms have been achieved, by party organisation. But it still remains an open question whether the members of the Executive should be elected on party lines, and with a view to party interests. The question of whether a Catholic or a Protestant king should sit on the throne of England was, 200 years ago, a most deadly party question; yet members of both parties sat in the same Cabinet till late in the last century. The Reform Bill, freetrade in food, the abolition of the slave trade, and other questions have been the work of parties: and probably party organisation will be the only means by which any great popular measures will ever be earned. But the point for consideration is, whether the identification of the executive government with a party is necessary to the passing of any measures which a party demands. Nay, more, whether great reforms might not be delayed by the necessity for such alliance; whether such questions as the female franchise, or the sale of liquor question, would not have found a much speedier solution had they not had to wait till an executive government could be formed holding the same opinions ou such matters; whether a country might not be better governed if men of recognised superior ability and administrative capacity were selected for office from amongst men of all parties and all shades of opinion, and such amendments as were desirable in the laws were left until the popular sense of their necessity had crystalised into a party strong enough to force them on the legislature. I offer no opinion on these points, but I submit them as matters which may usefully come under discussion in your Society.

But besides questions relating to the form of government, there are questions which come under the head of political—questions of portentous magnitude and of the greatest importance, affecting the whole organisation of society in all civilised countries at the present day—questions which are all summed up in the formula, The Capital and Labour question. It involves the question, not, What is the best form of government? but, What are the limits of the duties and responsibilities of government, of whatever form it may be? There is no subject on which it is of more importance that young men of the present day should seek to form sound views, for it is one which will determine, it may be in their lifetime, whether modern civilisation is to advance, or to decay as other civilisations, apparently as stable and enduring as ours, have decayed before.

What are the duties of government in respect to the organisation of labour, and in respect to the distribution of property amongst those subject to its rule? I think you will find in your discussions on this question that men are divided into two distinct parties, holding diametrically opposite views, and judging of all points submitted to them on principles fundamentally different; in short, men of two different classes of mind. They may be best described by the extremes on either side, of which the one are the strict political economists, and the other the socialists. In other words, those on the one hand who advocate the complete and uncontrolled freedom of all—the leaving everything to private enterprise: and, on the other, those who believe in the organisation of the property and labour of the whole community under the direction of its Government.

The first—the rigid economists—hold that the result of the action of individuals and of communities is a matter of fixed and irrevocable law; and that that result will follow sooner or later, no matter what steps are taken by individuals or governments to influence or direct the course of events; that supply will follow demand, and price will rise with demand and will fall with supply as certainly as the sun will rise on the morrow; and that no action taken by a Government or by individuals will affect the result. I think you will find that these

extreme views are generally combined with a belief that all individual action is the outcome of mechanical law, and that the idea of free will is only a popular superstition There is, perhaps, a logical connection between these two articles of faith. But I think we may assume that, as the popular belief, as well as all public law, is based on the doctrine that a man is responsible for his actions; so all public policy rests on the theory that a Government is responsible, more or less, for the welfare of the community over which it presides. If we admit to its full extent the doctrine of the political economists, must we not say that such an event as the disappearance of one-third of the population of a country by starvation or expatriation, as in the case of the Irish famine of 1846-48, was a detail or incident which it was outside the duty of an enlightened Government to have averted, or rather to have tried to avert, by timely legislation?

The opposite principle is that which, in its extreme development, is Socialism. In its earlier phase, it believes that there are many things which can be more efficiently and profitably done by the united action of a *whole* community, acting through its Government, than by private enterprise—that is, by the action of only a *part*. It asks whether it is not the duty of Government to provide wages for that part of the community who live by daily labour, at all events, so far as to save them from starvation. This, you will observe, is only a partial application of the doctrine of Socialism. It assumes the right of the State to take a part of one man's property, by means of taxation, to give to another man. Socialism is based on the principle that all property belongs, not to the individual, but to the State. The question I am putting is, therefore, one only of degree, not of principle; because, if the State may of right take a part of a man's property, it may take all. It is only a question of expediency how much.

You will perceive that this question is wholly distinct from that of the general right of taxation. The latter assumes that the taxes are expended for the benefit of the whole community. The point we are now discussing is the right of the State to tax property-holders for the benefit of non-property-holders.

You will understand I am not suggesting any doubt as to the right in question. I am only directing your attention to it as one of the burning questions of the day, and for the future, in all countries.

It may be that in a full comprehension of socialistic philosophy, and a prudent application of its principles, may he the only road by which not only may the existing civilization which some nations have achieved be preserved from destruction and decay, but higher regions may be reached, especially with the aid of the improved physical conditions with which man is surrounding himself, than the wildest fanatic amongst us has yet dreamed of.

The practical question for the moment is—to what extent is it right or wise for governments to engage in public undertakings which have hitherto been left to private enterprise. The school of political economists denounce the interference of Government in any matters which are capable of being achieved by private enterprise—none more strongly or eloquently than that brilliant essayist—Mr. Herbert Spencer; and yet, singularly enough, one of his most powerful essays is that "On Railway morals and Railway policy," in which he shows that the results of the private enterprise system in the English railways has been, that their nominal value—that is the interest paying capital—is by very many millions in excess of the sums actually spent in their construction; the difference being accounted for by the sums absorbed by jobbers and speculators, and the enormous law costs in the wars between rival companies, and the practical result being a totally unnecessary increase in the cost of travelling to the public. And to whatever extent this abuse has been carried in England, has it not been surpassed by our enterprising cousins in America? Is it not to the private enterprise system that men in the United States have been able to accumulate in a few years amounts of wealth exceeding that of the most rapacious despots of ancient times? Perhaps however France has now *"taken the cake"* from America in this line of business; for I suppose the Panama Canal Company may be said to have achieved the crowning triumph in the leave-it-to-private-enterprise policy.

As a contrast to these triumphs, may not we in New Zealand put forward our own modest achievements as an argument of some little weight on the opposite side, when we point to our own Government-made railway lines; which, if they were valued to-morrow by competent and independant engineers, would in all probability be estimated at an amount—and if put up for sale in the world's market, would fetch an amount—at least equal to the sums which we have borrowed and expended in their construction.

I mentioned, amongst other subjects which might profitably be brought under discussion in your Society, that of religion. I do not mean that it is desirable that your meetings should be made the occasion of discussing doctrinal points of difference between the professors of the Christian or any other form of belief; or that you should in any way offend the sensibilities of those who think that religious topics should be approached with exceptional reverence, and should not be introduced into discussion on temporal and secular matters. We cannot, however, ignore the fact that religion has ever been one of the most important factors in the organisation and growth of human society; that it meets our view at every page of history; that it has given its sanction to our laws has been assumed as the basis of our morals, and can therefore hardly be excluded from discussion in a Society which is formed to widen the information of its members on all matters affecting the

interests of mankind.

Religion has been nobly and eloquently defined to be "the science which treats of the relations between the finite and the infinite." It is necessarily a part of the science of Psychology; for, if we were to accept the philosophy of the materialists, that the whole universe, together with all animated nature, including man, is only a piece of material mechanism, and that the idea of 'mind' or 'soul' is merely a chimera, there would be no room for any relations between finite and infinite spiritual beings which would have no existence except in the fictions of the imagination.

The first question then which must be answered, prior to the admission of any claim which can be made by religion, is this—Is it capable of absolute proof, to the satisfaction of the human intellect, that all human thought and action is the mechanical result of physical causes, and is due solely to the stimulation of the nervous system responding to surrounding material conditions? If this is answered in the affirmative, and if we can rely on the absolute correctness of our reasoning and of our observation of the phenomena on which it is based, then of course the whole ground on which religion stands disappears. But it may, I think, be stated broadly that, although this doctrine of the materialist is held by some, yet it is *not* admitted by physiologists as a whole that all the operations of the human mind can be traced to their origin in the material organisation. It is quite true that many of our bodily movements which were popularly supposed to result from mental action, have been proved to originate in the mechanical structure of our bodies—that we act, to a large extent from habit, automatically, whether consciously or unconsciously. But it has *not* been shown that *all* human action follows the same law, nor could such a theory be admitted without very distinct and incontrovertible evidence. There stands at present a wide and apparently impassable gulf between all merely automatic movements and the creative powers possessed by a human being—that creative faculty by which he calls into existence that which did not exist before—it may be a picture or a statue—that power by which he writes a poem, or composes a cantata, or elaborates a philosophical treatise. It is not of course intended to deny that the production of all work of *art* depends largely on the greater or less perfection of the nervous machinery by which the images of external objects are impressed on the eyesight and reproduced by the fingers. The *power of expressing* in art, as in language, is mechanical; but it has yet to be proved that the *idea expressed* is so. It is hard to believe, and the universal consensus of philosophers has not yet asked us to admit, that the powers of the mind displayed in such creations have the same sense, and none other, than that which makes the child cry out when it is hurt, or compels us to wink the eyelid when anything threatens the eye.

Now, the religionist bases his belief on the fact that, not only are there emotions internally in the mind itself, but that, externally, communications have been made to, and influences are being exerted upon, human minds, which cannot be accounted for by, or connected with, any material operations in his own organism, or m the natural world around; and that his own actions are determined, to a certain extent, by such communications and influences. The evidence of the truth of such spiritual relations must, of course, be a matter of individual consciousness. We cannot penetrate into the minds one of another; we can only know the inner mental experiences of those around us by what they tell us of them. Thus, all communications made by a Divine Being to mankind have been made, and must of necessity have been made, by some one who originally received them and conveyed them to the world at large by speech or writing. In other words, all religion comes to us *by authority*. And thus the contest going on in the world between the scientist and the religionist is one between scientific enquiry and divine authority. In this contest the scientist demands that nothing shall bo accepted as having divine authority which is inconsistent with the conclusions at which he has been compelled to arrive by the inexorable demands of a logical interpretation of the facts in Nature; whilst the religionist upholds that the intellect of man is in itself so fallible, that its conclusions cannot be relied upon as opposed to statements which, on other grounds, he has reason to believe bear the impress of divino authority. The religionist appeals to the consciousness of every man in support of the doctrine, for which he believes that he has divine authority, that man has a *will*, which, to some extent at all events governs his conduct, and makes him responsible for his actions. And to this the materialist can but reply: Man *thinks* he has a will; be is so constructed as to think so; but physiology proves that that is a mere delusion, for all bis actions are the result of immutable mechanical law. But may we not answer: Is man, then, so constructed that he is compelled to believe that which is untrue? Reason implies the faculty to choose between truth and error. Are we to believe that our conclusions are arrived at by mechanical law, and that we really make no choice at all? Do we, by a process of logical reasoning, prove that we have no reason? Is it the noblest triumph of intelligence to establish the fact that we have no intellect? And is not that the conclusion to which the theory of the rigid materialist leads us?

Pondering over the various phases in the controversy between science and authority, may we not say that demands are made on either side to which the other can hardly be asked in fairness to yield. If the religionist is asked to resign all bis most cherished convictions, because they conflict with conclusions at which the materialist has arrived from his study of physical phenomena—although those conclusions have not yet been admitted by the consensus of all philosophers, into the canons of established scientific truth—may not the

materialist on the other hand complain that a superstitious reverence for the forms and phrases in which what are held to be divine truths have been conveyed, often leads the religionist to reject and despise the conclusions of the intellect, even on points on which their truth must be admitted unless all human reason is but a palace of falsehood. To despise or belittle the human intellect, is to mistrust that faculty in man by which alone he is able to comprehend the claims made by divine authority, or to understand the import of divine commands, which are put forward as entitled to supersede its authority and compel its judgment. How can the thing comprehended require us to ignore the power by which alone we comprehend it? If a communication from the spiritual world is presented to the human intellect, the right of the latter is thereby admitted to demand the credentials of the mission, and to ratify them by comparison with those other communications from the same divine authority, which are conveyed in the study of the physical world.

I said that religion has been defined as the science of the relations between the finite and the infinite. It is sometimes said that we cannot conceive "the infinite." Is it not rather true that our minds are so constituted that we are incapable of not conceiving the infinite? How can we conceive of anything, of time, space, or quality, without conceiving of it in the abstract as having no limit? If we speak of a beginning, does not the mind immediately ask—"What was there before that?" Can you conceive of a limit to space without asking—"What is on the other side?" There is a poetic phrase—"When time shall be no more": "And what then?" the mind immediately asks. Hence we conclude that the finite implies the infinite; that not only space and time, but every quality and attribute as applied to the finite implies the conception of the same in the infinite; and thus our own existence suggests or implies the existence of an infinite Being. And this is our true conception of God; and so, in all our descriptions of the Deity, we can but speak of him in terms which represent our own qualities and characters, mercy, goodness, truth, justice, and so on, in an infinite degree. Hence does not the phrase that man is made in the imago of God, seem to be the expression of a profound philosophic truth—that man is in the finite, that which God is in the infinite?

There is one subject involved in this controversy between science and religion which seems to me to have not received as much attention as it deserves, and a consideration of which may possibly do somewhat to form a link between the two. I mean the nature of the phenomenon of *Force*. We speak of various kinds of forces—the force of gravity, chemical force, muscular force, and so on; and it seems to be tacitly assumed by writers on physiology that force is a part of or an inherent property of matter. The philosophy of the materialists seems to be based on, and to assume, that force is not only a factor in the material universe, but is, as it were, itself material. But is that a legitimate assumption? What is force? Why should one particle of matter attract another? What right have we to assume that force is material? We cannot see it, or hear it, or touch it. What property has it in common with matter? We recognise its *effect on* matter; but it—itself—how can we call it material when it eludes all recognition by our senses? Is it not rather true that *force* is, in its nature, spiritual? and in this controversy between the materialist and religionist may not the latter claim that the phenomenon of force is not a material, but a spiritual manifestation?

True, the scientist will say. But force acts by law. It does not act like the will, to which you would liken it, in an arbitrary manner. It has no volition: Its effects on matter are uniform: It acts by known law, and its effects are measurable.

That is so—but is not the difference only one between the finite and the infinite? What is law but the process of infinite will—the outcome of the eternal consistency of infinite power with itself—the great balance-sheet of all the infinite possibilities—the attribute of one "in whom there is no variableness, neither shadow of turning."?

Perhaps no more powerful or beautiful lines were ever penned than those in which the old Hebrew king and poet endeavoured to express bis sense of the omnipresence and omnipotence of the Divine Being, in the 139th Psalm: and it has often struck me that no language can more perfectly or appropriately describe that awful and mysterious power which we call force. If I were to write an ode to force could I find nobler or more fitly descriptive words than these:—

Whither shall I go from thy Spirit,
Or whither shall I flee from thy presence?
If I ascend up into heaven thou art there,
If I make my bed in hell behold thou art there?
If I take the wings of the morning
And dwell in the uttermost parts of the sea,
Even there shall thy right hand lead me
And thy right hand shall hold me.

If I say surely the darkness shall cover me;
Even the night shall be light about me,
Yea, the darkness hideth not from thee;
But the night shineth as the day—
The darkness and the light are both alike to thee.

We use the words omnipotence and omnipresence with a feeble and vague impression of their real significance, but they do seem to be brought somewhat within the range of our comprehension when science discloses to us the operation of that awful and mysterious energy, which at once sustains the circulation in the veins of the smallest insect, whose existence is only revealed to us by the most powerful microscopes, and at the same time sets in motion and sustains the vibrations of ether which convey the light to our eyes from the stars whose ascertained distance exceeds a million times a million of miles from our earth.

The religionist might shrink from the formula—That God is force; but would hardly object to the expression—Force is the manifestation of God in the material world.

There is another and very strong reason why questions relative to religion may occupy your attention in this association. It has become a distinctly political question. It has always, indeed, had in past times a close association with, and has widely influenced and helped to mould, political institutions. Religious parties have become identified with or hostile to political parties. But the tendency of free institutions in politics has been to eliminate religious feelings, or, rather, the expression of religious feeling, altogether from the political arena. Every man, it is said, should have equal rights of citizenship, no matter what his religious opinions may be. We all now accept that principle. But the question has been brought again into prominence by the new theory, that it is the duty of a State to educate the whole of its youth, and to supersede the ancient and natural parental authority in doing so.

No one can dispute the justice of the view that, where the State recognizes the right of all citizens to an equal share of power, it has a right to require that all its citizens shall be educated so far as to enable them to understand and to make use of the privileges they enjoy. Self preservation justifies this requirement on the part of the State. But it is certainly a very doubtful question in political ethics, whether it is right or just that the State should tax large classes of the citizens to pay for a system of education of which they are unable conscientiously to take advantage, and who are already, at their own cost, educating the youth of their own persuasion fully up to the standard rightly required by the State of all its youth.

Cognate to this question has arisen that of the reading of the Bible in the State schools. I confess it seems to me little short of a national misfortune that that one book should be wholly excluded from the instruction of our youth—the book on which so large a part of our civilisation has been based. It was said by the late Mr. Renan—notwithstanding that he shared none of what may be termed orthodox views as to the authority of the Scriptures—that, except the Greeks, the Jews were the only race who had done anything for the civilisation of the world. And if nought of Jewish history were left but the decalogue alone, surely the saying would be justified. So familiar are we with the language, do we ever consider the mystery, may I not say the divinity, which surrounds that brief epitome of human duty? Coming down to us from the remotest periods of human history, from the most ancient records of human thought, it declares the principles on which alone all human society could be built up, and the civilisation of which man was capable could be developed.

Consider for a moment the contents of this primeval statute. It declares the sanctity of human life—"Thou shalt do no murder." The sanctity of human property—"Thou shalt not steal." The sanctity of the parental relation. The sanctity of the marriage tie. The sanctity of truth—"Thou shalt not bear false witness." And of that purity of soul which would not oven desire to infringe the rights of others—"Thou shalt not covet or desire." Has any document ever been written by human hand—have the catacombs of Egypt, or the sand mounds of Assyria disclosed any fragments of writing on papyri, or inscription on marble or alabaster, which proclaim the fundamental duties of man in similar language—not argumentative but authoritative, not painfully elaborated, like the essays of Greek or Roman from introspective analysis of human mind and motives—but in words sonorous and majestic as the thunder which rolled—keen and incisive as the lightning which flashed around the crags of Sinai, when according to the tradition, historic or mythic—the lesson will be the same in either case—this first Statute book was delivered to mankind never to be revised or repealed till man should be no more?

Need we be surprised that there are numbers amongst us, not the least intelligent or least liberally minded of the community, who regret that our youth should be brought up in ignorance of the most precious historic monument of the foundation of all human law and duty.

Again in teaching the rising generation something of the past history of mankind, is it altogether wise, is it

philosophical to tell them of States which have arisen, of conquests which have been achieved, and systems which have flourished and have passed away, and to pass in silence over that mighty revolution in human thought and conduct which was first introduced into the world nearly 2,000 years ago by one—apparently a poor mechanic—who for three short years in an obscure province of the mighty Roman Empire, taught as an itinerant preacher, in tones scarce heard or noticed amidst the roar and turmoil of imperial triumph and conquest, and the excitement and enjoyment of the boundless wealth and luxury of the then civilised world; taught for only three short years a new faith, which supplanted all other creeds through more than half the world; a preacher whose name is now revered as a prophet or worshipped as a god by two-thirds of the human race? Is this, assuredly the most important event in the world's history, to be passed over in silence in our lessons in the history of the past?

At all events do those assent to this negative betrayal of historic truth who believe that in the philosophy of socialism lie the hopes of a loftier civilisation than the world has yet achieved? or do they fail to see that in the doctrine taught by Jesus of Nazareth—the doctrine of self-sacrifice, the sacrifice of our own interests to the interests of others—alone lies the hope of that change in the disposition of men which can convert the dream of the socialist into reality? The philosophy of the materialist and political economist, is that upon which our present civilisation is based, and our social organisation depends. It may be called the incarnation of selfishness: and its apostles and prophets preach that no other is possible to mankind. Nor perhaps is any other possible, until those other faculties which lie almost latent in the human soul awake into vigorous vitality and assume a prominent part in the government of his life and conduct.

For my own part, I cannot but hold that, of all the words which have ever been spoken by human voice or written by human hand, the most valuable—the most precious of all the records of the past—those which have exercised the largest influence on the destinies of the human race, and may yet exercise an influence more extensive than the boldest visionary can imagine, are those two charters of human rights and human duties—the first, which claims to have descended from the mountain mists of Sinai and laid the foundation of *law*; the second, which were spoken on a mount in Gallilee, and taught that "*love is the fulfilling of the law."*

Speech Delivered at the Breakfast by the Early Colonist of Canterbury, In Honour of Lord Lyttelton and Mr. Selfe, In the Town Hall, Christchurch, on Feb. 6, 1868.
By Mr J. E. Fitzgerald.
Christchurch: Printed at the Press Office, Cashel-Street. 1868.

Speech.

(The following speech was delivered by Mr. FitzGerald, at the Breakfast given to Lord Lyttelton and Mr. Selfe, by the Early Colonists of Canterbury, in the Town Hall, Christchurch, on the 6th of February, 1868.)

Ladies and gentlemen—I am now about to propose to you the toast, to drink which we have met together to-day—" the health of our guests from England." My Lord Lyttelton and Mr Selfe were entertained at a banquet last night, which must hare assured them how gladly their visit has been welcomed by all classes in this settlement. Our meeting to-day is of a more special character. It is a sort of return match—a breakfast given by those who partook of the hospitality of his Lordship and the Canterbury Association at the breakfast which was given at Gravesend on the eve of our departure from England. If ever there was a moment in which one might be forgiven a feeling of deepfelt and unaffected emotion, that moment is the present. There are times in every man's life when he is compelled by circumstances to look back upon the past, and ask himself what is the result of his labours, what are the fruits of the years that have passed over his head. Such a time is the present for you, my Lord, and for many of us who are here to-day. For my own part, when I see beside me in this far-off corner of the world, old familiar faces which I never expected to see again in this life, scenes come rushing back upon my memory of those days in the long past, when we laboured together in a spirit of ardent hope and earnest enthusiasm for that object of which we are here to-day to commemorate the great achievement. Dreamers and visionaries we were then called, as men will ever be called who set before themselves higher objects, and indulge in nobler aspirations than the working world around consents to deem practicable; and you, my Lord, had to bear the chief brunt of popular scorn as the arch visionary in our wild and impossible scheme. Seventeen years have rolled away since then, more than half a generation of men have lived, and you see collected around these tables to-day the remains of the forlorn hope of Canterbury. Need I ask you, ladies and gentlemen, whether his Lordship and Mr Selfe have any reason to be ashamed of one of the noblest works of their noble lives. [Cheers.] We are not all here to-day; we are not even all represented here. The doom of dissapointment and unsuccess which is the lot of some of every class, and in every undertaking, have somewhat thinned our ranks. Some, seduced by the very success which they came out to achieve, have turned back—if I may be allowed the expression in such a presence—to the flesh-pots of Egypt, and are seperated from us, I fear for

ever, by the breadth of the vast ocean. And some have passed that wider and deeper ocean on whose brink we are all standing, and have entered upon the rest and the reward of their labours. But if Death has taken her toll of the first Colonists of Canterbury, it has not robbed us of the inheritance of their labours, their words, their characters, their examples. These are with us still; may they be enshrined for ever in the community they toiled to found. Hardly had we landed on these shores when we had to deplore the loss of two of the choicest of our party—two of the dearest of our friends—Edward and Henry Ward; a loss which has been so recently revived and embittered by the death of him who came to fill up the gap in our ranks where his brothers fell; the echoes of whose voice, so lately heard, still linger around these walls, and who has died with harness on his back, working for the country which he loved, with those distinguished abilities of which we were all so justly proud. [Hear, hear.] Can I speak of those who have passed from us for ever, nor fail to recall the memory of him who was peculiarly the founder and the leader of this settlement. However I might attempt to convey to those who knew him only at a distance, some faint idea of the character of John Robert Godley, I dare not speak of him in the presence of two of his dearest and most honoured friends, because I know that all language would seem tame and cold in such ears and upon such a theme. For my own part, the longer I live and look back upon his memory, it seems to me to loom ever larger and larger through the mists of time; the more earnestly and truthfully can I and others of his friends say-*Heu! quanto minus est cum reliquis versari quam tui meminisse.* One remark only will I make. Those only who know the effects which are produced upon the mind and manners—the public and private life—by the influences which operate upon young and struggling communities, can form any idea of the extent to which the genius and example of that great man influenced, and I believe in a great measure still influences, the life of Canterbury; and not of Canterbury only, but of the whole colony of which we are a part. I well remember when a gentleman whom you all know and love and respect, I believe, more than any other public man—I mean Mr Weld—was once speaking to me of the difficulties and embarrassments of the colony, over whose Government he then so ably presided, he said to me "I wish Godley were here—I never take a step in public life without thinking what would Godley have done had he been here." A most remarkable illustration, especially in the mouth of a man capable of appreciating kindred goodness and greatness, of bow one "being dead yet speaketh." [Cheers.] My Lord, we have done what poor honour we can to his memory, by that statue which you have seen in the centre of this city; which we have erected, I hope not in a spirit of vain glory, or as an empty ornament, butin the hope that those who come after us aspiring to lead the people of this community in the paths of honour and virtue, may be induced to study the character of one, who, though in a private station, and weighed down with sore disease, nevertheless exercised so large an influence for good on his fellow men; and may at the same time be cheered and stimulated in their task by the feeling that they are working for a community which knows how to do honour to its great dead. [Cheers.] I might recall the names of many of the first colonists who are gone, and whose memories are cherished with respect and affection. But I will rather turn from so sad a topic. I will rather call your attention, my Lord, to the fact that if we have paid our fair tribute to Nature, we have not unsuccesfully evoked the mysterious aid of the goddess to fill up our broken ranks with fresh recruits from the inexhaustible fountains of human life. If you will look around these tables I think you will see some bright eyes and beardless chins, which could hardly have seen so many summers as have passed since you bid us farewell on old England's shores. And you may well believe, my Lord, that there stands behind the scenes, whose youth has prevented them from partaking of our festivities to day, a large infant army in long and bright array, rising up to carry on the work which their fathers commenced. [Cheers.] We were sent out not only to subdue the earth but to people it; and I cannot but think that in whatever else we may have fallen short, we have not been unmindful of our duty in this respect. [Laughter.] Indeed, I think the good work was commenced almost before the shores of England had faded from our view; for I think there are some here to-day who were in such a hurry to colonise their new home that they made their appearance in the world before they arrived on its shores. I think there were names given to some at the font, taken from the ships in which they were born—names which I hope will be handed down to their posterity, to keep alive in successive generations the names of the first four ships which bore Canterbury and its fortunes to the New Zealand shores. [Cheers.] But, my Lord, I do not forget that it was not only to people these magnificent plains, or to acclimatise sheep upon the surrounding hills, that your Lordship and other members of the Canterbury Association gave time and labour and money and influence to found this settlement. You had other objects in view. And forasmuch as Canterbury is to a certain extent an epoch in the history of English colonisation, I beg leave to say one or two words on this point. Colonisation, once an heroic act—a work in which the expiring chivalry of Europe loved to engage, to which men of *the* highest intellectual capacity, of gentle birth, and refined manners, devoted themselves—had become debased and degraded by the practice of transporting convicts to the plantations. It has passed from the hands of gentlemen adventurers and free men, to those of hired officials and enslaved criminals. England was first awaked to a sense of her error by the powerful waitings of that remarkable man whose likeness looks down upon us from these walls, and whose labours in the colonisation of New Zealand will ever be remembered with

respect and gratitude—I mean Mr Edward Gibbon Wakefield. [Hear, hear.] His opinions found a fitting echo in Parliament in the mouth of Mr Charles Buller, whose speech on colonisation should be preserved as a classic in the library of every colonist. In the settlements of South Australia, Wellington, Nelson, and New Plymouth, those principles had been more or less imperfectly enunciated, when the Canterbury Association was founded, at first by Mr Godley, and afterwards under the presidency of Lord Lyttelton, to give them a more complete interpretation. The idea of Canter- bury may be described in one word—that word which has recently been used with such powerful effect in this colony—self-reliance. [Hear, hear.] That the settlement should be founded and carried on solely by the means of the colonists themselves and by no one else—that it was not necessary that men in founding a new settlement should abandon the civilization in which they had been brought up—that their own means in the form of a land fund, should provide surveys of the lands and public works to give them value, churches and schools—this was the idea; and it is fair to ask to-day, has it succeeded? Now the first answer I give to this is that answer which was once made by Mr Godley at a public meeting at Lyttelton, when replying to the attacks which had been made upon the Canterbury Association by men high in authority both here and in England. He said—"All I can say is this—that if we colonise badly, you did not colonise at all." But I go further and say that if you ask me to compare the result with the original prospectuses and intention, no doubt there has been a certain amount of failure;—as in what human designs is there not failure? But if you ask me to compare that result with what has been done elsewhere—then I say, it has been a most remarkable success. [Hear, hear.] I say without fear of contradiction, that there were more of the appliances of civilization enjoyed by the settlers of Canterbury during the first two years of its existence, than in any settlement which has ever been formed, so far as my reading extends, in any country or at any time. We may have had few and poor churches, and schools not quite what we hoped for; but I say there were ten times more of the ministrations of religion, and more and better schools, than in any other settlement of the same age which I ever heard of. The churches and schools which are to be seen in every village in this settlement are still its distinguishing characteristic; and the architectural features of those churches, poor as they are, will bear a very favourable comparison with the structures to be seen in any other community of equally limited wealth and population. If we did not reach as high as we aimed, we did reach a much higher point than was ever attained by men who started with lower aims and narrower views. And that this was done without sacrificing the material prosperity of the settlement, the after years can amply testify. I can well conceive that you have experienced much disappointment, my Lord, in walking only on the level foundations of the Cathedral, when you might well have hoped to have worshipped under its roof, and to have heard the old services of our Church echoing through its aisles. I will only say that the Church in this settlement partook of that sanguine spirit which pervaded all classes at a time of unexampled prosperity—a period in which a community is naturally and inevitably tempted to anticipate too largely the actual means at its disposal. If a mistake was made it was a natural, perhaps an unavoidable one. But this we may say of the future, when standing on the level foundations of that great building, that they have been laid broad and deep in the firm faith and full conviction that we, or those who come after us, will one day finish that magnificent building to the highest stone of its lofty spire. [Cheers.] We have seen our College expand itself from the time when my venerable friend the Dean used to hold his classes in the little whitewashed den in the Lyttelton barracks, until it occupies that not unsightly pile which stands at the borders of this town. And I should do a great injustice to our friends of other denominations, if I did not take this opportunity of saying that, although the original endowments of the Canterbury Association were confined to the Episcopal Church, yet the stimulus which was thereby given to education was such, that other denominations were induced to establish much better schools than they would otherwise have had. The Presbyterian schools especially have enjoyed an honourable pre-eminence in this respect, and would have done ample credit to a much larger and wealthier community. [Cheers.] I hope I have not inappropriately made these remarks upon this part of the scheme in which my Lord Lyttelton was mainly interested. But there was another feature which I should notice. It was hoped that the Canterbury scheme would attract a superior class of emigrants; not only of those to do the hard work of founding a new settlement, but of men to lead and guide others in the public life of the new community. Now, when we old colonists speak of ourselves, it becomes us to speak modestly. Still, on such an occasion as this, it is not uninteresting to enquire, how far the first colonists have been able to hold their own in the midst of the large population which followed them. First then, I see my venerable friend Dean Jacobs, for so long a time at the head of our school and college, who might at this moment have been enjoying the highest dignity of the Colonial Church, had he chosen to exchange his cure in Christchurch for a mitre in another settlement. Then there is our respected Resident Magistrate, Mr Charles Bowen, who has risen from post to post in the public service, and who now dispenses justice with the same integrity and ability with which he formerly dispensed the moneys from the Treasury. There is Mr Harman, who has held so many offices in the public service that I will not delay you by mentioning them, and who now holds a private position of more importance than any of the offices ho has filled. Mr Calvert has only recently, to the regret of all, resigned the post of Registrar of the Supremo Court,

which he filled for so many years. There sits Mr Tancred, who has formed a part of so many Governments both in the colony and in the province, and who has recently presided so ably over our Education Board. And then I think I see my old friend and enemy Mr Duncan, who, as Provincial Solicitor framed our laws during the celebrated period of the *Duncaniad*. And there sits the much-abused Provincial Engineer, Mr Dobson, who seems to grow all the more cheery and well-liking the more he is abused, and who has left traces of his voracity for work and his omnipresent energy upon every part of the province from Lyttelton to Hokitika, and from the borders of Nelson to Otago; and who will I fear have much more work before him arising out of the calamity which has just happened. Mr Davie presides over our surveys, having taken the place of one of the oldest and most valued public servants now in England—Mr Caes. [Cheers.] By the way, Mr Davie is an extraordinary man, for he came out in the first four ships; but but whereas the shortest voyage made by any ship was ninety-eight days, Mr Davie performed the voyage in ninety-seven days. [Laughter.] I leave your Lordship to solve the problem; but it is a fact; and surely there can be no fitter man to preside over our surveys. Then Mr Guise Brittan, whose illness I deeply regret to say has prevented his attendance here to-day, still, as the Chief Land Commissioner, retails the land to which value has been given by Mr Davie's surveys and Mr Dobson's public works. I do not know whether Mr Mount fort is here, who has made his own reputation and conferred a lasting benefit on the community by his buildings, chiefly by that magnificent Council chamber, which will go down to successive generations as a witness, that the early settlers in Canterbury, whilst engaged in subduing the earth, had not forgotten or ceased to love those arts which mainly distinguish the civilised man from the savage. I might point to numbers who occupy prominent positions amongst us—such as Mr Wilson, who though not himself one of the first colonists is one of the first four ships by marriage. Dr Barker and Mr Anderson. Time would fail were I to enumerate all those amongst us who have taken a part as members of the Provincial Council in passing the local laws under which we have lived. But when naming the Provincial Council, I cannot but allude to the memory of one who so long led that body, and who has recently left us—I mean Mr Joseph Brittan. I cannot but take this opportunity of expressing my deep regret for the loss of one to whom I was so largely indebted, and to whom the colony was so largely indebted, for his unremitting labours in the public service, during the time when I was incapacitated by illness when Superintendent. Nor must I fail to mention the father of our respected Resident Magistrate, Mr Bowen, now I am sorry to say in England—and I am sometimes malicious enough to wish that a touch of his old complaint would send him back to us again—who presided for so many years over the Provincial Council, with a mingled courtesy, urbanity, and firmness, which maintained a degree of good feeling and a courteous tone in the debates which I believe has never been surpassed in any legislative assembly in the world. [Cheers.] I have made these remarks not, I hope, in a vainglorious and unbecoming spirit, and above all, not desiring to draw individious comparisons between the first settlers and those who came after them. I gratefully acknowledge the impetus which Canterbury received from the Australians who joined us, and I well remember how gladly Mr Godley welcomed their arrival. But I have spoken thus rather in answer to an old prophecy which you well remember was common in England as well as here;—these pilgrims, with their sentimental fancies, will soon be pushed out, and then the country will be opened up for more energetic and practical men from Australia and elsewhere. It is then a matter upon which we may fairly congratulate one another and the Association, that the men who were sent out to lay the foundations of Canterbury were not men who could be so easily pushed from their stools as was at one time thought. There is one other feature to which I must allude even at the risk of wearying you, especially in the company by which I am surrounded. In no settlement that ever sailed from England were there so large a number of women and of children. [Hear, hear.] I well remember standing at the gates of the East India docks as the ships went out, and being struck with amazement, not to say alarm, at the sight of some of their decks; especially those of the Cressy. And I could not help asking myself—as Immigration Agent—what is to become of all those women and children? But it was the key to the success of Canterbury. [Loud cheers.] For we went out not as wanderers and vagabonds, but as the nations of old, taking our household gods with us. And I believe that when the goldfields broke out in Australia some few months afterwards, had it not been that we had cast out so many anchors into the ground that we could not get them home again, I believe that Canterbury would, for a time at least, have been deserted. [Hear, bear.] It would indeed bo ungracious in the presence of so many who shared our labours and cheered and lightened our toil, if I did not now assure your Lordship that one great cause of the success of Canterbury was owing to the fact that the powerful though gentle spell of woman's influence was shed over its early struggles. [Applause.] And now I will say a few words—I will make them few, for I know that Lord Lyttelton would prefer that they should be few—but I feel bound to say a few words on the part Lord Lyttelton personally took in the founding of Canterbury. [Hear, hear.] I well remember soon after I first joined the Canterbury Association, and when we were falling into all kinds of difficulties, when we had no money to pay our agent's expenses in the colony, when bills were coming due and we had no funds to meet them, and when in fact there began to be every appearance of an awful failure—I well remember, after a long conversation with Mr Gibbon Wakefield, going down to consult Lord Lyttelton, and appearing before him

suddenly at eleven o'clock at night at Brighton. The result was that; his Lordship came up at once to London and took charge of the affairs of the Canterbury Association; and from that time, for a long time afterwards, laboured in those affairs as few men ever did labour in any public office. Without the smallest prospect of remuneration, he advanced thousand after thousand of pounds to keep the settlement going till the time should come when its own funds would be available. The very roads on which some of you may have worked were made out of funds supplied out of the pockets of two or three members of the Canterbury Association, of whom Lord Lyttelton was the foremost. [Loud cheers.] It is a fact of which Canterbury may be justly proud—nay, without which none of us could dare to show our faces here to-day—that the debt thus incurred has been repaid; but though the money has been repaid we can never forget the feeling with which it was advanced, nor cease to remember how much we owe to the generous self-sacrificing spirit which carried the colony in safety through the difficulties that beset the first year of its existence. I have also to include in the toast I am about to propose another valued friend, to whom also the settlement is deeply indebted—I mean Mr Selfe. [Cheers.] The other day at Wellington, when I went on board the steamer from England, I found on board a very agreeable lady and her daughter, who were apparently acquainted with the fact that Mr Selfe expected to meet his son in Canterbury, and the lady did me the honour to ask if I was his son. [Laughter.] When some of my young friends come, as I have come, within a few days of fifty years old, they will be able to appreciate this compliment; but the curious thing is that, as far as Canterbury is concerned, the case is just the reverse, for I am not Mr Selfe's son but Mr Selfe is mine. [Laughter.] Now I have never before claimed any gratitude from Canterbury for any services it has been in my power to render it, but I do now claim the highest amount of gratitude from Canterbury for having introduced Mr Selfe to it. I think I am entitled to the very highest credit for that transaction. Mr Selfe has now been connected with the colony for a long while, and what an invaluable friend he has proved to us you all know right well. [Cheers.] So incessant have been his labours on behalf of this province that I really believe Mr Selfe knows more of Canterbury than a great many of you whom I am addressing. As an instance I may mention a story I have heard since I entered this room, of a lady in England who, after a long conversation with Mr Selfe on a variety of matters relating to the colony, ended by saying, "I suppose, Mr Selfe, you will be very glad to get back to your friends in Canterbury." [Cheers and laughter.] I really do not know how to find words which will properly express or describe all that Canterbury owes to Mr Selfe. And now, ladies and gentlemen, in proposing the health of our guests from England, you will allow me on your part to express to them our most cordial and grateful thanks for their visit to Canterbury. We well know, my Lord, what ties and cares surround men in high station, which might well have deterred you from so long a voyage. We only hope that you may be in some measure repaid by witnessing the realisation of your early labours, and by the sight of so much prosperity and happiness to which you have so largely contributed. We wish you by the blessing of God a happy and prosperous voyage home, and that you may long live to look back upon your visit to Canterbury as not the least pleasing of your recollections of the past—[Loud cheers.]—in the assurance that your visit has cheered many a heart with the conviction that we are not forgotten in that old country which still claims our deepest affection and most devoted loyalty.
—*The Press*, Feb. 7.

On Government. An Address Delivered at the School Room of the Presbyterian Church, Wellington, New Zealand, On the Evening of Monday, 26th Sept., 1870. By James Edward Fitzgerald. *Reprinted from the "Wellington Independent," October 1st*, 1870. Wellington: Printed by T. M'Kenzie, at the "Independent" Office, Willis Street. 1870.

On Government.

I PROPOSE to speak this evening of the nature and objects of government; and if the subject be one of less popular interest than those which have recently been treated of in this room, it cannot, I imagine, be wholly devoid of interest in a community where politics receive so large a share of public attention. Nor will it be one, perhaps, altogether without novelty; for although politics, as applied to our local concerns, are plentifully supplied, less often is the public attention called to those larger principles and more general objects, which are embraced in the term politics, and which apply equally to all countries and to every age.

I propose, then, to glance rapidly at the nature and origin of government; touching with equal rapidity on the chief features in its growth amongst men: I will then call your attention to come of the characteristics in the form which it has assumed in the most civilised countries, and the modifications which that form has received in newly formed communities: and, lastly, I will refer to the work which, yet remains for government to do, especially in relation to some of those social questions which the art of government has, as yet, failed to solve.

I will not dwell on the various opinions which have been expressed as to the origin of government, and the foundation on which its authority rests. That it is a necessity of our constitution as animal and intellectual

beings, all will admit. Even prior to the needs which arise out of the tendency of manto aggregate himself into communities, the necessity of government is indicated by our physical organisation. The feebleness of the child—the long years during which it requires fostering and cherishing in order to support life—the unwisdom and inexperience of youth—these involve the government of the family by its elders as the fundamental structure of society. Hence, in the infancy of nations, we find all government partaking of the patriarchal type, and based on the organisation of the family. But the inequality between human beings, which is experienced at their entrance into life—the difference between the boy and the roan—is perpetuated throughout their career by the differences between the powers of different individuals. One man is strong and courageous; another is feeble and timid. One man is gifted with wisdom and mental activity; another has less foresight and intelligence. Hence, no sooner do men come together into communities, than a difference of power displays itself, in the subordination of the wills of the weak to those of the strong. Strong, however, as a man may be, he is not so strong as the multitude; and in the earliest dawn of society it must have become obvious, that the recognition of some common authority, to restrain the aggressions of the strong upon the weak, would be for the mutual benefit of all. I gather, then, that all consituted authority—by which I mean all authority outside that derived from personal superiority of mind and body—is not of right, but is of the nature of a trust. The mutual relations of governor and governed are no doubt indicated, in the first instance, by the mental and physical differences between man and man; but if this were the only basis of authority, the result could bo only perpetual conflict—a continual fight for the championship amongst the strong; absolute submission on the part of the weak. But *constituted* authority rests, not on the personal claim of any man to rule, but on the recognition of that claim by the multitude; that is, on the force of the consenting mass, who entrust the ruler with their aggregate might to be used for the common benefit.

In the history of government, then, the first phase, the original cell, as naturalists would call it, is the authority of the parent over his household; next, that of the patriarch over his family and descendants; and thence the office of chieftainship over a tribe, or cluster of families, filled by the man who, from age and wisdom, or from strength and courage, or any other qualities most suited to the circumstances of the time, was thought best fitted to be trusted with the supreme authority; and lastly, the chieftainship expanded into the throne, filled by the ruler of a whole race or nation, speaking the same language, acknowledging the same traditions, living under the same rule of customs and habits. At the very commencement, then, of all government, the element of popular consent, that is, of a form of the principle of popular election, appears to have existed; and, indeed, must, from the necessity of the case, have existed, coeval with and modifying the claims to rule arising out of personal superiority and patriarchal authority.

The next stage in the development of government is the appearance of the claim of *hereditary right* The sou of the chief naturally shared some part of the consideration and dignity of his father's station, and so the way was paved to his succession to power on his father's death. Reverence for departed greatness has ever exercised a large influence over the human race, and, in the vague superstitions of the old world, the heroes of one ago became the demigods of another. The respect of a patriotic people for a hero whose name was associated with the past glories and triumphs of their race, was transmitted to his descendants from age to age, giving them, in the estimation of their fellow beings, a title to honor and a claim to power. Still it would not appear that the right of hereditary succession overrode, in early times, all other claims to rule. The respect for blood was ever united with that for personal superiority, and where power descended in a particular family, it was bestowed on that member of it who promised to wield it most successfully. I think we may gather this, not only from the fragments of ancient history, but from the practice of those nations at the present day, which still retain unimpaired the features of a primeval condition of society. Hereditary rank, as one element in government, is, then, undoubtedly presented to us at a very early stage of the world's history. It has been probably the most durable of all claims to power, and has extended, and still extends, over the greater part of the globe. But however in succeeding times it emancipated itself from all rivals, in the dawn of human society it was modified and limited by the voluntary assent and recognition of the governed, and by a form of the principle of popular election; for all respect for blood was sometimes set aside, in favor of the superior claims of prowess or wisdom on the part of men who had no hereditary title to rule. So universal a claim to authority amongst men must have had some deep seated root in their nature. In addition to the cause I have spoken of, we must take into account the indisputable fact, that particular physical and mental qualities are transmitted in the blood of particular races and families of men, passing from father to son, as they re-appear on the page of history in successive generations. As amongst animals, os amongst men, Ulereare wide distinctions ip races. The ancient Persian was a different man from the Greek; the Goth from the Roman; the Norman from the Saxon; and as these differences appeared between separate races, so, in each race, certain families were gifted with special powers and qualities which marked them out for rule over their fellow men. Those who regard all hereditary political power as an invasion of the rights of the mass, roust still admit the fact, that it was no invention of man's ingenuity; it was not proposed and accepted as a scheme of government; it grew naturally out of the reverence

for departed greatness, common to mankind, on the one hand, and on the other, out of the fact, that the same qualities which raised the ancestor to eminence, reappeared with more or less vigor in his descendants for many generations. Theories of government are not established by shutting our eyes to physical facts; and, as a fact, hereditary rank has been, and, taking all the nations of the earth in our survey, probably still is, the most powerful agent in the government of the world. When, however, hereditary power grows into a class or caste, the influence of the order shielding the unworthiness and incapacity of its members,—where the power remains, whilst the qualities which were its primary title have died out from the blood—where it comes in contact with the new governing power which the elevation of the mass calls into existence—then hereditary power becomes an active evil in the State. It has outlived its mission. Admitted that the primary idea of government is, that power is not a right, but a trust deposited in the hands of the ruler for the common weal; still Nature dictated to a certain extent in whose hands that power should be originally vested, and natural law still further decided who should be the depositaries of power, pending the development of the maturor capacity of the mass of mankind. The father of the family is a ruler appointed by Nature within a limited sphere. Admitted that beyond this power could only vest in those to whom society entrusted it; still, pending the time when men should become capable of the power of selecting their rulers, without convulsions destructive of society, natural law seems to have supplied the vacuum. In other words, in the infancy of society the groat Chancery of Nature appointed the guardians, indicating by the patriarchal authority, by personal superiority, by the transmission of hereditary qualities, and by the homage of mankind to departed greatness looming through the mists of time, in whom the Government of the world should for long ages be vested.

But in whose hands soever power was placed, the right on the part of the people that it should be wielded for their benefit remained the same. We have now, however, to see the process by which this right was obscured and defeated. I have said that, in the rude organisation of early communities, the democratic element was to a certain extent apparent. The recognition by the multitude of the power of the chief was essential to his rule. But, in the growth of society, this popular influence seems to have died out. The functions of government in the savage state were necessarily as limited as its powers were feeble. The movements of the tribe, its wars and alliances with its neighbors, the struggles for the hunting grounds which supplied the necessaries of life—these were, for the most part, the objects to which the attention of Government was directed; and as all the warriors of the tribe took part in these movements, all had to some extent a voice in their adoption. But with the advance of society, wealth increased; men produced more than they consumed. Land, which in all primitive communities was the property only of the tribe in common, became divided amongst individual proprietors; and wealth showed a natural affinity for power. The savings of the weaker fell into the hands of the stronger. Bower seized wealth, and cunning sold it, and with it they bought fresh power; and so wealth and power grew up in the hands of the few; work and oppression were the heritage of the many. The functions of government became enlarged and multiplied; and as the movements of the community were no longer directly aided by the mass of the population, the people lost the power to direct and control them. Power and wealth, mutually supported each other in the acquisition of fresh wealth and power, and so the earlier tradition of government being a trust, wholly died out; possession became the solo title to authority, and political power became a personal privilege, the property of the bolder by indefeasible right. And at last, even in a late period of our own history, its possessors called to their aid the sanction of an obsolete Judaism, and claimed power as of a right divine.

You must not misunderstand me to say that this change in the nature of government went on uniformly over the world. Every nation has its separate growth and history; some many centuries in advance of others. Some indeed, such us the North American tribes, and that people by whom we are surrounded in this and the neighboring islands of the Pacific, arc still in that primitive state in which history has not yet commenced. But in each nation which has evolved and has preserved a history at all, I think we may trace something like a regular decline in the spirit of freedom, which seems inseparable from the savage state, and was au inherent element in the primary idea of government; something like a steady growth of despotic power, vested in individuals, descending generally in the blood, and regarded as a personal right.

But it would, I think, be taking a narrow view of history, to regard despotism solely as a rapacious and unnecessary invasion of popular right. I have shown that it had its origin in the very nature of man; and although despotic power was abused and exaggerated by the ambition and rapacity of its possessors, until it overshadowed the world like a pall, not the less does it seem to have been a necessary phase through which society was compelled to pass, before it could emerge into that higher life, which is now dawning on some favored nations of the world, and which we may hope is destined, in the fulness of time, to embrace the globe. The government of a people is a true index of the character of its individual members; and liberty is incompatible with the lower stages of national life. If you take the young salmon fresh from the egg out of its native stream, and put it into the sea, it dies; and yet, a few months later, it will of its own accord seek the salt water, to gain from the ocean some unknown supply necessary to its further growth. So the liberty which is

necessary to national life, at a more advanced age, is destructive to it at an earlier epoch. It would seem that the despotic era must be passed through, before a nation can learn how to combine the absence of restraint en individuals, with their due subordination to the supreme authority,—how to hold in equilibrium the centrifugal and centripetal forces of society. Liberty cannot co-exist with a general necessity to enforce the law. The restraint which by a despotic Government is exercised over the individual, is, in a state of freedom, supplied in part by his own self-control. Thus, in our own more favored times, we see that the judgments of our courts are never enforced; they are simply obeyed. The growth of liberty, then, depends on the growth in the character of the individual members of society. The extent to which the arbitrary pressure of government can be removed, depends on the extent to which the restraint on individual action, necessary to maintain the integrity of the community, is habitually supplied by the moral control of each man over himself.

There is, however, another element in the history of government, as in the history of mankind in whatever aspect we view it, which must be fully recognised, if we endeavor to take a right view of the progress of the human race. I mean the influence of individual mind and will. I think it was Archdeacon Hare who said, that a nation never knew what a gift God bestowed upon them when he gave them a great poet. The same may bo said of a great statesman. For the progress of man is not uniform. Sometimes for long ages a nation remains in the same state of stagnation, and then suddenly and rapidly quickens into life; as if the material elements alone were in existence, whilst the divine afflatus which breathes upon man the breath of life, then first moved over the stagnant waters of society. Again, we have the not unfrequent phenomenon of a nation retreating in the march of civilisation, falling back, as it were, into the senility of age; losing the inspiration which once nerved its arm to fight, and tuned its voice to sing. Those who admit that the progress of mankind is certain, however slow,—and if we do not believe this, what is all history to us but a dismal phantasmagoria—a battle of kites and crows?—those who believe in the elevation of mankind to loftier destinies than we can even yet realise, must still perceive, that the progress of our race is like that of the advancing tide; each wave alternately advances and recoils, and amidst the din and discord we are unable to measure from minute to minute any visible encroachment ou the strand; but none the less surely docs time reveal to us that the waters have enlarged their boundaries. It has been truly said, that the history of a race is written in the lives of its heroes. The epochs in which a nation has made the greatest strides towards a higher national life have been coeval with the working of some mighty master mind, some warrior, law-giver, philosopher, sage, or poet. In the story of the Jewish lawgiver, we have a type of the history of every statesman; and every great movement of mankind has been associated with the name of some great man. Believing, however, in the growth of government and the development of society according to a regular process, I shrink from the philosophy recently revived, that the whole is no more than a lifeless mechanism, moving on by inexorable law. On the contrary, all history seems to me a record of successive new inspirations of divine life and truth, through the I lips and lives of the world's heroes, giving new impulses to human thought and new power to human arms. And, on the other hand, most conspicuously is the fall of a people connected with the evil genius of its leading minds. Of this history teems with examples, nowhere more prominently than in the lives of the later Roman Emperors. We can take no better illustration of the influence of individual mind on a nation, than by comparing the lives of Peter the Great of Russia, and Louis the Great of France—two princes living at the same, and that no remote period; one of whom luid, amidst an inhospitable climate, a poor country, and a savage people, the foundations of a civilization which has ever since carried on the people of Russia in a rapid march of improvement which promises to place her amongst the most advanced of nations; while the other, wrapped in the pride of an effete despotism already verging to decay, exaggerated every corruption in government, and fostered every vice in society, until the ground on which the gaudy and gorgeous spectacle of the French Crown and nobility was erected rotted away under its feet.

I have shown how, with the growth of society, power and wealth, mutually supplementing each other, fell into the hands of the few; and how the earlier spirit of liberty became lost in the struggles of succeeding ages. All changes in government in more recent times may be regarded as efforts on the part of the people to restore those relations with their rulers, which had been one of the features of government in primitive times, sometimes by violent outbreak, sometimes by the more peaceful growth of rights on the part of the governed. But, whilst the direct responsibility of the ruler to the people, by popular election, was not for long ages to be attained—for, in times of continued strife it was not possible, nor, had it been possible, could it have effected much for mankind, with the elements for popular election which society then contained—numerous contrivances grew up in the course of time, for limiting and controlling despotic power in the exercise of its authority. The most important of these was the growth of law. Another, of scarcely less value, was the disintegration of government, by the growth of various subordinate institutions, which, though in a great measure themselves despotic, controlled and modified the despotism of the supremo authority. Such were minor chieftainships, the great Barons of the middle ages, the municipal governments of provinces, cities, countries, hundreds, parishes, and soon. Now, this disintegration of the supreme authority into subordinate parts

is one of the most interesting features in the history of all government, because it was into these municipal institutions that the popular clement first re-found its way. Excluded from the steps of the throne, it was nurtured in the town and the village, and so grew with the development of modern society, until its influence at last embraced the supreme power in the State. Another very effectual limitation on the arbitrary will of the Crown was the sub-division of the supreme authority, which was effected in our own country, and partially in others, into the three distinct branches of the Executive, the Legislative, and the Judicial power. No such distinction was preserved in early times. Our idea of a King of the olden time is of one sitting on his throne and doing judgmeut amongst his people. But, by degrees, judgments grew into precedents, and a traditional or common law was evoked out of successive exercises of the judicial power. The traditional rights of the governed grew up in opposition to the hereditary right of the ruler; and, as these became more complicated, the need was evident of having the law interpreted by those who had made it their special study; until, at last, the judicial authority emancipated itself wholly from the executive. Again, when once a body of law had been called into existence, the question arose—by what authority could it be changed? At first, laws were made by the King; then the consent of the principal subordinate powers in the State was found necessary, in order to enlist their aid in compelling obedience; and long before the will of the people at large had found a voice in Parliament, the legislative power had passed in a great measure to councils of the magnates of the realm. Finally, by the growth of Parliament, and the creation of a popular branch, the legislative power was entirely separated from the executive; and our constitution assumed that complicated form which it has retained for several ages;—the Crown being the supreme executive power, and also a part of the Legislature, to which it is, at the same time, responsible, through its Ministers, for the exercise both of its legislative and executive functions;—the judges appointed by the Crown, but irremovable except by the consent of all the estates; whilst both Crown and Parliament are amenable, through their officers, to the decisions of the judges, the moment they pass outside their constitutional and recognised prerogatives or privileges.

Now there are two distinct things to be done by government, in which it assumes two distinct characters. In the one it deals with the relations of private individuals with each other; in the other it deals with the interests of the State as a whole. In the one, it determines the conditions on which property shall be held and disposed of; it settles the right in case of dispute; it inquires into the truth of criminal charges; it deals, in short, with all matters in which conflict arises between subject and subject. In its political and executive character it guides the conduct of the State in its relations to other Stales; it disposes of the force necessary to maintain peace, and to enforce obedience to the law; it deals with the action of the community as a whole. Now, it is sufficiently obvious that, so far as the daily interests of men are concerned, the former work is of far more importance than the latter. Multitudes hardly perceive the difference of a change in the administration of the political Government of the country; but every one comes in contact with the law at every step of his career from the cradle to the grave. The law presides over his birth, records it in the national registers, and punishes its concealment as a crime; it attends at his marriage feast; it dictates the form of every engagement into which ho can enter; it furnishes him with the means of disposing of his property on his decease, or disposes of it for him should he die intestate; and in order to protect his life, it inspects with jealous eyes his body after death. If we consider how, in a highly civilised community, we lire and breathe in the midst of an atmosphere of law, none the less truly enwrapping us, that, like the material atmosphere, we do not always feel it, we shall perceive of how small importance in comparison is all political administration of public affairs; and of what vast moment it is to the happiness of a community, that the administration of the law shall be equitable and righteous. Now, experience has shown, that those who are struggling for, or in the possession of, or are striving to maintain themselves in, stations of political power, are not fit to bo trusted with the administration of the law; the temptation of wresting it for purposes of private interest or ambition often becomes irresistible. The great canons of English liberty, that the laws are the same for all, that the same rules are applicable to the statesman and to the beggar, that the life of the greatest in the land is of no more consideration than the life of the leasts that all action must be judged according to fixed law, not arbitrary will; all these maxims could have no practical meaning, unless the independent administration of the law were secured, by removing it altogether from the influence of those enjoying political power on the one side, and from the pressure of popular excitement on the other.

Now, it seems a prevalent idea in these days, that liberty depends solely upon the share which the people obtain of political power. Hence the enlargement of franchises, and the more complete subordination of the executive to the legislature, are spoken of as if they were the only guarantees for the preservation of liberty. But all that these things can do is, to render government more completely subservient to the will of the popular majority. That, no doubt, is for certain purposes desirable. But how does it protect personal liberty? A majority can bo as intolerant and tyrannical as an individual; and more so, because the tyrant has a head to be chopped off if the worst comes to the worst, which the majority has not. The tyranny of an individual is the evil of past times in civilised nations; at the present day, of still semi-barbarous people. But, in free countries, there is

increasing danger of the tyranny of the majority of the hour. An act is not less unjust when done by a multitude than when done by one. Liberty is equally destroyed if stabbed by a monarch, or trampled under the feet of a mob. Hence in the struggles for liberty in past times, it was not sought merely to render government popular, to substitute representative authority for hereditary right, to subordinate the will of the one to that of the many; it was found necessary to surround power, no matter in whose hands it might be, with a network of contrivances for its just use, amongst which we have had this handed down to us as the surest guarantee for personal liberty, the entire exclusion of those whoso duty it is to administer the law, from all political power, and their independence of those in whose bands the Executive Government is placed. And they are but shallow politicians who fancy that, because the representatives of the political majority of the day have become the depositaries of political power, the guarantees against its unlawful use which have been handed down to us from the past, may be safely removed. I venture to speak thus, because there is a school of politicians who, in the eager desire for further improvement, and perhaps in a somewhat overstrained admiration for their own age, regard too lightly what we have received from the past. Let us not mistake forms for principles; and, rudely as we sweep away the technicalities and contrivances of a past age, whenever they stand in the way of substantial improvements in the political machine, at least let us endeavor to understand the great principles of the structure we propose to improve. I think no one can have watched the working of the democratic Governments, established in most of the British colonies, without perceiving a tendency to roly too largely upon the powers of the Executive Government, under the impression that, because it represents the majority of the hour, the ancient restraints upon the authority of the Executive may bo safely set aside. And, if I regard with some apprehension the results of this doctrine, it is from no pedantic regard for antique forms, but because it seems to me to tend towards a resumption by the supreme authority of those various powers of Government, the distribution of which in separate and independent depositaries, was, and ever will be, the surest if not the only real guarantee for personal liberty.

I have spoken of one great feature of modern government—the reign of law, and its administration by an authority independent of the executive and legislative powers.

I turn now to speak of those two latter parts of government, especially of the difference in the types which they have assumed in Europe and in America. The European type is constructed partly on the principle of hereditary right, partly on that of popular election; these two principles as well as the control of one over the other, predominating in very different degrees in different countries. Omitting France, whose government is still in an unsettled state, the popular element may be said to bo stronger in England than in any country of Europe. In England two of the branches of the legislature are constructed on the basis of ancient hereditary right; the House of Commons alone on that of election. But the influence of the latter element is gradually increasing, the former is on the decline; and that, not by any actual change in the constitutional law, but by custom and usage, which, in the lapse of time, modifies all institutions which, like the constitution of England, have no written form, but are based on ancient tradition. The power of the Crown has visibly decreased from the time when kings took an active personal part in the conduct of government, until the present day when it lias been almost entirely vested in the Ministers. It is curious to look back to a time, even so recent as that of George III, and to observe how large an influence the King exercised over the political movements of the day, to an extent which would not now be tolerated without serious opposition and dangerous disturbance of the Government: indeed many prerogatives still attach to the Crown at law which hare fallen into disuse and could not again be revived. Equally great is the change which has passed over the House of Lords, a body whose power was, in some respects, superior to that of the Lower House. Still retaining its ancient hereditary form, the modifications in the practical working of the constitution arc giving this chamber more of an elective character. Only a small part of the Peers now represent those ancient families which wore formerly the depositaries of political power. The constant creation of fresh Peers from amongst successful soldiers, lawyers, and men of wealth and learning, has separated the peerage in a great measure from the old aristocracy, whoso blood flows quite as much amongst the country families as amongst the titled nobility. The power of creating fresh Peers is exercised by the Ministers, that is by the representatives of the majority of the nation; and as each party successively attains a tenure of power, the ranks of the peerage are pretty evenly recruited from the political sections into which the country is divided. Virtually, therefore, the English House of Peers is a body indirectly elected for very long, instead of very short periods. An attempt was made a few years ago to introduce a great change into the constitution of the House of Lords by the creation of a Peer for life. It failed through the opposition of the peers, and Lord Wenessleydale was created in the usual form with succession to his heirs male, of which, however, his lordship had none. But it is evident that the creation of life peerages would greatly alter the character of the order, rendering the falling in of titles far more frequent, and giving the assembly still more nearly an elective character.

The other type of free Government, of which I spoke, is that adopted in the United States; and when we consider the circumstances under which their Government was established, it is rather a matter of surprise how

little alteration was made in the form which they naturally adopted as a model. The whole existing English laws remained unchanged. The constitutions of the several States under their charters were in a great measure retained, some of them almost without material alteration, for fifty years after the independence. The hereditary character of the Crown and the House of Lords was necessarily exchanged for corresponding elective institutions; and the principle of election was applied to the Governors of those States who had theretofore been appointed by the Crown. In the course of time the same principle has been applied to many offices, which in England are filled by nominees of the Crown, And I may say, in passing, that however objectionable it may seem that many of these offices should bo filled by popular election, there is less danger to public liberty, and perhaps a fairer chance of good appointments, than when the patronage is placed in the hands of an officer, himself chosen by popular election, and compelled to use his patronage for the purpose of rewarding partizans or securing political support. Even in the case of Judges, it is doubtful whether the object sought by the English system is not more nearly attained by election, than by nomination by an elected officer. We have then these two types of Government, each having certain advantages and disadvantages to which I will for a moment allude.

In England the political government of the country is conducted nominally by the Crown, really by Ministers, who are responsible, ultimately in life and fortune, primarily in loss of office, to Parliament. The Ministers therefore sit in Parliament. In America the Government is conducted by the President, who is not responsible to Parliament, and hardly, it may be said, oven to the people, unless he stands for re-election. He is only amenable to the law, upon impeachment, for its direct violation; and his Ministers, who are responsible solely to him, do not sit in Parliament. The great advantage of the English system lies in the security which it affords for the conduct of affairs being entrusted only to men of tried ability. No mon can rise to power under our Parliamentary system without long years of patient labor—without the display of more than ordinary capacity in an assembly in which success is peculiarly difficult, and without having hold subordinate offices, and undergone considerable training in the public service. On the whole the best men do rise to the top in England. But if many writers, American as well as English, are to be believed, this is far from the case in America. The Americans as a people are, no doubt, far better informed than any other, as to the character and capabilities of their public men; but still the means within reach of the public of measuring and testing the administrative capacity of men, are very insufficient, far less, at all events, than those of an assembly which has watched the progress of what may be called a competitive examination for office extending over many years.

On the other hand the disadvantage of the English system is that it reduces government to the limits of party; it cripples independent thought and action, and leaves less scope for individual views, compelling all to follow one or other of the great political factions into which the State is divided. Thus it necessarily and constantly happens that men have to vote contrary to their convictions, because they have to choose between the lesser evil of supporting a measure they dislike, or the greater evil of turning out a Government with which they ordinarily agree. Hence this system of Government by party sometimes works out into a temporary tyranny by the Executive, by which measures are passed opposed to the wish of the real majority of Parliament and the nation. On the other hand, as to measures proposed by independent members, the Ministers are to a certain extent compelled to regard them, not altogether in reference to their real merits, but more or less as they may be likely to affect the stability of the Government and the votes of its supporters. Now, the American system is free from this inconvenience. There is there no parliamentary struggle for office, because there is no office to struggle for. The President once elected, and his Ministers and officers appointed, their position cannot be disturbed until his terra is out, The struggles of party are as keen in the republic as in the monarchy, and they are fought out on the hustings, and in Parliament, at the elections, and upon particular measures; but they do not affect the position or authority of the Executive Government.

Let us see now how these forms of Government have been applied, and with what modification, to colonies of the parent states. In the English colonies, the constitutions recently giren, are presumed to be on the English model, adapted to the circumstances of new countries. The hereditary element, however, has no place, except in the nominal sovereignty of the Queen. The Upper Houses are either elected, as in America, although their constitution is by no means of so conservative a character as that of the American Senate, or, as in this colony, they are nominated by the Ministry of the day for life. Even in the nominated Chambers, however, the Upper House has never become like the Peers of England, a distinct order; for men sit sometimes in one House by nomination, sometimes in the other by election, as political convenience dictates. The peculiar feature in all our colonies is in the link which unites their Government to that of the mother country—that is the Representative of the Crown; and I do not think that any previous example has occurred in the history of government, of so anomalous a position. Being the servant of the Crown, ho is subject to the orders of the advisers of the Crown in England, and he has at the same time to act by the advice of another set of advisers of the Crown in the colony. But the Ministers at different sides of the world do not always agree: so that the Governor has to select between instructions on the one side, and advice on the other. A lino has, I know, been drawn in theory,

between Imperial and local concerns; but this line is in the breast of the Colonial Office; it is not settled by any constitutional law or usage; and it will not unlikely be assumed to be very different, when viewed from different sides of the world. Notwithstanding, then, all the ability, tact, and skill, which these servants of the Crown display in the discharge of such delicate duties, I cannot persuade myself that a form of Government containing such an element of conflict, is destined to be durable. Now when it is considered that these new Governments have been tried but a short time, for the oldest has hardly seen twenty-five years, it is worth while pausing a moment to consider the prospects of their success.

This experiment in government has, so far as I know, no example in the history of the world. The first great period of colonisation was that of the Phœnecian and the Greek; but the colonies formed by these races were entirely independent states, bound to the parent state by no ties of government, and by no affinity other than that of a common race, language, and religion; which however were frequently unavailing to prevent hostilities between the parent and the child. The next great epoch, that of Roman colonisation, was one of conquest; and the government was strictly central. The independence of the Roman colonies or provinces was only coeval with the destruction of the empire. The colonies of the Middle Ages, the Dutch, French, Spanish, and Portugese, colonies were all governed more or less directly from the mother country, and were always managed for the benefit of the home Government, and were regarded as a legitimate source of revenue. The English colonies stood alone, I believe, in the extent to which local powers of government were delegated to the colonists. These governments were peculiar in form, arising from the fact that the colonies were mostly formed by companies or individuals to whom proprietary rights, and many of the functions of government, were conceded by charter. Practically, the government, by what Edmund Burke called "a wise and salutary neglect," fell into the hands of the colonists; and then, for the first time, the result of the attempt to govern outlying portions of the empire by meins of independent or nearly independent local governments, became apparent. At the first practical attempt to enforce obedience to the home Government, the states revolted from their allegiance. The next phase in the work of colonisation was the establishment of convict settlements, in which the government was necessarily despotic, enforced by the presence of troops from the mother country. This brings down the history of colonial government to our own time, and this was the condition of most of the colonial governments when I first in early life commenced the study of the subject. The first change which took place was that arising out of the enquiry into convict settlements by a committee of the House of Commons, resulting in disclosures which necessitated the abandonment of transportation; although many years elapsed before an entire end could be put to a system which had become a part of the policy of the country in its treatment of criminals. Butin the meantime large interests had grown up, and a considerable free population had clustered around the nucleus of the convict settlements; and the necessity for some change in the form of their Government was evidenced to be a constant and irritating agitation. The great examples which I were then adduced as the mode, on which all healthy colonisation should be conducted, were the colonies of the Greeks and the colonies of New England. But the conclusion seems to have escaped the writers and speakers of that day, that, as regards the Greek colonies, Imperial unity had never been attempted or desired, and, in the ease of the North American colonies, it had been found to be incompatible with the free local government of the dependencies. English statesmen therefore proceeded to apply forms of government to subordinate portions of an empire, which had hitherto in no instance been found consistent with the idea of Imperial unity.

And not only were these new theories generally accepted us maxims of government, but new colonies were founded wholly upon the principles then in vogue; and South Australia and the several settlements of New Zealand were founded by the same men who were the champions of the new philosophy, or rather, who strove for the revival of the old philosophy, in the art of extending an empire by colonisation; and we, my friends, stand here to-night upon the classic ground—for classic ground it will be deemed in after ages—upon which one of the first experiments was made in restoring, what was then called, the lost art of colonisation. Now it is not necessary, indeed it would be unbecomig in me, to allude to the special events which have occasioned some disruption in these times between the tie of sentiment and affection which has hitherto subsisted between this colony and the mother country. My only object is to call your attention to the fact, which seems to have escaped general observation, that whatever may have been the immediate cause of the mutual dissatisfaction which has arisen between the Governments of Great Britain and of some of her colonies, they are but incidents, merely indications, of the incompleteness which pervades the whole theory of colonial government, as it was accepted when free governments were granted to the colonies. If there is a radical flaw in the system itself, it is a matter of small importance upon what particular issue the inherent weakness may display itself. It is a very curious and instructive fact that the original cause of the revolt of the American colonies, was nearly the opposite of that, which has led some leading colonists of the present day to talk of colonial independence as a possibility not very remote. For the claim to tax the colonies asserted by the statesmen of the last century, was based on the ground that they enjoyed the protection of the mother country; and whilst during all the time when Imperial troops were unknown in the North American colonies, about one hundred and fifty years, there had been no

failure in their loyalty, within fifty years after the landing of the first soldier they declared their independence. The question is really a very much larger and deeper one, than it has been yet considered to bo. It amounts to this—whether the government of largo outlying portions of an empire, by means of independent local legislatures, with chief executive officers acting under the advise of local ministers responsible to local parliaments, is theoretically or practically consistent with the unity of that empire. That is a question which our statesmen, whether in the Colonies or in England, do not seem to me to have yet grappled with. And it is one which sooner of later will demand solution.

Let us see, however, how America has dealt with this difficult problem. There were but thirteen States when the declaration of independence was issued. The whole territory of the United States, outside the existing States were its Colonies—just as much colonies as those of Great Britain; and though separated from the parent state by land instead of by water, many of them were more difficult of access than the furthest possessions of the British Crown. America appears from the first to have mastered this question, and provided for her Colonial Governments with the most admirable sagacity. She provided that when any Territory possessed a certain number of inhabitants, it should receive a provisional government entirely subordinate to the Federal Government; and when it received a certain further population, it should become a State, and enter into the union of the States on the same terms and with the same privileges as the oldest or most populous State in the union. But the Federal Government of the United States never relaxes in the smallest degree the imperial rule which it holds over its colonists. If America defends with her armies the utmost borders of her vast territories, on the other hand she makes her citizens feel to the extremest verge, the obligation of paying their full share to the Imperial Exchequer. The defence of the colonies by the imperial armies, and the contribution by the colonies to the maintenance of those armies, have ever been regarded as correlative duties, and the more complete organization of the colonial community which takes placo when it becomes a State, and enters upon new and enlarged powers of local government, does not affect in the smallest degree the relations which already subsist between the Federal Government and the colonists as the citizens of the common empire. No power or duty, right or responsibility, is remitted, or transferred from the Federal officer to the Provincial. The citizen, when he becomes a member of a new State, acquires new powers, rights and duties, in relation to the new State; but the old ones subsisting between him and the empire remain unimpaired and unaltered. Thus it is, then, that the constitution of the United States provides for the indefinite extension of the colonial system, and at the same time for the complete integrity of the empire. It is to this statesman-like and sagacious provision that we must mainly attribute the miraculous rapidity with which America is being peopled, and its illimitable resources called forth to add to the wealth of mankind. And to this too we must attribute that mighty impulse in favor of preserving the common empire, which was displayed during the late internal struggle. If there was one point upon which critics had spoken more confidently than another, before the late war, it was on the impossibility of the unity of so great an empire being preserved in the midst of the local independence of so many parts; and the certainty of the destruction of the whole machine when brought under the strain of civil conflict. The result of the late war has shewn that local independence is perfectly compatible with imperial unity, when the powers and duties of the ocal and imperial authorities are separate and clearly defined, and when the duties and obligations of the citizen to either authority are entirely distinct, and are equally recognised by constitutional law.

Events would seem to point to only one of two possible conclusions as to the future of the British Empire. For it is impossible not to foresee that as the wealth and power of the colonies increase in proportion to those of the mother country, the anomaly in the system which unites the whole will become daily more apparent. The one is, such a change in the constitution of the Empire as shall make Imperial unity a reality instead of a name—every part sharing the burdens, enjoying the privileges, and taking its part in the Government of the whole. The other is, the final dissolution of the ties of common citizenship, and the complete independence of the young and vigorous offspring of the parent state. I need not say to which all true and great statesmanship would lead us, for the voluntary abandonment of empire is synonomous, in my mind, with decrepitude in a people. Not, indeed, that the pomp and parade of vast power, for its own sake, is the ambition of noble minds, bat because an enlightened people must feel that the liberty and truth which has been committed to them, is a sacred trust for the benefit of mankind, which they are sworn to maintain and to transmit; and that the dismemberment of their Empire, by crippling their power, may imperil the safety of that trust. There are statesmen, indeed, who think that this work will be carried on as well, perpaps more effectually, if the colonies were independent states. I will not say that such might not be the case if the independence of the colonies were secured; but I fail to see the probability of the might of the Empire being pledged to defend the liberties of independent states, which was but grudgingly afforded when they were parts of the Empire. If, however, it be impossible that the Empire of Great Britain can be consolidated—if a close adherence to ancient precedents and hereditary rights, impels our statesmen to the conclusion that the English constitution is incapable of enlarging its limits to embrace an empire—then, however we may deplore the result, it is hard to see how it may be

avoided; and we can only indulge in the perhaps not wholly idle Speculation that the dismemberment of the British Empire in its present form, may pave the way to the consolidation in one great confederacy of all the nations on the earth who speak the English tongue, and are sprung from English blood, and are imbued with and trained in the spirit of English liberty.

But I pass on now to speak of the future. In what direction are changes in government tending? What is the sort of work which it has yet to do in the world? We love to use that vainglorious phrase—in this nineteenth century," and to flatter our ago that it is not as other ages were. Perhaps if we knew more of the past, we should be hardily so proud of the present; perhaps if we realised more fully what the future demands of us, we should be still less so; perhaps we should feel that there is less cause for satisfaction in the difference between the present and the past, than for sadness at the difference between the future and the present.

Let us cast our eyes for a moment over the world, and what is the aspect of government which meets our view on every side. Almost the whole population of Africa, the aboriginal population of North and South America, and the inhabitants of the islands of the Pacific, are still in the most primitive condition of human society—without law, without more than the rudest form of Government, without accumulated wealth, living from hand to mouth, in a state of perpetual war—hunters, whose game is man. Almost the whole of the Asiatic Continent is still under the rule of hereditary and arbitrary power, upon which the idea of free government has not yet even dawned. Even in India, ruled as it is by a nation of free men, how long a time must elapse before we shah be able to infuse into the hearts of an Asiatic race the idea of, and the capacity for, free government. India, indeed, is one of the most singular experiments in the art of government which the world has seen. Conquered by the sword, and governed by the strength and skill of a superior race, it must be admitted that, in spite of some instances of oppression and mis-government, which, under such a system, are unavoidable, upon the whole she has been governed for the benefit of the people rather than of her rulers; and were there no other reason for praying for the maintenance of the British Empire, it would be that this great experiment in government might be tried to the end—that the principles of English liberty might become implanted in the races of the Indian peninsula, and from that base might extend throughout the whole continent of Asia. Turning our eyes to the North we see the vast empire of Russia, of which the Government is slowly casting off old barbaric forms, and assimilating itself more nearly to the European model; whilst amongst the nations of Europe, there is hardly one in which the old element of hereditary rule is not still predominant, although their governments are daily feeling more and more the influence of the rising popular power. The wonderful reconstruction of the kingdom of Italy in our own days has a far higher significance than the loss of territory by one monarch and the gain by another. It is the establishment in the South of Europe of a powerful kingdom, having a constitutional Government based on the popular will. It gained less for Sardinia than for mankind. In America we have the world of new governments, mostly sprung out of revolted colonies of European nations. In the United States, amongst a people long trained in the paths of liberty, there exists a condition of freedom, combined with settled law and social order; in other republics, amongst races which were deficient in such training, a condition of constant strife, indicating that the populations had not yet arrived at the growth in which a free government becomes possible. There seems tobe no road out of anarchy except through despotic power. Such, then, is the condition of the world in its governments. And when we consider how much has yet to be done to bring the mass up to the standard of the highest, the prospect is indeed sufficiently discouraging.

But even in the most advanced countries, how much has yet to be done. Let me glance for a moment, for I have no time to do more, at some of the great questions which are now being submitted for the solution of governments. Take, for example, the question of the relations between capital and labor. If we look at the almost incredible increase in the wealth of such countries as England or America, not only the actual increase, but the average increase per man, it is difficult to maintain that the lowest class of the population has had its due share in the distribution. It is difficult to make any comparison between the condition of the people at one ago and another; but many of those who have made this subject their study, hare come to the conclusion that the mass of the laborers in England, and in other old countries, are little, if at all, bettor off, as regards food, clothing, and habitations, than they were formerly. Wealth is, no doubt, more widely distributed; it is not now confined to a few families, mostly the great territorial aristocracy; the middle classes now share luxuries which were then within reach only of the greatest in the land; and we may hope that this distribution of wealth will gradually descend in the scale, until it embraces the lowest ranks. But at present we stand face to face, in every old country, with the difficulty, that the wealth created by labor seems to flow in an undue proportion towards those by whom wealth is possessed. Now, the political economist tells us that this question is beyond the pale of government; that it is regulated by the working of a rigid law, that of supply and demand. Still, if you leave this law to itself, the result is a strike—that is, a remedy as shocking and cruel as any which the history of ancient tyranny records. For what can be more shameful to our intellect, our manhood, our Christianity, than that women and children should be made to undergo all the horrors of famine, the more cruel that it is a fictitious famine, created, not by the niggardliness of nature, but by the shortsightedness of man—a famine

amid the granaries and workshops of the world. I cannot enter upon the remedies for this evil; it is sufficient to indicate it as a stern difficulty with which all governments must one day deal,—to point out that the cruel and wasteful expedient of a strike, in order to ascertain what the rate of wages should be, is an undeniable proof that our present legal and economical system for the distribution of wealth demands change. Again, there is that great cloud looming in the distance—the unemployed. The proportion of the populations of England and some other countries, whoso employment depends on trade and manufactures, has enormously increased and is increasing. A population living on the land can never be wholly unemployed, there is always the land to till. But those living by trade and manufactures, depend on markets—that is, on the purchasing power of others. If we are to believe the accounts by every mail, the number of the unemployed is steadily increasing; and the problem has arisen, how to restore again to the land the superabundant population which has been drawn from it—if not to the land of old countries, then to those of the unoccupied parts of the world. Again, the economist tells us, that it is no part of the work of government to find employment for the people; that is a matter for private enterprise. But the days are probably coming when we shallgreatly enlarge our views as to the duties of government. Already the change is creeping over us. In railways, telegraphs, savings banks, insurance, and other institutions, we see government accepting duties which used to be considered the work of private enterprise alone. The great principle of association, which has done so much for the application of small savings to the production of fresh wealth, seems to be enlarging itself towards the idea of association embracing the whole country, in which every citizen is a shareholder and government the managing power. And it is difficult to see the limits which may confine the operations of government in this new direction.

Time fails me to do more than allude to the many subjects which still call for change in the machinery and objects of government. I might speak of the position of woman in the social scheme;—how to unite her claims to emancipation from the remnants of that old world condition of social bondage in which she was deemed to bo the property of man, classified with his ox and his ass, and anything that was his, with a due regard to the protection of her peculiar character as the presiding spirit of the family and the home. I might speak of the subject of the education of the people, which lies at the root of all progress in society. I might ask, of what use is it to bring men to these or any other shores, or to make for them railways to travel on, or do anything else to build up a nation, when we neglect that which lies at the root of all—the character of the people themselves. A nation must be great or little in proportion as its component parts are strong or feeble. All history tells us that numbers are an insignificant element in national greatness as compared with individual strength, courage, endurance, selfrestraint, virtue, knowledge, enlightenment. Compared with what the future demands of us, all efforts yet made to educate the people appear little else than contemptible. In proportion to her population and her wealth, I think it might bo shewn that England does not at the present day devote as much to educational purposes as she did in the Middle Ages; and yet which of her colonies docs as much? Again, what changes are not still called for in all countries, before religious faith and worship will bo wholly relieved from the trammels which have been woven round it by the worldly policy of states and governments; and, on the other hand, before the civil liberties of man can be emancipated from the burden with which superstition has assisted governments to load them.

And lastly, may we not ask at this moment, what has modern civilisation done for us, what does not our Christianity and our boasted enlightenment demand of us, in the dealings between nation and nation? It is difficult to speak with becoming calmness on such a subject when every mail brings to us the appalling narrative of one of the most meaningless, most unnecessary, and most wicked wars which the world has ever seen, I took occasion not many months ago, in an address in this room, to denounce in no uncertain ternas, the shame to our boasted civilisation, of seeing vast armies, in a time of profound peace, waiting for the first excuse to fall upon each other—tho disgrace to our ago that the best efforts of mechanical ingenuity and the largest portion of the public incomes of states should be devoted to purposes of destroying human life and annihilating the labors of generations of men. We have before us the miserable result. Without time for consideration, without the chance afforded for calmer counsels to bo given, or dispassionate voices heard, within a few hours after the Foreign Minister had announced that never was the work of his department more barren of interest,—we see two of our allies, with whom we are most intimately connected by diplomatic relations, flying at each others' throats, for a cause which the world around can hardly divine, and in which the futuro welfare of mankind can be in no way concerned. When I read in the paper the other day, that five hundred horses had been driven into a field in France, and there shot down as an experiment, used as a living target, to exhibit the destructive power of a new military engine, I thought I was reading some scene in the old amphitheatre of Home; and 1 remembered how in that great empire the cultivation of savage spectacles had been coeval with the decline of national glory. If there were no other work left for Governments to do, this alone should be the effort of every man worthy of the name of statesman—to put an end to unnecessary wars. I say not that, with our still imperfect civilisation, wars may not, for many a long ago, be a part of the scheme for the education of the world. Still, for long ages the *final* court of appeal for nations will no doubt be the sword. But so long as

states remain in time of peace armed to the teeth, so long will war be an appeal to passion not to right. In private life at no remote period, men wore swords by their sides, and every petty quarrel was the excuse for the shedding of blood. We have grown to feel that law and the opinion of society can defend individuals from insult as effectively as the sword. But amongst states it would seem that the world has made no progress. History will probably search in vain amongst the annals of the dark ages, for any war waged by personal ambition or national passion, more aimless or more wanton than that which is now desolating the provinces of the Rhine. There was an attempt made after the Crimean war in 1856 to assert by a formal protocol, that the differences between states should be submitted to arbitration; but France and Prussia, who were parties to that engagement, now ignore it in the blindness of their passions. It was agreed at that celebrated conference that the consenting nations should abandon privateering in war by sea. America was asked to join; she declined, but placed herself far in advance of the civilization of the Governments of Europe, by offering to unite in a treaty by which all private property on the high seas should be protected from capture, whether by privateers or by ships of the national navies. England would not—to her discredit be it spoken—abandon for her navy the prize money accruing from the capture of private property; and, yet, expected that America, which has a very small national navy, should abandon the only means by which she could compete with the immense navy of England in the pillage of private property on the high seas. Whatever improvements we may hope for in the internal governments of states, far louder is the call for amendment in international law. That some binding system of law will one day be evoked, I do not doubt—some government for the governments of states. But at present international law, as any practical restraint on personal ambition or popular animosity, is little more than a name. To what then can we look? Whence can we hope for any impulse which can teach nations that in peace, not in war, the amelioration of mankind must be sought. I think Mr Disraeli struck the right key in a few words which ho used in the House of Commons in reference to this war—We can only appeal to the opinion of the civilized world.

In the earlier part of this lecture I spoke of despotic power as more adapted to certain conditions of society than any form of democratic government, not that despotism is ever in itself desirable or kindred to the higher nature of man, but that it is the only resource when the materials out of which freo governments are constructed, have no existence. But there is this law pervading all human action, that powers physical as well as mental grow by use and exercise; and thus it is, that by the enjoyment of liberty men become trained to the rightful use of higher measures of freedom. The least of all the results of free government is that men are better governed; its greatest boon to man lies in this, that it educates and enlarges the character of a people, throwing upon each man larger duties and weightier responsibilities, demanding from him greater, not enforced but voluntary, sacrifices, and clothing him with the dignity which grows with the possession of power. Again, under freo government alone, has been or could have been developed that vast machinery which pervades the civilised world for communicating intelligence of the events passing around us. Thus it is that an enlightened public opinion is growing up, which is at once the child and the parent of freedom; and to this alone can we appeal to cheque the ambition and control the passions of men.

We must take our stand upon this assumption, that the world is a world of growth—the development of higher out of lower organisms. We are told that in our physical nature we have grown out of the same cradle out of which all animal form has sprung. We trace our language back to simple sounds which differ but little from the cries of animals. So, in the perception of moral right, it needs but little study to show how crude the notions of right and wrong which formed the highest standard of morals in the earlier ages of the world. And in the application of knowledge to our material wants the present is even more conspicuously in advance of the past. As in all other aspects, so in the nature of government, that is, in the art of ordering and utilising the united and consolidated powers of masses of mankind, the human race is ever surely though slowly growing. And that same growth, which in individual states, has enabled the Government almost entirely to lay down the sword, which has substituted obedience for force, which enables the law to be administered without the necessity of using violence to enforce it,—that feeling which has induced private citizens to lay aside weapons of war in daily life, and to submit to the arbitration of society;—that same public feeling, when sufficiently extended and sufficiently cultivated, will beyond doubt exercise the same influence on the relations of states with each other, as it does over the individuals in some.

Far distant apparently is the promised era, when men shall beat their swords into ploughshares and their spears into reaping hooks. The worship of physical force will, perhaps, long be the reigning superstition of mankind. But, if there bo any difference between one government and another,—if there be any standard by which we can measure the value of government, surely our judgment should pronounce a government better or worse, in proportion as it leads or obstructs the people under its rule in the march towards a higher national life.

Wellington:
Printed by T. M'Kenzie, at the "Independent" Office, Willis Street.
1870.

Religious Teaching: A Speech By J. E. Fitzgerald, Esq. Christchurch: Printed at the Press Office, Cashel Street. 1868.

Religious Teaching.

At a Soiree given on the 15th of June, 1868, to commemorate the opening of a Sunday School in connection with the Presbyterian Church in Wellington, New Zealand, Mr. WARING TAYLOR in the chair, Mr. FITZGERALD spoke as follows:—

Mr Chairman, and ladies and gentlemen—If I feel some difficulty in responding to the kind invitation which I have received to take a part in the proceedings of this evening, it is not because I do not heartily sympathise with the object you have in view, but because this is the first occasion upon which I have addressed any similar assembly upon such a subject. Indeed, for a great part of my life I should have declined to do so upon principle. I used to hold that it was each man's duty to confine any exertions which it might be in his power to make in aid of the spread of religious instruction, to that section of the Christian community in which he had been brought up, or to which he conscientiously belonged. I need not say that, had I not in late years modified my opinion in this respect, I should not be here to-night. But as we advance in years, and enlarge the range of our experience, I hope we take somewhat more extended views of the obligations of duty, and perhaps regard with a somewhat wider charity the opinions of others when they differ from our own. As we toil up the mountain of life with steps which grow ever feebler as we approach the summit, it does seem to me that the horizon of human affairs, with all its rights, duties, responsibilities, and obligations, expands its circle before our gaze; our failing vision is more than compensated by the serenity of the atmosphere in which we stand, and those narrower views and more active prejudices which monopolised our attention in earlier life, are now seen only amidst the mists at our feet, or are dwarfed into insignificance in the presence of the larger panorama which is opened to our view.

I hope it is from this cause, and not from any indifference to the realities of religious truth, that of late years those great principles which underlie, or are enshrined in, all Christian communities, have assumed in my mind an importance immeasurably greater than that of the peculiar forms and phases in which those truths have commended themselves to various religious sects, or have been expressed by different classes of human intelligence. And I embrace the more readily the opportunity you have afforded me for expressing these views, because I perceive with uneasiness the growth of principles in the Church to which I belong, and which I love and revere as much as I do any earthly institution, which tend to limit and narrow the range of human thought, and enquiry, and criticism, and to bind the religious aspirations of the soul in the chains of a formal ritualism. Nor is this spirit confined to the Episcopal Church, but is shared in some form or other by every sect of Christians. So far as my personal feelings are concerned, I do not quarrel with those who would clothe religious ceremony with the artificial beauty of vestments, or canopy it under the shadow of architectural splendour, or train its devotional utterances to the strains of a skilful and regulated harmony. The beauty of divine worship is ever to me more beautiful, when ministered to by those arts, in which the inner perceptions and cravings of the soul for the sublime and the beautiful, are typified and reflected in the external economy of form and colour and sound.

That is not the error of which I complain. On the contrary, I think we Northerns and Protestants sometimes display much bigotry and ignorance, and do our fellow Christians of more mercurial natures and of warmer climes much injustice, in condemning their ceremonials as simply the offspring of superstition. A nation gifted by God with keen perceptions of physical beauty, and inspired with the native love and power of song, will express its devotional, as its other feelings, through the same medium; and so, colour and dress and music will be the natural and necessary mode of its expression, in a manner which is inappreciable by men of colder blood, and of sterner, and, it may be, of coarser mould. To this we should fairly attribute much of the gorgeous ceremonial of the Italian and Spanish and Greek Churches, which we are apt invidiously to compare, in a somewhat self-satisfied and self-righteous spirit, with the more unadorned forms of worship practised in the gloomier temples of northern Europe.

But it is not the mode of expression or the mere forms of worship which are objectionable. It is because I perceive that these revived and antique and foreign ceremonies, and especially the efforts made to force them upon a reluctant people, who do not appreciate or love them, involve a sort of fetish worship of the ceremonies themselves, to the obliteration or subordination of the immortal truths of which all ceremony is but the symbol and expression. But I must speak what I feel to be the honest truth in this matter, and I must say that this charge of fetish worship among Christians does not attach to the Episcopal Church alone, or even to the Roman Catholics, but is shared by all the sections of the Christian community. It is possible to make a fetish of an idea or a dogma, as much as of a vestment or of a chaunt. If one sect gives undue prominence to a ceremony,

another gives equally undue prominence to the opposition to a ceremony. And so in our time we have seen serious riots about a clergyman wearing his surplice in the pulpit; as if it mattered whether a human soul were saved or God glorified, in a white dress or a black one: and yet for this, Christian Churches have, in our time, been made the scenes of scandal and of brawl. Formalism, my friends, is not the only danger to the Church of these times. There seems to me to be a spirit of superstition—a spirit of what I call fetish worship, in which all sections of the Christian community are too apt to indulge. I mean the worship of their own special dogmas or particular forms of expressing and interpreting truth. If Galileo was compelled by the Papal Church to recant, as false, his great discoveries in the motions of the heavenly bodies, as heresy against the faith of the Church, have I not seen many a good and pious man in these days set his face hard against the discoveries of modem science, because they seemed to disturb his own peculiar views of the meaning of revealed truth. Geology has had to fight its way against the superstition of the Protestant world, as astronomy of old had to struggle against the ecclesiastical authority of Rome.

And now we see the same old spirit evoked to crush the researches in that new science which has made such marvellous strides in our day—I mean the science of philological criticism—a science closely akin to that of geology, because it evokes out of the ruins and relics of the dead and forgotten languages of former ages, evidences of the past history of mankind, just as geology elicits out of the crumbling rocks and broken stones, the physical history of the world which that man has inhabited. I ask not that we shall hastily or rashly accept the conclusions offered to us by modern criticism. I say not that, so far as my humble powers extend—and very humble indeed they are—to understand such enquiries, I say not that I accept myself all the conclusions at which these critics have arrived. But I do claim, in the spirit and in the exercise of the same right for which our fathers fought and died at the Reformation, and which they have bequeathed to us—the right of private judgment and of free enquiry—I do claim that scientific research shall not be stifled, or placed under ban, by the lingering superstition of modem Protestantism, any more than by the senile anathemas of Rome. Between revelation rightly understood, and true science, there can be no possible or conceivable discrepancy; for was it not the same Divine power which communicated its will to man by the mouth of bard and seer, of prophet and apostle, and which spreads open before man the great book of nature, and lays bare its secrets and its mysteries before his eager and inquiring intellect, and has clothed his mind with the capacity to discover and understand its laws.

When I have seen how texts of Scripture, strangely misunderstood, have been wrenched from their context, and hurled at the head of approaching criticism, I sometimes feel as if there were a tendency on the part of Protestants to make a fetish, as it were, of the very Bible itself, and to bestow upon the human words and syllables—those mechanical contrivances which are after all only the vehicle of communicating the will of God to mankind—to bestow upon those mechanical contrivances that reverence which is due only to the truths which those words were intended to convey; a tendency, in one word, to worship the book itself, more than the truths which it reveals, or the God who inspired it.

It has often appeared to me that all differences in religious opinion arise not so much from the acceptance of error, certainly not from the desire or the intention to accept error, as from a partial and narrow view of truth. Our minds, in their present state of education, seem incapable of grasping the whole body of truth, and of reconciling all the infinite and diversified and complex phenomena, physical, moral, intellectual, and spiritual, which constitute this world and its inhabitants. This partial perception of truth has throughout all ages created those differences, divisions, and discords, which have been the bane of humanity, and especially of the Christian Church. Most vividly does this thought present itself to the mind when we ponder over what I may call the impotency of Christianity at the present day, as compared with its early vigor. You all know how Christianity arose amidst the plenitude of the Imperial power of Rome. You know how it triumphed over persecution and violence, and how nation after nation was converted to the faith. And when the heathen hordes of Northern Europe were let loose upon that mightiest fabric of empire, and that most gigantic mass of human corruption which the world had ever seen; you know how, amidst the wreck of nations and the chaos of society, the form of the Christian Church appeared rising into power and splendor, moulding the minds and characters of men to the reception of a newer and a higher civilisation.

Sometimes, as in the early history of our native country, nations were converted to Christianity, and were swept away by some fresh wave of heathenism rolling out of the dark-caverns of the North; and then the conquerors themselves were absorbed into the faith which they had fought to destroy. Compare the history of the spread of Christianity in the first few centuries after Christ, with its efforts during later ages. I venture to say there is no one who has honestly thought upon this subject, whose mind has not been filled with doubt and perplexity at the contrast; no one who does not ask himself—Why is it that the religion of Christ seems powerless in these later ages to war against the heathen world? How is it that for so many centuries the star of Bethlehem has paled before the crescent of Mahomet? How is it that Christianity has striven in vain to penetrate among the countless millions of the human family, who, during the past eighteen centuries, have lived

and died in the vast continent of Asia? How is that, in this very island, the faith which we thought had been established by the efforts of good and holy men amongst the native inhabitants, instead of taking vigorous and enduring root, as amongst the nations of early church history, has withered and died in a single lifetime, swept away before a cruel and puerile superstition?

I can offer no solution of this great mystery in the world's history; but I can perceive one cause which may possibly have helped to paralyse the arm and sap the vigour of the Christian church, in the intestine discords and divisions amongst its members. The early church was one. The church of later ages has been torn into sects, which have hated and persecuted each other as cordially and as cruelly as their common heathen foes could have done. And now, the Christian church, instead of going forth as in early times, an army of martyrs, marshalled under one faith, one hope, one baptism, to wage war against the wickedness and misery of a heathen world, is like that same army, each division shut up in its several fortress or encampment; each battalion entrenching itself, not against the common foe, but against its own friends and allies; entrenching itself by forms and ceremonies, by narrow prejudices, or superficial dogmas; some amusing themselves with pageantry; some nursing a self righteous abhorence of pageantry; some taking refuge in the sternness of asceticism; some ridiculing the mortifications of the ascetic; whilst that one great law of Christian society—that principle upon which our Lord and Master based, if I may so speak, his scheme for the transmutation and elevation of the human race—the law of self-sacrifice—the law of love—seems well nigh banished from the Christian code: and the sacred image of Christian truth, in the divine beauty of its full and perfect ideal, is hurled from its pedestal, while each sect seizes some broken relic, some paring of a nail, or lock of hair, or shred of the hem of its garment, and, setting up the fragment on its altar, deems that it forsooth is in exclusive possession of the secret counsels of the Most High, and that the poor figment which it worships, represents the whole majesty and glory of the complete image of divine truth.

And when we look at the social and political attitude of Christian Europe at the present hour, are we not sometimes compelled to ask in a feeling akin to despair—what has become of Christianity? when I see the millions of men who are abstracted from the sacred duty and wholesome discipline of productive labor, who are kept in idleness at the expense of their toiling fellow-men; countless hosts, bristling with arms, glaring upon one another with menacing aspect, ready to precipitate the world into deadly strife, to gratify the will of a despot, or the ambitious schemes of a statesman, or the more dangerous and deadly passions of a misguided people; when I think of the enormous mass of human labour, and the vast hoards of wealth, and the inestimable riches of scientific knowledge and inventive ingenuity and mechanical skill, which, instead of ministering to the progress and happiness of man, are at this moment unceasingly, year after year, more and more, being devoted to the production of implements for the destruction of human life by land and sea; and when I think that this is the outcome of well nigh nineteen centuries of the teaching of Him who, with his latest breath on earth, bequeathed to mankind the heritage of peace; I seem staggering in amazement and wonder at the mystery of so strange a spectacle, as if I were living in the midst of one of those fanciful tales of Oriental romance, in which the form of the beneficient genius of human destiny had been borrowed and simulated by some hideous and malignant demon; and as if under the external semblance of Christ, the destinies of the Christian world were being ruled by the genius of a destroying angel.

Shall we then say that Christianity has done nothing for the race of man?—nothing to elevate his moral and social being? That I think were a very false conclusion. However disappointed we may be—however perplexed and surprised, that so divine a scheme has apparently failed as yet to realise all the results which we might well have anticipated; history compels us to acknowledge that the condition of mankind, oven under the partial and fragmentary form of Christianity received by the world, has vastly improved and is improving. It is a remarkable fact, and one which I would earnestly commend to the attention of those who are inclined to regard the advance of science with feelings of religious jealousy, that it has been to the Christian world alone, that scientific truth seems to have been revealed. We might indeed have been sorely perplexed had we found that nations rejecting Christianity were advancing before us in the march of true scientific discovery. But, on the contrary, it is only by that portion of the human race, whose mind had been touched and transmuted by the fire of Christianity, that the prosecution of true scientific discovery would appear to have been possible.

There are evidences that mankind is slowly improving. Religious intolerance is not yet cast out of our churches; but it is feeble to what it once was. There are signs around us of the collapse of long-cherished bigotries, none more remarkable than the approaching downfall of that stain upon England and Christianity—the Church Establishment of Ireland. The civilisation of man is advancing, not receding. The elevation of man may be a very slow process—as slow as the geologic changes which transform the features of his earthly abode. As has been said:

"The mill of God grinds slowly,
Though it grind exceeding small."

Yet the steady upward tendency of our race entitles us to rest in the faith that the consummation of Christianity will come at last, and its highest ideal as shadowed out by its divine Author will one day be realised. And whilst we deplore the schisms in the Christian Church, it may be that, in the providential order of the world's growth, these very divisions are necessary to train mankind for a fuller and larger perception of the divine laws. It may be, that only by such external differences will the spirit of earnest and reverend enquiry and investigation and criticism be thoroughly evoked, stimulated, and cultivated; and the mind of man thus trained to perceive, and his intellectual and spiritual capacities enlarged to embrace the whole and perfect truth of God. It may be, that when mankind has been so trained and elevated as to be capable of accepting higher truths, and of living under a nobler law, the days may come when those maxims of Christ, which are now by universal consent almost banished from Christian teaching and practice, as if they were the unattainable dreams of a visionary, may become the universal law of human society;—days when we shall call no man Rabbi, for one is our master, even Christ—when it will be no strange thing to sell all that a man has and give to the poor—when a brother's sin will be forgiven until seventy times seven—when the unsmitten cheek will be offered to the second blow—and the coat be given to him who has taken the cloak; in a word, when the world shall have learned to look back on the worship of physical force, as the miserable barbarism of a scarcely Christian age, and the law of self-sacrifice and love shall bo found to be practically coincident with, and coeval with, the highest and noblest development of which the race of man is capable. Then, indeed, may perhaps be realised that vision, of which holy men of every age have loved to dream—which all the riches of imagination and of language have been exhausted to portray—the apocalyptical glories of a pure and sinless world.

If I have not wearied you with these somewhat wide speculations on the aspect of Christianity, I would ask your permission, before I sit down, to come somewhat nearer home, and to call your attention to the effect which these divisions in the Christian Church have had upon the question of the education of the young. There is, I venture to say, no man in the full possession of a healthy moral and reasoning faculty, who does not think that religious teaching is an essential part of all education. And yet I am driven to the conclusion that, whilst it is the bounden and imperative duty of every State to provide that its children shall be educated, it is a necessity of the position of a State in which religious differences exist, and in which religious liberty is respected, to exclude all religious instruction from its schools. I believe this colony to fall strangely short of its duties in respect of education. We live in a State whose government is almost completely democratic. And where the demos—the people—is educated and intelligent, I know of no better form of government which can exist in the world.

On the other hand, I firmly believe that an uneducated and ignorant people are absolutely incapable of working the complex machinery of popular and parliamentary government under which we live in this colony. You have not attempted to work it yet by native skill and labour. The men who have had the working of your Government are for the most part men of English education and training. The mass of the electors themselves have brought with them much of the traditions of the old country. But the time will come when you must supply leaders of the people out of home manufactured materials. Therefore, that the generations who are born and brought up in this country shall be sufficiently intelligent and informed to distinguish honesty, ability, and learning, from dishonesty, ignorance, and assumption, and to select the really best men in the country for the high offices of government—this seems to me a first and imperative necessity under our constitution of society and government. Therefore I say that the State must insist on the education of the young, in obedience to the law of self-preservation.

But when we are told that this secular education by the State will be a Godless education, we reply—it is not pretended that the education thus given by the State is a complete education. You must teach religion if you would develope the highest character of the man. And for this reason—that the feeling of submission to authority—the instinct of reverence for what is above us—better, wiser, greater than ourselves, is based upon the feeling of reverence for the divine power. Reverence, teachableness, submission, are habits of the mind not to be arrived at by the cultivation of the intellect only, or by the acquisition of learning: and yet these qualities in the young are the basis of all that is greatest, strongest, and noblest in the character of the man.

Then, as the State cannot, owing to the untoward circumstances of religious differences, undertake the teaching of religion without violating liberty of conscience, it remains for the Church to supplement the want by its own internal means. The State is, after all, only an organisation of society for certain limited objects—for the protection of life and property, and the ascertainment and enforcement of private rights between man and man. But the State is not the only organisation of society. We associate for a multitude of objects; to supply

ourselves with railways, gas, water, and so on. The Church is the organisation of society for the teaching of religion and the public worship of the Deity. When the State has done its work in respect of education, the work is not all done. The responsibility lies with the Church to do its duty also. You have recognised this duty in the establishment of this Sunday school. If the youth of this great country, as it will become, are to grow up a sober, steady, God-fearing people, loyal to their country, and to their Queen as the impersonation of their country's greatness and glory, reverend in their habit of mind, and therefore courteous in their manners—for, says the poet laureate—

Manners are not idle; but the fruit
Of loyal nature, and of noble mind;

—in a word, if they are to be deserving of the name of *gentleman*—and I use the word not as the heritage of a class, or the monopoly of the rich, but in its truest and widest sense—the *gentle man*;—you must lay deep the foundations of the character in early life by instilling into the child a reverence for God; a reverence for the divine law; a reverence for those authorities and institutions which are a part of the divine and providential governance of human society.

And if I may, without offence say, in conclusion, one word of advice to those who are to be the teachers in this institution, I would beg of them to teach the children to be Christians, rather than Presbyterians; to instil deeply into their minds those great divine truths upon which we all agree in theory, however we may vary in their expression, or however deficient we may be in their practice, and would leave to a later period of life the assertion of those peculiar points of doctrine in which the various sects of Christendom differ. And if, my friends, by your exertions, you shall so influence the mind and heart of a single child, that he may, by your teaching, grow up a good man and a good citizen; righteous and honest in his dealings, for the pure love of right and honesty; sober and industrious in his habits; respectful and courteous to others as he would that others should be respectful and courteous to him—you will have done that which a secular State education can never do without you: you will not only have conferred a great and lasting benefit on your country by helping to elevate the character of its citizens; but you will have been the means of bestowing an inestimable blessing upon the child himself for here and for hereafter. And I venture to believe that, though it may never be known on earth, you will not fail of that reward which was promised, by the lips of Him who spake as man never yet spake, to those who should give, if it were but a cup of water, to one of those his little ones.

Printed at the Press Office, Cashel Street, Christchurch

Letter

Wellington

1 Feb 1924

Dear Sir Robert,

Returning with many thanks the collection of my Father's writings. [*unclear:* Mr. E. W. Nell] is much impressed by the philosophie thought in the poem and way in which it has been cast into verse. I myself was out of sympathy with the opening number which showed a too gloomy view of death. of it [*unclear:* shows] a complete misunderstanding of modern speculation.

Gerald FitzGerald

Front Cover

Unpublished Thoughts in Verse. vignette

By James Edward Fitzgerald.

Wellington: Lyon and Blair, Printers. Lambton Quay, 1893.

I.

vignette

PIERCING the mist-clad mountain range which bounds
The world of sight and sense, a cavern leads
To the unknown beyond; from which no sounds
Are ever heard, nor ever light proceeds:
Silent and dark its portal yawns for all,
Blanching the cheeks on which its awful shadows fall

A river thro' that valley ever flows,
Life's murm'ring tide; and evermore the hills
Which bound the vale, from their dark wombs disclose
The sources of innumerable rills,
Which to that mystic stream their tribute bear,
Whose waters in that cavern ever disappear.

Each atom of that stream a human life,
In darkness risen, and in darkness lost;
The mass deep buried in the watera's strife,
A favor'd few upon the wave-tops toss'd;
Till high and low alike are lost to sight
Beneath that silent arch where reigns eternal night.

Sad type those waters of the feverish crowd
Struggling for transient fame or wealth or power,
Strong youth, and failing age, the poor, the proud,
Eager to grasp the bauble of the hour;
Whilst still th' inexorable current draws
Each one at last within that ghastly cavern's jaws.

In childhood some, some in bright youth, are swept
By the strong eddies 'neath the archway's gloom;
By grief or sickness stricken, some are kept
Long ling'ring on the threshold of their doom:
In the same gulf unconscious infants sink,
And age's palsied footsteps totter o'er the brink.

With outstretch'd hand and wild despairing shriek
Some grasp in terror the last shreds of life;
Some with dull mien in silent darkness seek
To find a long-sought rest from long-borne strife;
To bury shame or crime in voiceless sleep
Into the dread abyss some desperately leap.

Th' assassin's blood-stained hand, forestalling time,

It's victim oftimes hurls beyond the brink;
And countless myriads in manhood's prime
In the dark vault from battle's carnage sink;
And oft pale pestilence with poisonous breath
Swells swift and deep the current 'neath the arch of death.

In joyful resignation to the goal
Some move with patient step and hope-lit eyes,
Uprais'd to where the luminous clouds unroll
The mystic splendours of the lustrous skies;
Dreaming that past that cavern's awful gloom,
More glorious skies will shine a welcome to their home.

Such the sad emblem of humanity,
But for convictions lurking in the mind
Dim but unquenchable, which underlie
All thought upon the destiny of mankind;
That when th' external record we unfold
Of man from birth to death, the tale is not all told.

Secret convictions that the race of man,
Product of nature, but endow'd with soul,
Has wider sphere than lies in this life's span,
Has some enduring part in that vast whole,
Where present, past, and future all unite,
And vanish in th' immeasurable infinite.

Are these vain speculations? all unsought,
When pondering upon man's destiny,
They steal like awful ghosts upon the thought
With whisper'd questionings which ask reply,
Unsatisfied that faith in formal creeds
The duty and the rights of reason supersedes.

II.

vignette

And when I think of those who never more
Shall brighten our home-circle with their love,
Whom Death's cruel mandate has sent on before
The dark hereafter's mystery to prove;
Think what they were, portray'd by memory,
I ask what now they are, from earthly garments free.

Those gone forever like the passing year,
Or like a sunbeam fading from the sight,
Or like sweet music dying on the ear,
Or like a fleeting vision of the night;
The love, the pride, the hope that round them grew
Fonder with each year's promise, gone like summer's dew.

Gone all but memory, whose feeble ray,
Which dimly lights the chambers of the past,
Still bids the lov'd idea of each to stay
Close to my side as long as life shall last,
Continuing in fancy's fond endeavor
That sweet commune which not e'en death shall wholly sever.

Their various forms upon the mem'ry press,
Sometimes as infants on their mother's knee,
Sometimes array'd in childhood's loveliness,
Sometimes in radient boyhood's bravery;
And some best loved as when they left the earth,
By manhood crown'd with all of truest manhood's worth.

We are not one, bat many: every stage
Of our short life presents some new aspect;
Our forms and features change from youth to age;
Feeling and thought like fickleness reflect;
The inner consciousness within our breasts
Alone the continuity of self attests.

Not lost, but gone before! Is the dream true?
Shall I see them again in some hereafter?
Again our old fond intercourse renew,
And listen to the music of their laughter,
And see their forms once more as fresh and bright
And beautiful as when death stole them from our sight?

Can it be true that the still dead shall see
Visions of glory in the Spirit-land—
Shall hear the awful voice of Deity,
As round the
Rev. IV. 3.
rainbowed throne white-robed they stand,
And from "the crystal sea" their voices raise,
"Like voice of many waters," in rolling hymns of praise?

Or, ghastly dream! that sinful souls shall dwell
For ever scorch'd, but unconsumed by fire,
Writhing and welt'ring in some crucible
Companion'd with fierce fiends and demons dire;
Eternity of woe for sins of time,
Like mead for faults of faith and deeds of foulest crime?

Let it be true—not their's such awful doom,
For their short lives throughout were good and pure;
I ten times rather would believe the tomb
Ended all being, than think they would endure
Such pains hereafter, which not one who knew
And lov'd them here on earth would ever deem their due.

But be it true—then their's the glorious lot
Of souls whose life is one perennial joy;
Their failings pardon'd, as by us forgot,
Their virtues purified from all alloy,
No fitter peers than they for that bright band,
The faithful, tender, true, who throng the Spirit-land.

III.

vignette

We say that we shall *see* the Deity:
What is't to see? The palpitating light
Throbs with soft undulations on the eye,
Painting its fleeting pictures on the sight;
Whence to the brain the tremulous nerves convey
The cypher'd message sent by every eloquent ray.

When then we say that we shall *see* in heaven,
What mean we by the phrase? When human sight
Is but a name to earthly organs given,
Whose functions act but in material light.
If lights' vibrations cease, or dull decay
Impair the brain or eye, sight vanishes away.

But is sense aught than the mechanic mean
By which the mind is brought in harmony
With its material home—a bridge between
The soul and earthly forms which round it lie?
If so, may not the soul see, feel, and hear,

Responsive to appeals beyond the senses' sphere?

Unconscious as th' optician's lens, the eye
By changeless law its changing pictures makes:
The ear knows nothing of the melody
Some like-unconscious instrument awakes:
These are but links in the material chain
Of forces, which evoke vibrations in the brain.

The *consciousness* of what we hear or see
In our material organs cannot lie;
These might fulfil their functions, and yet we
Remain unconscious of their agency:
Some immaterial power must have wrought
To change material motion to perceptive thought.

Or shall we with some scientists believe
These brain-vibrations the sole motive cause
Of thought and action, which unaided weave
The infinitely vast and complex, course
Of human life—man an automaton,—
His consciousness a casual phenomenon?

If by a reas'ning process we arrive
At this result—that mind is impotent,
Can but perceive, and helplessly connive
At ends it can nor further nor prevent—
Why trust the reason, when itself has taught
That it disowns the power of independent thought?

Why, as to true or false, should men dispute
If thought is but to brain-vibration due;
And natural forces in one mind dispute
What in another they assert as true;
Eight, wrong, true, false, phrases which but express
Diverse arrangements of material substances?

On truths inherent in our minds, we rest
As the firm base from which all reas'ning springs,
Coincidence with which affords the test
Of truth or error in our reasonings,
Does not the act of reasoning imply
The conscious pow'r to choose 'twixt truth and fallacy?

That mind is free—allied to, not enslav'd
By the material form in which it dwells,
Now lording it as master, now deprav'd
By influence 'gainst which it still rebels—
Of these two motive powers the ceaseless strife
Is the deep mystery of every human life.

By some mysterious law these forces twain
In all resultant action arc combined,
As tho' the palpitations of the brain
Were merged in action in a stream of mind;
As natural substances new forms acquire
When subject to th' electric current's hidden fire,

IV.

vignette

Reason or intellect, or mind, or soul,
Are but the names we give each several phase
Or function of the spiritual whole
Which manifests itself in various ways,
According to the various subjects brought
Within the range and cognizance of conscious thought.

We ponder over nature's mysteries,
Seeking a cause for each observed effect;
But the first cause of life and motion lies
Beyond the reach of keenest intellect:
Is this *mind-element* the hidden cause
Of that which moves all nature, vaguely known as *force*?

The finite mind, compell'd by nature's laws
Within the narrow sphere to operate
In which it dwells, feels it can change the course
Of circumstance; as fancy bids create
New forms of matter; and with cunning skill
Make nature's hidden powers subservient to its will.

But infinite mind, from all conditions free
Which curb man's action, needs must exercise
Similar power in infinite degree
To that which in ourselves we recognise;—
Infinite mind the omnipresent mean

By which all matter lives, and moves, and has its being:—

Moves ever with the state and majesty
Of constant *law*. For mind, if infinite,
Consistent with itself must ever be;
And *law* is but a name t' express aright
The modes of nature 'neath the influence
Of perfect and omnipotent intelligence.

Our own minds range throughout the infinite;
We speak of a *beginning* and an *end*;
But o'er such boundaries thought takes its flight
To where th' ideas of time and space extend
Throughout the measureless eternity,
Before *beginning* was and after *end* shall be.

Imagination in its daring flight
Attempts, where reason fails, to realise
Nature's beginning; sees primeval night
And silence reign o'er earth and seas and skies;
How force as yet was not; as by some spell
Entranc'd, all matter lay, inert, immoveable.

See how God's spirit moving o'er the scene
Th' etherial element of force instill'd
The dead material particles between,
Till nature's universal atoms thrill'd
With that mysterious energy from whence
Atom o'er atom wields its mystic influence.

Then like some mighty engine driv'n by force
Unknown, inscrutable, nature began
Her magic revolutions, change nor pause
To know whilst time thro' countless ages ran.
Then ether blaz'd with light; the voice of sound
Rang thro' the quiv'ring air its melody around.

The atoms, joyful in their new born power,
Combine in infinite variety
Of ever-changing forms; tree, herb, and flower,
And moving habitants of land and sea,
Appear and fade; whilst ever re-appear
New forms, organic life's phantasmagoria.

Life! but one phase of th' all-pervading law
Which rules the universe: the tend'rest blade
Which sunbeams from its earthy cradle draw
Springs upward by the same impulse which made
The Earth and all her planetary peers
Keep measure in the choral dances of the spheres.

Is this a poet's dream? Shall we deny
That chaos ever was? or say that force
Was one with matter from eternity—
Both coexistent—each effect and cause?
If 'twere, still in the dream we seem to see
How matter mov'd by mind is Nature's myetery.

The sequence of events is measur'd by
Tenses and terms of time: no language can
Construct a dial for eternity,
Or measure out th' infinite with a span;
All's simultaneous in the infinite past:
Eternity, to man, has neither first nor last.

From the small eyelet hole of Self, we view
The past and future, and the world around;
By what within ourselves we know is true
We measure all within our reason's bound;
Our own weak powers we infinitize
To comprehend the infinite which round us lies.

V.

vignette

God in man's nostrils breath'd the breath of life,—
The living soul. This was man's earliest creed;—
That men their spiritual life derive
From that supernal fountain whence proceed,
As scintillations from celestial fire,
The God-like powers which the souls of men inspire.

It may be in that old world faith conceal'd,
The key to nature's mystery we find,
To scientific teaching unreveal'd;
That in the working of the infinite mind
There lies the secret of the first great cause,

In man, *of mind*, in nature of *material force*.

In varying measure has this gift divine
Been shar'd by men; with dim and flick'ring light
'Tis seen in those of lower type to shine;
In nobler burns ever with time more bright;
Quench'd by its lustre baser instincts die
And social order grows from social anarchy.

And some have lived—the high-priests of mankind—
Prophet and Sage, whose souls have seem'd to dwell
In closer union with the infinite mind,
Whose thoughts have spread beyond the narrow cell
Of their own lives, illumining the page
Of the world's history through each succeeding age.

And if in sounds of nature, men have dream'd
They heard th' Almighty speaking—in the storm
Or voices of the thunder-cloud—or deem'd
They saw the Deity in material form;
Or thought in Nature's portents they could read
The issues of the future by the fates decreed;

Was superstitious fear alone the cause
Of these imaginings? or may we think
Such vague emotions had a deeper source—
Th' unconscious recognition of the link
'Twixt man and nature—that divine impress
Without which mind were void and matter motionless?

VI.

vignette

It may be, then, the whole economy
Of this wide universe, reveal'd by sense,
Some inner universe may overlie,
Of which 'tis but the outward evidence:
That all things seen are but the husk or skin
Of things unknown to sense, a world concealed within.

As now, in this thought-teeming age of ours,

All-searching science to our wond'ring gaze
Reveals fresh secrets of the subtle powers
Which darkly work in Nature's mystic maze,
Sustaining by their hidden agency
Life's infinitely intricate machinery—

May it not be that keener observation,
A wider range of thought, and deeper seeing
May open to mankind a revelation
Of infinitely subtler laws of being
Than those within our known philosophy—
Entwined with life, and yet not dying when we die?

As when we close our eyelids, and exclude
The light-borne missives of the world around,
The mind still peoples its own solitude
With beings real as those of sight or sound;
And, the wide bounds of time and space o'er sped,
Holds mystic commune with the absent or the dead.

Is this strange power of seeing the unseen,
Feeling the unfelt, and hearing the unheard,—
Calling up spectres of what long has been
In the still caverns of the past inter'd;—
Striving with prescient skill to penetrate
The destinies concealed within the womb of fate;—

Or that creative power, at whose command
All matter becomes plastic to the will,
Which rules the waving of the artist's wand,
Or moulds the marble with the sculptor's skill,
Or from the sound-producing air's vibrations
Evolves the mystery of music's rich creations;—

The thought which guides the student's speculations,
Unfolding Nature's secrets to his ken;—
The statesman's wisdom wisely ruling nations,—
The genius which inspires the poet's pen—
Flashing thro' space and time the waves of mind
Upon whose stream are borne the destinies of mankind;—

Or, chief of all the attributes of man,
The sense of right and wrong, the homage paid

To that high court where Conscience sits to scan
His inmost motives, and, tho' sometimes sway'd
By rule of lower law, yet by that light,
However dim, still owns some rule of wrong and right;—

Are these inherent powers of the soul,
Calm reason, moral sense, and fancy's play,
But parts of the dull matter they control,
Some finer essence of our native clay,
Ruled by the same inexorable laws
Which nerve the insect's wing, or guide the planet's course?

All matter is immortal; the wide range
Of our inspection of Earth's mysteries
Proclaims that *death* is but a name for *change*
In forms of being, whose being never dies;
A shifting of the scenes,—a transmutation
Of Earth's dissolving views—decay, and renovation.

Is then the soul more mortal than the home
In which it liv'd on Earth? Or shall we say
That as the silent alchemy of the tomb
Resolves the body into primal clay,
The spirit too is merg'd into the whole
Pervading ocean of th' universal soul?

"Dust unto dust returns, th' immortal spirit
Returns to God who gave it "
Eccles, XII 8.
—so of old
The sacred oracle which we inherit
Did some dim vision of the truth unfold;
As in the deep its coarser atoms lie,
The purer are exhal'd, sun-wafted to the sky.

We vaguely speak of immortality,
And yet our thoughts can hardly realise
A soul's existence, free from every tie
Of human semblance: we can but devise
Phrases which material sense express,
But, in a state where sense is not, are meaningless.

We speak of voice and sound, of fire and light,

Agents of joy in heav'n, in hell of pain,
As if these such emotions could excite
Where sensuous attributes have ceas'd to reign:
Angels in feather'd pinions we portray,
And demons in grotesque and hideous forms array.

But if 'tis by the mind that we conceive
Th' impressions through material sense convey'd,
And if, when sense has vanish'd, we believe
The soul still lives, its powers undecayed,
Some objects in the Spirit-land must lie
Th' emotions of the soul t' excite and satisfy.

The physical phenomena of life,
To which th' emotions of the soul respond,
Some immaterial representative
Must have, the sphere of earth and sense beyond;
Something whose spiritual influence
May wake the pain or pleasure once evoked by sense,

Man thirsts for immortality: the same
Self-consciousness of his identity
Lives through all changes of his outward frame,
And whispers to his anxious reason—Why,
When comes the last great change which we call death,
Should the self-conscious spirit end with the mortal breath?

Since first the God-like powers of mind had birth,
Stirr'd in the creature and proclaim'd him man,
And crown'd him with the lordship of the earth,
The yearning for an after life began—
Scal'd Titan-like the ramparts of the sky,
And claim'd the heritage of immortality,

Is this instinctive craving of the soul
In men of many an age and race and clime,
Revolting 'gainst the tyrant death's control,
And bursting thro' the prison bars of time,
No more than cheating fancy's vain desire,
Pursu'd as men benighted pursue the pale marsh-fire?

Oh Lord of Life and Death! may we not crave
Some further light to dissipate the gloom;—

Some voice from those who have outlived the grave
To solve the awful problem of the tomb?
In vain we cry; no heav'nly light appears,
From the dark silent land no voices reach our ears.

Oh for a faith by which to satisfy
The calm truth-seeking reason's stern behest,
Whilst the soul's intuitions might descry
The true fulfilment of their anxious quest,
And kindred faith and reason might unite
In the divine fruition of unclouded light.

VII.

vignette

Where are all the old-world faiths? Great Pan is dead:
vanish'd for ever that voluptuous dream
Which o'er the classic lands its genius shed,
And peopl'd hill and vale and grove and stream
With spiritual life; and loved to see
In Nature's every haunt some kindred deity.

Where the Pantheon of the mighty gods
Who erst in high Olympus held their state,
And from their inaccessible abodes
Imposed on mortals the decrees of fate,
Wielding the terrors of ocean, earth, and sky
To force on stubborn wills of men their destiny?

Ye visionary gods! had ye no claim
Upon the faith of men? Had ye not grown
From out his brain, reflecting back the same
Affections, passionst motives as his own?
Men in your forms the image could but see
Of deified, immortalised humanity.

In his own image man his gods created,
And in them mirror'd his own mind and features;
Cloth'd them with human attributes, dilated
To fit the stature of immortal creatures:
Then strove in perfect types of man t' express
Th' idea of God reflecting his own consciousness.

Th' idea of the invisible Divine
In visible form he strove to realise,
Till the dull stone, inspired by his design,
Stole into life—the gods in human guise—
Shapes of immortal beauty, which remain
Types of the form which men, if perfect, might attain.

Ye marble priests! whose silent eloquence,
In the calm majesty of your repose,
Once preach'd and symbolised the faith from whence
The visions of your God-like forms arose;
We in your time marr'd relics dimly trace,
Witnesses to a faith which once inspired our race,

Inspires it now no more; the broken fane,
The shatter'd column and the mould'ring wall,
In ruin still sublime, alone remain
A dead religion's mem'ry to recall;
No trembling votaries round your shrines now wait
To hear the oracle's voice reveal decrees of fate.

VIII.

vignette

Far other faith inspir'd the Hebrew horde
To claim the agency of wrath divine,
When in a fierce resistless flood they pour'd
Through all the vine-clad vales of Palestine,
And to their conquering sword whole nations gave,
Man, woman, child, and infant swept into the grave,

A race whose infancy in slavery groan'd
Till trained to freedom in the wilderness,
Rebellious even to the God they own'd,
To fellow men stern, proud, and pitiless;
In the traditions of this race we find
The germs of that belief which now rules half mankind.

In such a race the Hebrew God arose,
A "God of Battles" and a "Lord of Hosts,"
Hurling red handed vengeance on their foes,
Sweeping their enemies from all their coasts,
Aiding with Nature's powers, earth, air, and water,

A fragment of mankind in its career of slaughter.

A God of mercy, but whose mercies shone
With jealous beams upon a single clan,
His majesty revealing to but one
Of all the countless families of man;
Leaving in darkness all the world beside,
Without a voice to teach or heavenly light to guide.

And yet, unlike the gods who typified
Alike the vice and virtue of mankind,
The Jew in his Jehovah deified
Alone the nobler instincts of the mind;
Wisdom and justice, truth and mercy shone
In Israel's God, but shone for Israel's sons alone.

From age to age the prophets' awful cry
Throughout the land like mutt'ring thunder roll'd,
Denouncing dooms on lust and tyranny,
The thirst for power, and the greed for gold—
Impending dooms self-wrought, which ever light
On all who violate th' eternal laws of right.

Destroying time swept on; the old faith wan'd,
Though faithless priests still throng'd the temple gate;
And gorgeous ceremonial yet remain'd,
Like robes of some dead monarch lying in state—
Street-corner prayers, and broad phylacteries,
Alms to be seen of men, and foul hypocricies.

Still'd were the thunders round Sinai's head,
The luminous column's guiding light had pal'd,
No angel's food th' untoiling people fed,
The stream from Horeb's stricken rock had fail'd;
The wondrous myths, which once had been their guide
To glory, now but fed a fierce fanatic pride.

IX.

vignette

Amid this wreck of faith a voice was heard,

Beside the whispr'ng waves of Gallilee
And Jordan's rushing stream: a voice which stirr'd,
Down to its inmost depths, humanity,
Teaching in tones which list'ning nations thrill'd
How mankind's highest destiny might be fulfill'd.

In a lone village "mid the Syrian hills
The poor mechanic pli'd his humble trade,
Whilst pond'ring on the cure for human ills,
Wrapt in prophetic visions, he survey'd
The world-wide issues destined to arise
From his life's work and his last awful sacrifice.

Sad cries from every haunt of misery,
The groans of captives and the mourner's prayer,
The tears of widows and the orphan's sigh,
The wails of want and curses of despair,
Sank deep in that divinely pitying mind,
Whose great love made its own the sorrows of mankind.

O'er Judah's land the prophet-threaten'd doom
Had quench'd the glory of the chosen race;
Around, the iron Empire of Rome
Was strangling half the world in its embrace;
All faith was dead in over-ruling right,
One God alone remain'd the monster demon Might.

Against this blind force-worship, he who saw
All the deep powers in the soul conceal'd,
Call'd into life the spiritual law
To which the mightiest brute power must yield,
That peace could conquer war, love vanquish hate,
And passion own the "gentleness that maketh great,"

Then in the far off ages might arise
A world endued with renovated life,
When men should rank and wealth and power despise,
How each might best help each the only strife;
Th' ignoble selfishness of all subdued
By the transoendant sense of human brotherhood.

Then, while the consummation of mankind
Should triumph in a reign of peace and love,

Each faithful spirit for itself should find
Its consummation in a heav'n above;
The ills of earth by joys of heav'n reversed,
Tho' earth, itself a heav'n, no more for heav'n need thirst.

"What wonder if, upon the mystic strife
Of good and ill, hope like a sun-burst beam'd,
Illumining the out-come of man's life,
In good triumphant, and his race redeem'd?
What wonder if, inspired by such a faith,
Martyrs could smile at torture—gladly welcome death?

What were the phantoms of the world around
To men who lived in wrapt expectancy
To hear th' archangel's joyful trumpet sound
Their summons to a heritage on high?
How could they care to live, or fear to die,
To whom life was a dream—death brought reality?

The light diffused from their own burning faith
Shone through the dark aisles of the catacomb;
The lions, whose eyeballs glared upon their death,
Were but God's messengers to call them home;
The stakes' cruel fires were fiery chariots, given,
As to the prophet once, to waft their souls to heav'n.

X.

vignette

Where now that faith? Where that strong living law
Which gave the new-born faith vitality—
That martyrdom of self, in which men saw
The vision of a new humanity?—
The law, down-trampled in the strife for pelf,
That each should love his neighbour better than himself?

"Be not ye called Rabbi"—From the tomb
Of him who spake the voice still seems to rise;
Yet Christian rabbis throughout Christendom
Flaunt as of old their broad phylacteries;
And Jewish pomp and pride, denounc'd in vain,
In Christian pride and pomp prolong their baleful reign.

"Lay not up treasures on the earth, the need
The morrow brings the morrow shall supply."
Spurning the Christian mandate, Christian greed
With covetous hands its gains hoards eagerly;
Of that first twelve who formed the Christian fold
Our best exampler he who sold his Lord for gold.

Where is the "Peace on Earth" which angels sang
In pæons to the new-born reign of right?—
Whilst throughout Christendom the ceaseless clang
Of arms proclaims the savage rule of might;
And art and seience and mechanic skill
Still prostitute their powers to teach men men to kill.

Is Christ, like great Pan, dead? Does naught remain
But speculative dogmas, formal creeds,
Poor parodies on faith—content with vain
And vapid words, instead of valid deeds?—
Each wrangling sect deeming its shiboleth
A passport into heaven beyond the gates of death.

Is Christ for ever dead? or shall he come
Again, as once believ'd the saints of old;
And we still say that we believe—the sum
And end of human life and death t' unfold?
While countless millions, rising from the tomb,
The dead of all the ages, wait their final doom.

Yes! Christ shall come again; is coming ever
In ceaseless resurrection in man's soul
Of that divine philosophy which never
Time shall obliterate or death control;
But like some gracious herb shall ever spread
Enriching still the soil on which its seeds are shed.

Faintly the voice of earth's vast multitude
Back-echoing from a distant age is heard,
Rejoicing in humanity renewed
In that fair type which once on earth appear'd;
If not in human form Christ ris'n again,
Yet in the life of all the human race to reign,

Oh! golden age of innocence and peace,

The poet's dream, millenium of the blest,
When envy, with its first-born strife, shall cease,
And care no longer gnaw the human breast;
The human race resting in calm old age
The out-come of its long mysterious pilgrimage.

XI.

vignette

This humble tributo to their memories
I dedicate, whose loss inspired the train
Of thought, which in these feeble accents tries
To find expression; but which, not in vain
Perchance, has sought t' express itself, or find
Some echo in the thought raised in a kindred mind.

But you—the loved and lost—you know, unless
(From which my mind's deep intuitions shrink)
Your souls have melted into nothingness—
You know the truth of all on which we think
With doubtful longing; in your loftier sphere
Th' eternal truth of all God's great design is clear.

vignette

Thirty Years Ago.

THE following account of the First Meeting of the General Assembly of New Zealand was given at a Public Meeting in Dunedin, by the Hon. Captain Bellairs, M.L.C., on the 27th December, 1854;—

MR. CHAIRMAN AND GENTLEMEN,—

Some explanation may, I believe, be expected from me in regard to my appearing before you this evening to give an account of my political cruise to the metropolis of New Zealand, A few of my friends have called the propriety of the proceeding in question. It may, therefore, be well that I should state the reasons they urge for maintaining that opinion, and the causes that appear to me to warrant my not following their advice. I will first, with your permission, glance at the position in which I was placed by my opinions respecting second Chambers, at the time of my unexpectedly receiving the patent of appointment to the Upper House of the first Parliament of New Zealand.

It is notorious that, for many years past, I have advocated the advisability of both Chambers of the Constitutional Legislature being elective. Apart from detail, I have long been convinced that some sort of elective process for the Second or Upper Chamber would be the best means of obtaining a really popular and Conservative body, to act as a check upon hasty legislation, and avert the immense mis-chief which has invariably, from time to time, arisen in countries where one Tribunal has alone had the power of acting during periods of popular excitement and delusion.

Anglo-Saxons, however, do not require argument in favor or defence of two Chambers, It is a part of their political creed to believe in them. They may, and do, differ as to the manner in which the revising House should be composed; but they never doubt the propriety of establishing some sort of dignified body who should calmly examine the proposals of the First Chamber, You may see this exemplified in their proceedings in the New World of America.

It has been my lot to meet great numbers of political characters from the States, men of all shades of

opinion; but I never heard the Senate or Upper House of the United States spoken of except in terms of the highest praise. One, and all—Whigs, Democrats, Locofocos; all agree that the Senate has, over and over again, since the establishment of Independence, saved the Union. All admit that in point of talent it is far superior to the House of Representatives, and that it is often the more popular Assembly of the two.

Now this, mark! is in the most democratic country on the face of the earth, and a very singular part of the business is, that this Senate is also at the same time one of the most conservative bodies known. It is so even in comparison with the British House of Lords, and yet it is elective. These are apparently anomalies, and yet are perfectly reconcilable where the circumstantialities of the case are considered. But I am digressing, and have been led away into a defence of Second Chambers, when I believe, as I said before, with a British audience none is necessary.

There can be but few present, who, some short years since, were not interested in the experiment of Single Chamber Legislation made by our volatile home country neighbours the French, and who do not remember the miserable failure which ensued. However, I will take it for granted that the necessity for two Chambers is admitted and maintained. Then the question with us was and is—How is this Second Chamber to be obtained? Years ago, in the mother country, I both spoke and wrote in favor of some form of election. It might be after the manner of the Americans, by each Provincial Council and Upper House electing an equal number in each Province. For it must be borne in mind, that each State of the Union has its Lower and Upper House; or some better system might be devised for this colony. The detail must be left for debate at length; but the very admission and defence of this principle almost precluded me from accepting a seat in a House which was formed in a manner nearly antagonistic. That much I publicly expressed here in Dunedin, and repeatedly, at first receipt of the commission, urged my desire not to take the seat to which I had been appointed. But there were numbers in the Province who did not consider themselves represented in the General Assembly by those gentlemen who were then going up as the elected representatives of the Province. Whether those members constituted a majority or not I will not here stop to enquire. Time will show that, and before long perhaps. But on one or two questions of the greatest moment I believe that I and one of those representatives (who had been misunderstood by many, myself among the number, previous to going to Auckland) will be declared by the public of this Province to have most truly represented their real feelings. Confessedly then, and clearly, I went up more in the character of a representative than as a member of the Legislative Council, I even publicly stated that my sympathies were with the Lower House, and that I would have sought a seat in it, had sufficient length of residence in this country given me a legal qualification. To the best of my ability I acted up to the idea I have just shadowed forth, and am farther carrying it out by giving a public account of my proceedings.

Those friends, therefore, who have attempted to dissuade me from appearing on the present occasion, and upon the score that such a proceeding is lowering to the dignity of the Upper House, will please take note of the statement just made, which shows, that ideal or not, *"de jure"* incorrect, but *"de facto"* correct, I took up the position of a representative member, and to that shall adhere even probably to the resigning of my equivocal seat, now that my object is accomplished. And, if any refuse to recognize me as what I have made myself out to be, my answer is simply that such persons undoubtedly are not of the number I represented.

By far the greater number, however, of those who have spoken to me on the subject, have urged me to act as I am now doing. Let me now mention one fact which had considerable weight in influencing the decision I finally arrived at to attend in my place during the first session.

By the Constitution the General Assembly could not proceed to business without the presence of both Houses. Now, if everybody (necessarily nominated the first time) had refused to go because he was not elected, it is evident that the affairs of the country would have been brought to a complete stand-still. No money could have been appropriated, and nothing could have been legally done with the lands, or any other matter, till reference had been made home, which would probably have taken a couple of years. There was also this further danger to the interests of the South, that by far the greater number of members of the Upper House were likely to be named from Northern Provinces; and consequently it behoved all from the South to exert themselves to the utmost. Now this danger actually assumed a substantive form, for I was the only member of the Upper House present from any part of the vast territories south of the Nelson and Canterbury boundary line. Again, the proper course would have been for the Upper Chamber itself to revise and reform its mode of obtaining fresh members, and I much regret this was not done. The hope that this would have been done was an additional reason to me to attend the first time.

I have been induced to dwell at some length on the composition and importance of Second Chambers, because, just at this moment, it concerns my present audience a great deal more than many of them perhaps have any idea of. It is, in fact, likely to be as grave and weighty a subject as any they will have shortly to consider. This has come about in the following manner:—When the present Constitution Act was passed by the Imperial Parliament it was never contemplated that such large powers, as are most probably about to be confirmed to the Provincial Councils, would ever fall into their hands. To use a commonly received expression

in the old country at that time respecting their future, it was imagined that they would be "Municipalities with enlarged powers," The best proof of this is, that those who have been quoted in New Zealand as supporting the "Federal policy" for these Islands, have recently, in a debate in the House of Commons on Sir George Grey's policy, expressed their indignation at the manner in which he had thrown to the Provincial Assemblies powers which the Home Parliament never intended them to be possessed of. I especially allude to Mr. Adderley, who expressed himself very strongly indeed upon this head, and yet, as I before said, this very gentleman has been held up here as the supporter of the identical policy he condemns.

But Mr. Adderiey is right. Whatever blame attaches, or may hereafter attach, for mischief which may ensue from the federative system is mainly chargeable to the late Governor, Sir George Grey. Had he called the General Assembly first, and insisted on the Provincial Authorities taking their powers from this great Assembly of the whole colony; the paralyzing division and subdivision, the bickering and confusion, which must, I fear, now ensue, would have been averted. Instead of doing his best to point out the very serious blots in the Constitution which bear on this evil, and which are;—first, the elective Superintendency, which clashes with the fine old British Palladium of Liberty, a responsible Ministry; secondly, the possibility of both Superintendent, Provincial Executive, and Councillors sitting in the General Assembly; a huge mistake, seeing that, if numerous as in the present Parliament, they would be sure to combine for the advancement of Provincial, rather than general, interests, and thus depart from the glorious British constitutional system of the "Balance of Power." Instead of hiding these blots, if possible, and thus setting up a number of Provincial Municipalities with a form of Government endeared to Britons, which would both have preserved the dignity of each Chief Magistrate inviolate, and have kept him in order and to his proper functions, with a General Assembly composed of another set of men to act as a strong check on the possible extravagances of these municipalities also. Instead of this wise policy, he hastily called into action all the petty jealousies of provincial politicians, many of them unused to any wider range of thought than that which suffices to prove to them how any question will affect their own narrow provincial boundaries, their own particular block, their own "*little platoons*" Men, who feel that on their own dunghills they are observable birds, but in a larger sphere sink to nobodies.

This was all beautifully illustrated during the late session. You would of course imagine, as I did once, that it would be a great matter for Wellington to become the capital of New Zealand, where the Governor should reside, and where all the Government offices, the head-quarters of the military, bringing a large expenditure, and numerous other collateral advantages would be found. To my surprise, I discovered great coldness and apathy, in the early part of the session, on this subject. It was not till after some little inquiry that I found the clue. Then a kind Wellingtonian informed me that "His Honor the Superintendent was a very great man in Wellington now, but with a Governor present he would sink below zero, like the Lord Mayor of London, who to-day is 'My Lord,' but to-morrow, his term of office having expired, returns to the plain Mr. Alderman Snooks, the great candle maker of Shoe Lane, City, Then the Provincial Secretary is almost as good as a Prime Minister for the place now, but would have to play second fiddle if a Colonial Secretary stepped into the orchestra. And, as for the unfortunate Provincial Council, they would not even be able to secure the attendance of a small boy in their strangers' gallery if a real Colonial Assembly for all New Zealand met in the town occasionally. Then there is Mr. Fox (often confounded by the illiterate with the real original Mr. Fox, of whose death they are uncertain), he might, in the General Assembly, be made to 'sing small' by some Mr. Pitt or other, whereas everybody will allow there is no chance of finding an animal of that sort to refute his vagaries in the Provincial Council at Wellington."

I mention all this to show you the reason why the Wellington men in the last session were such rabid Provincialists. Of course this would not apply entirely to any place but that where the capital should be fixed, but still more or less *ab uno disce omnes,* the taint ran through them all. Nelson was the most sound. And this brings me to the grand question which was really paramount at the commencement of the first sitting of the New Zealand Parliament.

It will greatly conduce to the proper understanding of this vital question if we look, by way of preface, into the three great systems of Government which have ruled vast numbers of Freemen in modern times. I shall use my own form of nomenclature, explaining as I go on. There is the Centralist, the Unionist, and the Seperatist. I call the French mode the extreme of centralization. Not a thing can be done in any part of the compact Gallic territory, but like an electric shock some notification or other is felt at the centre. The people for centuries have been used to have things done for them by Government, private enterprise has thus been placed in the second rank, and men never act for themselves except, when after long suffering, they burst like a torrent, breaking its banks to commit havoc and destruction for a period, and to be recalled to order only by the iron hand of a worse despotism. Paris, like a great spider, watches every motion in the web-covered territories of which she is the metropolis, and not a movement of a human insect, however humble, but is at once pounced upon and enquired into, A century more of Municipal training, which is not now in action, would scarce suffice to bring such a

people to the pitch required for the effective working of "Local Self-Govemment," "Representative institutions," and "Responsible Ministries." God forbid I should ever see the French system here! The American method is the extreme, on the other hand, of separation, kept together by the federal bond. This is the Federation proper, and of this I must treat at large presently. The best example of the Unionist policy is the British, which is a most admirable mean, combining the good qualities, and avoiding the evils of both the others.

It is this latter which I fondly hoped would prevail in New Zealand, and so it will, but unfortunately not just now. I regret it, I cannot say how deeply, but the separatist policy is that which will rule the land of my adoption for many a day to come. The *die* is cast, and none can say how long its *impress* will be stamped on the acts of our rulers. It may be for twenty years. It may be but ten, or it may be fifty. A long war in Europe would, perhaps, leave us a Hexarchy for the half century! And again, a bare lustrum of peace and prosperity might send us her thousands out of whom the political Egbert will inevitably arise to restore to us the blessings of Union as in the days of yore in Old England,

That this must come about sooner or later, I have no more doubt than that I am addressing you at this moment. It is a mere question of time. The very configuration of the country requires and ensures it. How were the present divisions obtained? By the use or abuse of what became regular New Zealand political slang phrases! One was "Geographical difficulties." Another, "Diversity of interests." And first of the latter," "Who created and kept them up? Why, the New Zealand Company, and the rulers of the country. Did not the company truckle and pander to every class scheme of that arch schemer Edward Gibbon Wakefield? Assuredly they did, and the mischief, the bitterness, and the strife that has ensued, is still extant, and will ensue therefrom, must be laid at their door. Did not their paid and salaried servants keep up these diversities which had been so designedly and deliberately initiated? Certainly they did. I am speaking generally. Many of the Company's servants had the manliness to denounce the juggle when their eyes were opened, but others kept it up as if their lives depended on it,

And the *Rulers* of the country, the very men who *ought* to have done all they could to remove these "diversities of interests" and regretable distinctions! What did they towards their extinction? At all events they never tried the greatest humanizing, civilizing, and liberalizing method of all—Free *Intercommunication*. What did Sir George Grey towards this end—towards drawing the various settlements together and removing differences? Is he not the man who preached separation, and pleaded, *ad nauseum*, another of Mr. Wakefield's slang phrases, "difficulties of communication?" When he was doing nothing to remove them, and that, too, in a country in which, above all others I ever saw, it is most easy to establish postal intercommunication. In the language of the Arithmetician—Given a good powerful steamer required to find the difficulty, A problem answered by the Messrs. Willis and the New Zealand Parliament conjointly, by the one supplying the Nelson steamer, the other a subsidy of a paltry six thousand per annum, and the "great difficulty "of Mr. Wakefield and Sir George Grey, and a host of sucking colonial politicians in England, instantly vanished, together with the necessity they urged for six separate States with all the paraphernalia and expense attendant, which they, by their charlatanism, have all but forced upon this country. I verily believe, if a good handsome grant in support of steam communication had only been made a few years since, instead of keeping up a useless old lumbering brig, we should never have heard anything of the Federal and separate State system, which is now in the ascendant, and the defence of Sir George Grey by Mr. Frederick Peel and the Duke of Newcastle, on the ground of these very "difficulties," rendering it impossible to call the General Assembly sooner after the proclamation than was done, would all have been impossible. It is, however, an evil which must in the end cure itself, There are sis Provinces now. The principle carried out will ensure sixty. Already the evidence of this is apparent. Does anyone here imagine that the people at the "Bluff" will consent to be governed by the Provincial Council of Dunedin? Of course not. The moment they are strong enough they will merely have to bellow out the old well used and successful slangisms, "difficulties of communication," "diversity of interests," "differences of origin and of opinion," &c., &c., proceed to tar and feather the first unfortunate collector of some obnoxious tax, and the ultimate Southern Province will be as good as proclaimed. There will remain nothing to do but to elect the Superintendent and Provincial Council.

In this illustrative case there are real difficulties of intercommunication at the boundary of the Otago Block. There exist a large and rapid river, a formidable gorge, and a difficult mountain track thence for many miles. It is true there is a splendid highway by sea, but that goes for nothing, as we have seen in New Zealand. Well, then there is another formidable mountain barrier to the north, and plenty of talk already of separation there, which will probably increase when the Dunedin dog tax collector returns some day looking more like a mutton bird than he ever did before. And then, what is to bo done? The only thing I can think of is a formidable expedition, consisting of the Superintendent at the head of the one policeman. Seriously, however, for this is a very serious matter, what is to be done in these small communities to enforce laws obnoxious to the peculiar interests of any well filled outlying district? Where is the force to come from which must sometimes be needed,

and where is the division of the country to end? A good strong Central General Government, after the example of Britain, might enforce obedience in a proper manner to righteous legislation; but these miserable village States, swayed as they are likely to be occasionally by a few exclusive bigots, who have managed to wriggle themselves into *power* (as they conceive it), can and will be defied with impunity. It is holding out a premium to agitation. Any busy, fussy sort of body, who will come to New Zealand now with a few score of coadjutors and purchase a property in the neighbourhood of some harbour along the coast, has nothing to do but to got a sufficient number of people round him, set up the old slang war cries, arrange with Mr. Sharp, the attorney, that he shall be Provincial Solicitor, with a snug salary, Mr. Prate to have the office of Provincial Secretary, Mr. Molasses, the merchant, to be Treasurer, and Mr, Furlong to be the Surveyor, &c, &c, &c, to the new Province "as is to be," he himself of course the Superintendent, and the thing is done. The people pay the piper, and in this way I see no reason why every little bay and indentation of the whole coast line should not, ere the before mentioned Egbert arrives, set up for a separate Province, until at last they be reduced to what the British Parliament intended from the first they should be, simple municipalities. But this, I admit, is for the present a dream of the future, a mere dream of the future.

"Tis true, 'tis pity; pity tis, 'tis true."

It will doubtless be more profitable to look at the bare reality of the present.

By both parties at Auckland the Constitution was treated as mere waste paper. Whatever the Constitution Act barred was the very thing they both proposed to meddle with at once. One set proposed to get round the prohibition by a quibble, a quirk, and a dodge. This was the FitzGerald-Sewell policy. The other thought to effect the same object in an open, but almost defiant manner; this was the Wakefield imagination. It is quite certain that if the first FitzGerald Waste Lands Bill had been passed, any one of the thirteen subjects, with which the Provincial Governments are declared incompetent to deal, could and would have been handed over to them by a precisely similar manœuvre. Now this exactly suited the thorough going Provincialists, and as the majority of the House were that way inclined, there were of course spanking divisions in its favour. I did not like the Provincial theory, and consequently did not like the Bill; but I objected to it—the Empowering and Executive Bills—upon other grounds. They proposed to vest very large latitudinarian powers in an Executive to be afterwards named—powers which it is not usual in the Home country to give to a Ministry, and where I should have desired to see much more explicit, clear, and direct legislation. It was also proposed to hand over to a rank political partizan, such as under the elective system a Superintendent is likely enough to be, the appointment of officers having a judicial capacity, than which nothing can be more dangerous as tending to pollute the very fountain of justice. It was further proposed to place in the same hands powers to organize, equip, drill, and call out bodies of Militia to the various Provinces, thus leaving to the future to solve whether an equally bad use might not be made of such a force here as has been the case before now in the Helvetian Republic, even in our own day. A Catholic canton on the one hand arranging its forces against a Protestant on the other, and *vice versa*, without the cognizance of the General Swiss Diet, and often in defiance of them.

These powers, I conceive, should remain with the Crown as at Home. However, it could not be on account of its handing over too much to the Provinces that Mr. Wakefield objected to it, for he told me himself that "she hoped before he died (and he is now verging towards the last years of three score and ten) to see six *separate States in New Zealand*, with (not six Lieutenant Governors, but) six *Governors*, and a Governor-General for the whole." These were his *ipsis-sima verba!"* Now, I say it with deference as opposed to the opinion of a man of such talent and experience as Mr. Wakefield, but I think this an absurdity as applied to a country of the size of New Zealand.

I can understand that New Zealand may federate, but not with itself, which this Hexarchal scheme would render obligatory.

I can understand the colonies of Victoria, New South Wales, South Australia, Western Australia, and Van Diemen's Land, each of them immense territories as large as many of the larger European States, with the exception of the latter, which is an Island peculiarly constituted. I can understand, I say, that these should federate in the proper sense of the term. I can even understand a great Austral Band or League for the regulation of postal and tariff arrangement, and composed of all these as integral 'portions, which New Zealand should join, and thus federate as before observed; but I cannot understand her federating with herself, with a cumbersome machinery of Governors and Governor-Generals, and Central Congresses, and Provincial Parliaments, composed of Upper and Lower Houses, for here is what I beforo hinted at. If you adopt the American federal system, giving the Provinces powers equal to States, and allowing them to legislate in the same manner as one of the States of the Union, yon must for safety sake copy their example of having two Chambers in each State, or you will at once fall into an error they never were guilty oft namely, single Chamber legislation. For certainly, as things are now going, your General Assembly is or will soon bo reduced by tacit consent to a more Board for the regulation of postal and tariff matters, without power, and which even in these points the Provinces will defy, either openly or secretly, as they may feel disposed.

Then you must establish a Supremo Court, without which a Federation would not be workable. It has to judge cases between parties of different States, between different States themselves. Its jurisdiction being respectively appellate or original, and you must be prepared to accept all the confusion and evil which would undoubtedly ensue from different laws on the same subject in the different Provinces. Now, I ask, is all this lumbering, complex machinery suited to these small Islands, and would not the old British plan have been far preferable. If you answer "Yes," then you would neither have agreed with the Wakefield or FitzGerald principles. But you will say, how came they, then, to disagree? I believe they need never have done so if common tact had been used when Mr. FitzGerald was forming his Ministry,

I remember an old Play in which an ancient legal gentleman always would quarrel with everybody who would not take his advice, He was made to say on all occasions, "If you like my advice, take my advice, and take it. If you don't like my advice, take my advice, and don't take it. Anyhow take my advice. Six and eightpence, Sir, if you please.' Now, Mr. Wakefield's position with regard to New Zealand unquestionably entitled him to expect that he should have the six and eight, like the old gentleman just alluded to. This was not done. His advice was not asked, and he consequently placed himself in opposition and tripped up his less cautious and more youthful adversaries as they thus became. I believe good will accrue to the country out of this very split.

Before leaving the great general question of federative or unionist principles for this country, I should be glad if you would listen for a moment to the opinions of a man who has long been prominent in the liberal ranks of British statesmen, who is a bright ornament of the country that gave him birth, and who has done more towards pushing forward measures of real practical reform than most of his compeers, I mean Henry Lord Brougham, We are not yet a Federation, and perhaps if the people of this country be awakened in time to the evils that such a bond would bring with it, they may still avert an incalculable amount of mischief.

Lord Brougham, speaking of the American Constitution, says:—" We have seen that this Constitution professed to lay down certain fundamental laws, which are binding not merely on the subject but on Congress itself, and upon all the State Legislatures. Hence arises the anomaly that the Supreme power is fettered: there is not, properly speaking, a Supreme power; Congress is tied up: that is done by the American Constitution which in the British is held impossible; the hands of the Legislature are bound; a law has been made which is binding on all future Parliaments. When we at first contemplate this state of things it appears to be sufficiently anomalous; and yet a little reflection will show us that it is to a certain extent the necessary consequence of the Proper or Perfect Federal Union, There is not as in Britain a Government only, and its subjects to be regarded, but a number of Governments—of States—having each a separate and substantive and even independent existence, originally thirteen, now two and thirty, and each having a Legislature of its own, with laws differing from those of the other States, It is plainly impossible to consider the Constitution which professes to govern this whole Union, this federacy of States, as anything other than a Treaty, of which the conditions are to be executed for them all; and hence there must be certain things laid down, certain rights conferred, certain provisions made, which cannot be altered without universal consent, or a consent so general as to be deemed equivalent for all practical purposes to the consent of the whole. A most extensive provision is made for maintaining this Constitution and repressing all infractions upon it, whether by the Central or the Local Legislatures. The States Courts, the Supreme Court especially, have the right, and it is their bounden duty to declare any given law which may have been made with all the appointed forms of legislation, unconstitutional as against the fundamental provisions of the Union, or as against the laws of any given State, and to refuse it all operation and effect. Thus, a law—a solemn act by the Supreme Legislative Power in one State, or by Congress itself, a statute clothed with all the legal solemnities, a law, for example, to which the two Houses of Congress and the President have given their assent, is declared to be illegal, is pronounced to be no law, is adjudged not to be binding, is treated as a mere nullity, because contrary to the Constitution; and this is done by Judges appointed to execute the law and to administer justice under it."

Now this unpleasant predicament is a certain result of the federative bond which must ensue here if the present separatist principles be earned out, as they certainly will be, should the people not interfere, and that right speedily. Lord Brougham continues;—" Besides the other defects of the Federal Union, its manifest tendency to create mutual estrangement, and even hostility between different parts of the same nation, is an inseperable objection to it. Small communities are exceedingly apt to conceive against their neighbours feelings of rivalry, jealousy, and mistrust; *each individual bearing so considerable a proportion to the whole society* that the worst personal prejudices and passions are nourished, and the tone of the whole takes the turn which these bad passions tend to give it. If any illustration of this truth were wanted, we have only to look to the history of the Italian Republics. The Government always is influenced by such, feelings, most of all in a democracy, but in a great degree also in an aristocracy, and even in a petty principality. For the rulers themselves, in such a narrow community, partake of the general sentiments even if public opinion should not sway them. Whoever would see further proofs of this position may be referred to the ancient Commonwealths

of Greece, As a Florentine hated a Siennese worse than a German, or a Spaniard, or even an infidel in modern times, so of old did an Athenian hate a Spartan, or a Theban, worse than a Persian. Now the Federal Union, by keeping up a line of separation amongst its members, gives the freest scope to these pernicious prejudices, feelings which it is the highest duty of all Governments to eradicate, because they lead directly to confusion and war."

I have hitherto made repeated reference to the United States of America, almost I fear too often; but the truth is, no other instance affords so remarkable and instructive an example and warning to the people at present inhabiting these Islands. Why should we refuse to profit by the experience of nearly a century's trial of the Separatists' theory? Why should we accept a miserable brass farthing imitation of Yankee-Doodleism in its worst features, when there is so much that is good which we could copy to our great advantage? The Great Washington, Hamilton, and several other early American Statesmen, did all in their power, at the time of the declaration of Independence, to avert the evils so forcibly described by Lord Brougham; but Jefferson, Hamilton's rival, at the head of the furious Provincialists of that day, succeeded in defeating these wise proposals and introduced others, the sad effects of which are to be seen in bold relief as beacons for our guidance.

Now, however, I will go further back to parallel the state of affairs I saw up at Auckland with regard to a body of men who are playing a very remarkable part in the present political crisis. I allude to the Superintendents, and I call them a body, because in number in a House of only thirty-seven members, and with the immense patronage they possess, they were a very formidable body, formidable to the rising liberties of the people of this country. There were no less than five out of the six present, and the influence they exercised was very noteworthy, The officer administering the Government was himself a Superintendent, a position he never ought to have held. The Prime Minister (Mr. FitzGerald) was a Superintendent, and pretty handsomely he looked after the powers of his office. The people of Nelson had wisely determined that their Superintendent should not sit in the House of Representatives, but he was present in Auckland during a considerable portion of the session, as was also the Superintendent of New Plymouth, The Superintendent of Wellington was also present as a member of the House. I believe it was a great blot in the Constitution ever to allow these gentlemen to fill the position of representatives, or to leave their posts for the purpose of forming another estate up in Auckland, as they did; for a more dangerous phalanx than they could become I cannot easily imagine. As it was, they used to meet, lay their heads together, and what with their own members, and the numerous votes they could, *for excellent reasons*, command, would dictate pretty well what course they wished to be pursued.

Really the reference I am about to make to the ancient Confederacy of Bœotia will, I think, warrant the proposition I have to deduce from it, that if these pranks are to he continued we should follow so good an example,

It would be far cheaper and simpler than the present complex machinery. In the old Greek Confederacy then, there were ten principa! cities, each governed by a Bœotarch, who answered as nearly as may be to the Superintendent of New Zealand. Thucidides in speaking of them, assigns to the Bœotarchs and Councils supreme dominion. These, for the Government of the whole country, met once a year, and formed what was termed a Diet. Each delegate or Bœotarch acted almost exclusively as the advocate of the special interest of the city of which he was chief magistrate. Now, this, to judge from their proceedings and expressed opinions up at Auckland, would exactly suit the ideas of several of the present chief magistrates of New Zealand Provinces. Their ultra Provincial notions would make the General Assembly a useless excrescence. How much better then and simpler not to send any members at all, but let the Superintendent for the future act as delegate to the capital for a mouth or two in every year. No longer stay would be required for, being a colony, we could not, even in our Diet, take into consideration the questions of peace or war, or relations with Foreign States, which occupy so much of the time of Imperial Parliaments and assemblies of independent Powers.

A very short time would suffice to settle the matters of Tariff and Postal arrangements to the full satisfaction of their Mightinesses the Bœotarchs, for I propose that they should have the title, as being more sonorous and better suited to the increased dignity of the office than the present one, which is apt to be confounded with the heads of the Police Department, and was, to my personal knowledge, expressly selected by the British statesmen who framed the Constitution Act on purpose that they might not have too conceited an idea of themselves, I say the name was carefully selected as a reminder to the holder of the office, of the kind of duties he was expected to perform, I can positively affirm that the words "Lieutenant Governor "were in the first drafts of the Act, but were thought too grand and to imply too great powers. The term "Superintendent" was finally fixed upon as indicative that even as a Superintendent of Police has to see to the efficient performance of their duties by the force under his command, and to look after the peace and order of his district or borough, so a Superintendent of a Province was to see that his executive did their duty, and look after the peace, order, and good government of his Province; but in like manner as it would be highly indecorous for a head police officer to be a violent party-man, so it would be in the highest degree improper for a

Superintendent; to be a heated partizan. It was intended that from the moment a Superintendent accepted office he should be a man of no party, even as the Queen of England is Sovereign of all parties, not of any party in particular. It was never dreamt that such office-holders should go in troops to the capital and influence the legislation of the country. Nor was it supposed possible that such outrageous proceedings, as we have witnessed here in Otago, could come to pass. That anyone holding the modest title of Superintendent should take upon himself to disperse his Parliament after the manner of a Protector; should lecture and dictate to the people's representatives in a style that would never be tolerated from the Governor of a State in America, and hardly from the President himself; should refuse to govern by the time-honored system of Britain; should laugh at responsible government; insult some members, and keep others in place, who have neither fitness for office nor the confidence of the House or people. And all this because this Superintendent has an obstinate and rooted desire to carry out a peculiar set of class principles in an absurdly small portion of the magnificent Province where he has the honor to be Chief Magistrate.

To sum up my impressions of the general current of opinion, which seemed to pervade honorable members at Auckland, another extract will describe, in better language than I can use, the difference I wish to convey. Lord Brougham, after reviewing the various experiments, says:—"In all those attempts (ancient, Dutch, Swiss, and American) it must be carefully kept in mind that there was nothing whatever of 'Representation.' There was choice, there was election, the people selected a functionary and appointed him as their delegate—that is as the delegate of the whole community—to act for it in the convention of delegates from oilier similar communities. He was to declare their particular will, and not consult for the good of the whole. Each member of the Federal Union was heard by its delegate, as if it had been heard by itself. He was like an Ambassador sent to treat with the Ambassadors sent by other States. He was not a Representative sent by one portion of a community to consult with the Representatives of other portions of the same community, and to devise the measures best adapted for securing the interests of the whole. On the contrary, he was an agent commissioned to watch over the separate independent and possibly conflicting interests of his principal. In some sort the interest of the whole Union was to be regarded, because it was the interest of the part which sent him to preserve the existence of the whole. Mutual protection, the origin of the Association, implied mutual aid, and in a certain degree mutual sacrifices, for the safety of the whole. In no other sense had the delegate a true representative character. This is the first and leading distinction between the ancient and modern principles.

"The other distinction is hardly less important. The General Council or Diet had no concern whatever with the internal administration of the State a which were represented in it, The only subjects of its deliberations were those matters which concerned the mutual intercourse of the different States, and their common interests with respect to foreigners and other States, or their confederacies. Each State was sovereign and independent with itself, and administered exclusively its own affairs.

"Nothing can more than this show how entirely the delegates must be considered as mere agents or ambassadors, how differert their functions were from those representatives, how completely the Government of the whole Federacy differed from a Representative Government. The utmost that can be said is, that the Union was representative, *quoad hoc*, representative as far as the international relations of the different members and the common relations of the whole with foreign powers were concerned. In the same sense Ministers, sent to a Congress of European Powers, may be said to represent the different States in settling international questions and questions regarding other powers not admitted to the Congress.

"The Representative principle, the grand invention of modern times, is entirely different in both these essential particulars. It consists in each portion of the same community choosing a person to the share of that portion in the General Government of the whole shall be entrusted; and not only the administration of the affairs of the whole as related to other communities, on the administration of the affairs of each portion in its relation to other portions of the State, but the administration of all the concerns whatever of that separate portion. Thus the delegate from Thebes, in ancient times, or the Bœotarch, as he was called, being probably a Lord and the Chief Magistrate, in his quality of Deputy of the Diet, only represented the interests of Thebes in that Diet, and he only consulted there respecting the relations between Thebes and the other Boeotian cities, or respecting the relations of the whole Boeotian Union with Foreign States, as Athens or Sparta, But the Representative from London to the British Parliament, or from Paris to the French Chamber of Deputies, are authorized not only to consult respecting the relations of Paris with Marseilles, and of London with Liverpool, or of all England with America, or all France with Spain, but they have exactly the same authority to consult and enact respecting the police, the magistracy, the civil rights, the criminal laws of London and Paris.

"The difference here stated between the Federal delegate and the Representative *does not depend upon the way in which he may regard a representative's duty with respect to the interest which he is bound to consult. Whether he is to obey the instructions of those who choose him, or to follow in the course indicated by his own judgment*. Whether he is to regard himself as representing those who elect him, or the whole State, he is still vested with an authority, and exercises functions different, and different in kind, from those of the delegate to a

Federal Congress. The matters, respecting which he is to consult, and on which he is to decide, are specifically different from those which fall within the delegates province. They include the latter, but their most important branch is foreign to the commission of the delegates That commission is in its nature somewhat occasional.

"When a treaty is in progress, when any dispute has arisen between members of the Federacy, then the functions of the Congress come into active service. But the duties of the representatives comprising the administration of internal affairs, the affairs of every portion of the community of each State in the league, are constant and not occasional."

At the risk of wearying you, I have now placed before you the difference between the Federal delegate and the Constitutional representative, and I have done this because at the present juncture a right comprehension of this extremely difficult question and a proper mastering of the distinction between the two kinds of functionaries is essential to the understanding of what passed at Auckland. For at least two-thirds of the House of Representatives appeared to me to be supporting measures which would inevitably render unnecessary the functions of the representative proper, and bring into activity the occasional Federal delegate only. The thing was not done, but that was the tendency, and the mischief to the South, and especially to small communities like Otago, can be best estimated when it is known that an Auckland member proposed that the Province of Auckland should be represented by 21 members in a House of 48 for all New Zealand, and this too was supported by Mr. Wakefield, the originator of the Separate State motion.

Otago was to retain its two, and what sort of chance I should like to know would it have in such a Congress when its interests clashed with those of the North. The idea was monstrous, and was only equalled by the treason which induced these same Southern members not to vote on the question of having the seat of Government in a more central place than Auckland.

Electors of Otago! take my advice, and mark every man who was a defaulter on the division in question, one in which the best interests of this place were scandalously sacrificed.

In a social point of view the result of a leaning to separatist principles is equally reprehensible. The same great writer from whom I have so largely quoted says:—" Undoubtedly great public spirit may be expected to prevail in such a community, each individual of whom feels his own weight and importance, instead of being merged and lost in the countless multitude of a larger State.

"But the advantage is more than counterbalanced by the attendant evils of petty contracted ideas, which such a narrow community engenders, and especially by the restlessness which arises among all the people when each takes as much interest in the State concerns as if they were his own. There is thus produced both an over zeal, a turbulent demeanour, a fierce and grasping disposition, hardly consistent with the peace of a community; and also a proportionate inattention to men's private affairs, inconsistent with the dictates of prudence, and a disregard of the domestic ties, equally inconsistent with the charities of private life. "

All this sounds very melancholy just now that we are about to be plunged into the very dangers so lucidly described by the great Ex-Chancellor. But it is far better we should go into them with our eyes open than blind our senses to results which must follow the fashionable doctrines of the day, so sure as that light comes with the rising of the sun. And, indeed, we shall have but little choice in the matter, and must e'en go with the torrent which is already flowing fast and furious in the older and more powerful Provinces.

I have now, Gentlemen, at some length, explained to yon my views on the great question which agitated New Zealand at the time of the first gathering of her accredited politicians. You will perceive that I desired to follow in the well tried and glorious path of our forefathers in Britain, as contra-distinguished from the extreme Separatist system of America, on the one hand, and on the other, from the pernicious and liberty-destroying over-centralization of France. Any vote or opinion either in my place in the House, or out of it, when this subject was discussed, was given in accordance with this deliberately and decidedly adopted principle.

The next question in point, both of order and importance, that merits attention is, that of "Responsible Government." On this there were differences of opinion as to the manner of carrying out the principle, but none as to the necessity of adopting it one way or the other.

You will find a speech of mine in the *New Zealander* on this subject, which will give you my publicly recorded conviction on this matter long before the celebrated "difference" which took place between the Officer Administering the Government and his first advisers under the new system. You will perceive that I declared my persuasion that no other plan could be devised which would work harmoniously with the free institutions under which we now lived that I thought no other than the "responsible" form possible, and that I entirely separated myself from all who were inimical to it. When, however, the "difference" I have just alluded to did take place I was obliged to side with His Excellency, for the sole reason that, after calm consideration, I found he had done all he could do to inaugurate the "responsible" form, and that more was demanded of him than was absolutely necessary for a brief period, and than as a man of honor in his peculiar position I thought he could accede to.

You will observe a wide difference between this and what has recently occurred in this Province of a

somewhat similar nature.

In the first instance, there were real practical difficulties in the way. In the latter, there was nothing to prevent the Superintendent from acceding to the wishes of a majority of his Parliament, and, after the immemorial custom of constitutionally governed countries calling in a ministry which would command the confidence of that Assembly.

The next point to which I will allude is the "notice of motion" which drew from the ministry the introduction of a clause into the Waste Lands Bill, and upon which clause one of the members you sent to the House of Representatives recorded a vote at variance with the other two.

This notice was called forth by a speech or address of his Honor the Superintendent of Otago, in which he advocated a tax for the exclusive benefit of one class of Her Majesty's subjects in Otago and other objectionable class difierences, a report of which reached Auckland just at this period. I cannot well describe to you the strong feeling which was almost universally expressed upon perusal of this document, I was asked on all sides, What! do your people at Otago suffer their representatives to be lectured and browbeat by such documents as these? Is this the liberal majority you have declared to us does exist in your Province? Does this advocacy of a State Church come from the Free Church? My answers were: I still maintain that there is a liberal majority in Otago—that they desire the destruction of the class scheme as much as I do, and that the true spirit of the Free Church is not breathed in that document. I will prove to you that I think this by my acts here, and I will rely upon my convictions and appeal to the people on my return.

It was evident that something decisive was necessary, for this settlement was sinking fast in the estimation of all liberal men.

My position in bringing this matter forward for solution, in the first place by the General Assembly, was, in a very humble manner, similar to that of one of England's greatest poets and patriots, the immortal John Milton, when he himself, a Presbyterian Puritan, wrote these words on the title page of one of his most glorious prose works:—

"The Areopagitica, being an apology for the liberty of the Press, occasioned by the tyranny of the Presbyterians by follies which have surrounded the name of 'Puritan'—the name of a magnificent people—with contempt," That is the great man's title page.

In like manner, but in humble guise, I said that which I said in Auckland. I did that which I did there, to free a liberal people from the slur, and a liberal church from the opprobrium, which a "little platoon" would fasten upon them.

I wished it to be distinctly understood that the proposition I before alluded to is scouted by the liberal members of the Free Church of Scotland in Otago, who are unquestionably the majority, and that it is but a narrow but active minority who uphold it. But it was to show these last that the liberal spirit of the age prevails in the General Assembly of New Zealand, and to leave them no hope of further exclusiveness that I proposed to take the sense of the Houses on the subject before us. Alas! it was such men, as the "little platoon" I have just alluded to, who made the immortal bard exclaim, "How many things might be tolerated in peace and left to conscience had we but charity, and were it not the chief stronghold of our hypocrisy to be for ever judging one another." And what else is it but "judging" another to oblige him to contribute towards the "building" of an establishment from which he dissents. It is adjudging him to pay a fine because he does not agree with oneself, and therefore "judging" him for his opinion,

Thank God, I am of a family who have ever protested against the injustice of dissenters paying church rates in England, Thank God, that after centuries of struggle the British House of Commons has at last decreed that they shall be swept away, even though the State Church go with them.

Having consistently denounced them there, I could fearlessly attack them here, although years of prescriptive exaction gave a gloss to the injustice there which was utterly wanting here.

And yet the very basis of the class Schemes attacked by me in Auckland must be injustice of this sort on the non-conformist. The only way to obviate this would be to imitate the example of old Spain; make it *penal* for dissenters to exist within the territories of the Schemers; expel such a miscreant as should ever alter his ideas on the peculiar views he once thought right; confiscate his property and render him a pariah and an alien. Unless this were done the first seceder would be the nucleus of agitation, bitterness, wrath, strife, dissention, and all that is unholy and unchristian. This has been the case here, and has been the case in the Old Country with the State Church, and her answer to dissenters, "If you do not like church rates, be off to America where you will have none to pay,"

Does any one doubt the result?

Gentlemen, I said up in Auckland, and I repeat it to you here, it is time the unsound nature of the ground upon which these class settlements have been vegetating should be laid bare. The stunted character of their growth pointed out, and their blighting influence over the district where they exist brought to light, It is time we should recognize that these class Schemes are a rampant offence against sense and justice; that they cause

theological squabbles to be brought to bear perniciously upon the policy of the country; that, in fact, they are fit only to be the "pabulum" of a class of human beings described by the great Puritan in the work I have before quoted from as "bigoted and fearful, who had rather the world went without light at all if the light came not through their casement," who are ever ready to disinter a defunct body for the purpose of fighting over its corruption, like wolves over a corpse they have rooted up.

Happily, there are few of this kind. Fortunately, wise men can see their own mistakes and admit that a body of well-intentioned theorists were disappointed in the measure of success they fondly hoped would attend their theories in practice. It has been well said that "all attempts of the kind must necessarily be experimental in the same way that all great changes in legislative policy must inevitably be experimental to a great degree;" but a wise theorist will be ready to retrace his steps when he finds insuperable difficulties, in like manner as a wise lawgiver will ever be ready to abandon his course when he finds that he has, without desiring it, entered upon the wrong one, What are we asserting in this, but that men are finite beings who never can calculate upon the result of their most deliberate measures?

Nevertheless, there must be an entire absence of party feeling, there must exist no cause to warp the judgment when deciding as to success or failure. There must be no hankering after a darling pet Scheme, no defending its evidently unjust tendencies in the way that a fond mother ever takes the part of the most mischievous of her children. And, *especially*, there must be no *retaining fee* or *hope of favour* to be obtained by the transmigration of the spirit of the Scheme to another substantive corporation.

Now, I will not say whether all who are pronouncing judgment on this question are in a position to answer entirely free from any such bias; but, I maintain, that until they are so situate, their evidence must be looked upon with suspicion, they cannot be admitted as likely to form an honest judgment until all connection, all ties, have been severed with the Scheme at the bar of public opinion.

Fellow colonists, it was by such words and acts that I did my best to relieve you from the millstone which, from the commencement, has been hanging about the neck of this fine settlement, from the incubus that has paralyzed and weighed her down,

My great opponents were—Mr, Gibbon Wakefield, who claims the paternity of the Scheme, his son, who is therefore its brother, and Mr. Macandrew. Mr. Wakefield assailed me personally in the House of Representatives, where I had no opportunity of replying. He twisted the facts of the case as an eel does a mesh of wires, and actually asserted that Otago had been a loving, united settlement, without dissension, until your humble servant made his appearance, when it was instantly transformed into a hotbed of fever and discord. How true this was many of you now present, and the pages of the *Otago News*, now extant, will answer.

Mr. Macandrew took up his song in a much more judicious manner; and, considering the rotten cause he had to defend, did the thing extremely well, he deserves great credit for the talent and caution he displayed on the occasion.

Parodying the old English ditty—

"Pity the sorrows of a poor old man
Whose trembling steps have borne him to your door,"

he commenced his appeal—*ad misericordiam*—

"Pity the sorrows of a poor Scotch settlement,
Whose chief desire is to keep up their 'scheme,'
Whose only aim is to maintain their babes,
And keep the roaring English Lions from their door."

It really had a great effect, as all appeals to their kinder feelings always have on a true British audience.

Mr. John Cargill sat at his feet doing the part of the "old man's" poodle with his hat in his mouth ready to receive the pence, or rather, in this instance, the votes of sympathy.

Mr. Cutten, to my astonishment, took an opposite view, and growled considerably; he declared, "One might as well try to galvanize a dead frog to life again, as attempt to get any vitality out of the Otago scheme," In fact, he acted as liberal a part as any reformer could desire.

Dr. Monro, one of the members for Nelson, a true son of Scotia but an eminently talented and liberal mail, exposed the absurdity of the attempt that was made to show that this was a Scotch and English party question. He said that to ally religion to these class schemes was to "prostitute religion," and I think he said well and truly. Really, if it were not mischievous, it would be ludicrous in these days to hear the assertion that a diversity

of interests can exist in this Province between the natives of the North and South of the Tweed. After two centuries and a half of Union, at a time when the Protestant Englishman, the Roman Catholic Frenchman, and the Moslem Turk, are fighting the battle of liberty side by side, with Lord Aberdeen, a Scotchman for the able Prime Minister of Old England; we are, forsooth, to keep up distinctions which are forsworn in the laces whence we came and behave in a way which was in fashion between the Ngatipaoa and the Aupouri tribes before the arrival of the European, and which they are thoroughly ashamed of now.

In conclusion, I have to say that the object I had in view in going to Auckland was, by every means in my power, to throw open this unrivalled Province to all classes of men upon an equal footing.

The break up of Responsible Government, and the fact that domestic circumstances imperatively called for my return to Nelson, prevented me from pursuing this matter to the end, but I regret it the lees seeing that you will have here to give an answer to the question whether you choose to carry on a theory which never can succeed, because it was made to fit human nature rather as it should be, than as it is, or whether you will not rather accept the words of Holy Writ, and I say them with all the reverence of which my nature is capable.

"Let us not, therefore, judge one another any more, but judge this rather that no man put a stumbling-block or an occasion to fall in his brother's way."

Lyon and Blair, Printers, Wellington.