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ART. IV.—THE MISCELLANEOUS WORKS OF
 THOMAS ARNOLD, D.D., late Head Master of
 Rugby School. Collected and Republished. London:
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THE volume before us is an acceptable addition to those previously published, and will be to many readers wholly new. Few, except the author's immediate friends, can have been able to follow him in country newspapers and fugitive pamphlets, and none but classical scholars are likely to possess his edition of Thucydides, from which two essays are now extracted. The prominent subjects of the new volume are political, and as such alone we shall here notice them, especially since we have already given so large attention to the other sides of Arnold's mind in religious and ecclesiastical relations.

For many reasons, we hope, these essays will be read with greater interest and profit, and much more extensively, than at the moments of original publication. In the hurry of political contest, men do not listen with impartiality, and numbers make it a rule not to open their ears at all to arguments from an opposite side. The crises of excitement are now past; yet most of the maladies remain, and calm search for a cure is more called for than ever. Statistical and other facts have been made notorious in later years, which give us great vantage-ground in exploding false theories and vain remedies; meanwhile, Arnold's political and ecclesiastical opponents have learnt that his religion was unaffected, deeply-seated, and pervading his whole man; that his charity embraced their persons, where it deprecated their proceedings; that his public spirit zealously aimed at the support of Order, Law, Authority, Property, and Noble Rank, as essential means for blessing the mass of the community with Independence and Freedom, Knowledge and Goodness. On topics which concern the welfare of the labouring population, we are encouraged to believe that few voices would at this moment be more widely heard by the English nobility and gentry, than Arnold's; and there is a spirit in this volume which will leave its echo in many bosoms.

Among the hundreds of able men who have conducted education in our Public Schools and Universities, it is hard to find a second, whose energy and deep public interest so overflowed to sympathize with those millions of his countrymen who never came under his eye. Nay, among the far more numerous body of active and zealous men, whose exertions carried the Reform Bill into a law, it is equally difficult to find any who, like Arnold, sagaciously discerned its imperfection as a legislative measure, and its inadequacy to remove the miseries of the country, had it been made ever so perfect. In the midst of that great excitement, Arnold maintained that the Reform Bill did not embrace a sufficient number of classes in the representation;—a fact which, we think, has been long since brought to light. His own scheme added to the Bill a plan for the representation of the agricultural and manufacturing labourers, and of the monied and commercial interests as such (pp. 153, 154). Yet we do not say that any of the calamities and disorders which have since occurred would hereby have been obviated; for we hold it as undoubted, that the grievances of our labourers are, as Arnold declares, *social*, far more than *political*; and they are too ignorant themselves to know how to remove them. On this subject he has the merit of having strongly uttered his voice, before the name of Chartism was heard; before Mr. Oastler, Thomas Carlyle and Lord Ashley had commenced their various careers; and while as yet the masses of Birmingham were shouting for “nothing but the Bill.” Arnold’s historical acquaintance with Greece and Rome had at an early time showed him that the nature of our present crisis is, the struggle of Rich and Poor; and how untractable such a disorder generally proves, unless large social and pecuniary concessions are made on the part of the rich. To this topic he addressed himself in the end of the excellent Essay on the Social Progress of States, prefixed to his first volume of Thucydides. The danger incurred from masses of men living in towns, without organization, without property, in no close contact with a superior class, animated by the pride of freedom and the brutal ignorance of slaves,—haunted the soul of Arnold as a ghastly apparition. We think he has much overrated both the ignorance and the ferocity of

our town workmen ; yet if there be over-painting, there is still too substantial a truth in his representations. Once more ; while no man could more vehemently desire national education in its widest and highest sense, and while (we think) he would not have shrunk from rather despotic measures to overbear dissenting scruples,* he broadly lays down—what we heartily wish that legislators for Ireland as well as England would learn—that *the first and most necessary education is that which arises from the possession of property*, which in itself (as he quotes with approbation from Mr. Laing, p. 480,) teaches and exercises many political and moral virtues ; and is an essential preparation for culture by books. From Greece and Rome, Arnold had imbibed the belief that every freeman ought, if possible, to be a freeholder ; and that when, through political mismanagement or public misfortunes, a large mass of freemen have been degraded into the dependent condition of slaves, without such a certainty of food and covering as the slave enjoys, true wisdom and expediency, as well as national justice, demand a large sacrifice on the part of the richer classes, in order to restore the poor out of their depression. He had no idea that the effects of long misgovernment and ruinous war, the evils of which are “neither local nor temporary,” (p. 497,) could be got over by the comfortable orders without any self-denial,—by a mere political rearrangement ; and we earnestly hope that his declarations will be re-echoed in the ears of the rich, that (in a political, though not in a legal sense,) *they have to make restitution for the past*, and must not grudge pecuniary sacrifice. In this spirit every humane man, every patriot, and every prudent calculator, should approach the great question of the Condition of England : nevertheless, we will add, so vastly do the real resources of this country, in our judgment, transcend any thing which Arnold imagined, that we are far from believing that the rich would ultimately lose by what might seem a splendid generosity. Our persuasion is, that if they acted in the spirit of Faith, aiming to do good, and forgetting self, they would first raise the poor, and next thereby be made richer themselves. There

* He more than once, if we remember, rather insolently compares tenderness towards men's aversion against a State Religious education, to “consulting thieves whether we are to have gaols and constables.”

would be less room for the haughtiness of superiority or the sullenness of dependence, but more for generous guidance and intelligent obedience.

The last excellent and important principle laid down by Arnold, to which we will here call attention, is not worked out by him with the fullness which he himself felt it deserved:—*the essential difference between small landed freeholds and small landed tenancies*. To prevent large estates from swallowing up the little ones, he was sensible that stringent measures might be needed.

“Something must be done to restrain the enormous accumulation of [landed?] property in single hands; to facilitate its acquisition, and secure its possession to the mass of the community. Men must distinguish clearly between small tenancies and small [landed] properties. The former, as in Ireland, are but a source of servility, wretchedness, and crime; the latter, as in Norway, and in every other country where they have existed, have been a source no less sure of independence, comfort, and virtue.”—P. 501.

This difference has been lamentably overlooked in the whole discussion concerning *allotments*, the beneficial efficacy of which must depend ultimately on their leading to freehold possession. Landholders of even moderate property might do, we are convinced, immense good in this direction, without any pecuniary sacrifice. Instead of letting small patches of land at a rent four times as great as a farmer would pay, (a species of extortion which we are grieved and ashamed that so humane and public-spirited a man as Earl Radnor should defend,) suppose them in the first instance to let the allotment on the ratio of a farmer's rent, with the promise that to those who cultivated it well, the plot should be first given in lease, and next sold, whenever they could pay *a sum now named*, calculated according to the present value of the land. We know that the greediness of landholders estimates as their own all the improvement of the soil which the tenant may bring about; but however this may be legally true, it is not morally just, except when the rent has been set below par with a view to attain the improvement; and, in fact, the cupidity which tries to appropriate what is another man's, detains our soil in a most backward state. This cannot be corrected by law while the organs of legislation are subject to the landholders; and it is to be

feared, that while *English* peasants are kept in their present degradation, no British Parliament will dream of converting the *Irish* even into copyholders. It almost drives us to despair, when we find that the thought does not even cross the mind of the enlightened Lord Radnor, that our agricultural labourers ought to possess freeholds ; and when his extortionate and most ill-timed enunciations are applauded by the organ of the League as a noble speaking out of unpalatable, but wholesome truth. But we are satisfied that if a peasant had his allotment at a farmer's rent, (adding, if necessary, a slight consideration for the trouble or uncertainty of getting payment,) if also he knew beforehand the moderate price at which he would be allowed to purchase it as his freehold ; he would make so great exertions in its improvement as in a few years to enfranchise himself. A truly public-spirited landlord would moreover so place the allotments, as to allow of doubling and tripling the freehold to those whose industry proved equal to the task ; and a new race of small independent farmers, if the landlords chose, would arise, as a link between the greater farmers and the labourers. For small *tenant* farms we have nothing to say. The progress of scientific agriculture will probably exterminate them ; but this is an additional reason why efforts should be made to multiply small freeholds ; since the poor have otherwise no suitable investment of their savings, and little stimulus to industry.

Indolence, and a dislike of all change, except that which aggrandizes their families or their order, will no doubt raise the Malthusian objection :—"If the peasants had freeholds, they would subdivide them among their children, and the land would soon swarm with a redundant population, as in Ireland !" Objections drawn from this head deserve no reply, (whatever may be the abstract truth of Malthus's doctrine, as an agricultural and physiological theory,) because they equally apply against every attempt to do good to the mass of a nation. Yet we believe the objection is seldom more out of place than here. First, because we propose *not* to multiply small tenancies, as in Ireland, but small freeholds, as in Norway and Prussia ; and that makes all the difference in the world. Secondly, because the mode of avoiding the evil dreaded is obvious

in England, and its neglect is a chief cause of misery in Ireland; namely, to develop properly the manufacturing and commercial sources of livelihood. If the children of peasants can *only* live by the soil, a subdivision of little freeholds may take place; to effect this, a proper recipe is—to cripple manufactures and commerce; but as long as this is not done, there is little room to fear that the attempt to make small freeholders can produce a worse state than the present.

Unhappily, down to the present day, the very opposite process is still active. Cumberland used to boast of its little “statesmen” or landed freeholders; and as a consequence, was comparatively free from pauperism,—and entirely free from Poor Law abuses,—during the whole period in which the counties of the south were half ruined by the system. It still retains a large portion of its superiority, which affects even the small tenant farmers: nevertheless we are informed, that in the memory of the present generation, there has been a lamentable swallowing up of the little estates, especially by the advance of the vast *Lowther* property. The *League* Newspaper and Lord Radnor, in common with the current sentiment of our aristocracy, most untruly lay down (if we understand them) that land is the “property” of an individual, in the same sense that moveables are. This has never been recognized by our courts of law, and can never be acted upon according to pure commercial principles, without tyranny of the most disastrous kind. Happily, the frequent reclamation of land for canals and railways keeps alive the proof that its Possession is but a Trust; and that although its holder has *an interest* in it, (which must be respected as all other property,) yet he does not own the land itself. In moveables, an individual has an absolute property; so that if Parliament were, by a legislative act, to take from him against his will, a manuscript, or an old suit of armour, or a family picture, or the contents of a Museum,—we should judge it to be a deed of robbery, which could not be justified by proffering to him a remuneration in money. The land, being limited in amount, and necessary to the life of the community, remains always public property, as much as the rivers and the sea. Only, as it can be improved by human skill, and in order that it may be so im-

proved, the benefits of such improvement are secured to him who made them, or those for whom he acts. But to use the legal powers which landlords have voted to themselves, for the purpose of driving the poor off their estates, (which has been done largely in Ireland and Scotland, and in the latter country still goes on,) while justifiable on Lord Radnor's argument, is a fearful iniquity. The English method of "adding field to field, and house to house," by purchasing of needy or timid holders, until the petty potentate is "left alone in the midst of the land," is more cautious, and specious to defend: yet it earned the Hebrew prophet's curse, and Arnold well says, that "something" should be done to forbid it among ourselves.

The difficulty with us does not consist in finding, but in enforcing, a remedy. Such would seem to be the infatuation of our landed gentry, that they will not adopt mild and timely measures, but wait till constrained by revolutionary ones. Otherwise, prevention, and even cure, is close at hand, by means which no individual would feel in his person, except through mortified pride. *First*, a restriction should be put on the system of mortgaging estates, the result of which now is, that landlords borrow money on one estate to buy another, and grasp at the nominal possession of land for the sake of political power. This will in part come to an end with the abolition of the Corn Laws, which will make it necessary to give long leases to independent and intelligent tenants. But it would still be right to limit very closely the time during which the estate (or estates) of an individual might be mortgaged beyond a certain amount; so as to enforce that in family settlements and wills, a *bond fide* sale and division of lands may, after a certain point, take place, instead of allowing an unlimited accumulation of demands on the nominally unimpaired property. A pauper nobility is the most expensive of all pauperism; and if the independent peers and landholders wish to keep up the credit of their Order, they should keep a sharp check on this power of mortgaging. *Secondly*, a species of graduated Legacy Tax, first imagined (as far as we know) by Mr. Hilditch, a Lancashire barrister, would go very far to enforce the division of large property by will. We have not at hand his scale of taxation, but this is less important, as our present object is simply to explain the

principle. Suppose then, that in legacies, the property (whether landed or in moveables) were taxed according to the following ratios :—

When exceeding.	Tax per cent.	When exceeding.	Tax per cent.
£		£	
1,000	$\frac{1}{4}$	100,000	5
10,000	$\frac{1}{3}$	150,000	$7\frac{1}{2}$
20,000	1	200,000	10
30,000	$1\frac{1}{2}$	250,000	$12\frac{1}{2}$
40,000	2	300,000	15
50,000	$2\frac{1}{2}$	350,000	$17\frac{1}{2}$
&c.	&c.	400,000	20
		&c.	&c.

This scale would be too severe on the very large properties, ever to become a law in England as she is ; for according to it, a person could not purchase leave to bequeath £400,000 to his son, by a less sum than £80,000, paid to the Government. Every such tax indeed would be evaded in many cases by *giving* instead of *bequeathing* the property, or by making it over to Trustees, with order to pay the proceeds to the present holder for his life, and after his death to the other party. We suppose that stringent legacy taxes should always imply a corresponding tax on *gifts* ; and the officers of the Crown would generally know how to obviate fraud. Supposing this mode of escape closed up, it would be easy for the law, if the lawmakers chose, to ensure that nine out of ten of the enormous properties should be broken up again on the death of the holder : and men would no longer covet vast landed estates when they foresaw their early re-dissolution. At the same time, as Mr. Hilditch insists, the proceeds of such an enactment would be of great value to the Government, and would be the mildest form of taxing great wealth. Even if the scale adopted were not so cogent as manifestly to forbid vast bequests, it would in the long run undermine the unjust neglect of younger sons, and bring in a new and healthier fashion ; and this, we suppose, is the only practi-

cable form in which it could be passed without a violent revolution. Suppose such a scale as the following:—

When exceeding.	Tax per cent.	When exceeding.	Tax per cent.
£		£	
1,000	1	200,000	3
10,000	1½	500,000	4
40,000	2	1,000,000	5
100,000	2½	1,500,000	6

the resistance to which would be very feeble,* from the small number of properties which would be seriously affected by the new principle.

How to prevent the sale of petty freeholds to the smaller squires, without causing more evils than would be cured, we do not know; but whenever English agriculture shall come into a healthier state, and farmers are wealthier and more intelligent, we trust that a new spirit will be infused into the small freeholders, and that this evil will vanish of itself. And this is one only of the great advantages to be hoped from perfectly Free Trade.

We touch upon ground on which we are utterly opposed to Arnold. We can hardly open a page in which he comes near the subject of our commercial state, without committing himself, as we think, to extraordinary blunders and frequent self-contradiction. In many matters he shows an ignorance of facts, which, even allowing for the delusions so widely spread among the landed gentry, and only recently put to shame by Parliamentary inquiries,—still from such a man fill us with wonder. One extraordinary idea of his is, that at present the farmers bear the whole weight of the taxation of the land; that to enable them to bear it,

* The existing legacy tax is unjust, not only in exempting landed property, but in exacting 10 per cent. for money left to any who are not blood relations. In effect, the tax generally falls on the blood relations who possess the residue of the estate; for the testator who wishes to give £500 to a friend or to a public institution, generally thinks it right to add that it is to be "clear of legacy duty." Besides, the tax is felt as heavy, when an uncle bequeaths money to a nephew who may have lived with him as a son. Our belief is, that the duty levied should be the same, whatever the relation between testator and legatee.

the Corn Laws are absolutely essential ; and that, in some measure to equalize matters, all funded property ought to be subjected to a special taxation. The National Debt is his great nightmare ; he sees it everywhere as an appalling phantom, strangling the industry of the people. The money, says he, was spent ; it is gone for ever and ever ; the mischief is done : no ' sponge ' applied to the register of profligacy will cancel the evil effects. True ; but what then ? It follows, forsooth, that the nation must pay more for its bread, (and eat less bread, too,) in order to enable it to pay the interest of the debt ! Such is the conclusion which, as far as we can find from the present volume, the strong-minded Arnold held to his dying day.—As regards the Debt, Mr. Hilditch, if we rightly remember, calculates, that if the landed aristocracy had not defrauded the public revenue by fixing the land-tax, and by exempting land from the legacy duty, the *principal* of it might have been long ago discharged ; and by subjecting land anew to those taxes, a steady and rapid progress may be made to a destruction of the debt. The real reason, we apprehend, why no one is zealous to have the principal paid off is, because it is feared that the next following ministry will only feel the more free to get into a new war, and contract a new debt. So, we suppose, it will be, until it is made a fundamental constitutional principle, that *no interest on any debt shall be paid by the Nation in future for more than thirty years*. If this were laid down by votes of the House of Commons, and solemnly renewed every fit occasion, the Government in future would have to borrow at 6 per cent. instead of $3\frac{1}{4}$, and we might hope for a little more economy in spending ; at the same time it would become worth while to make efforts for converting the present debt into a terminable form. At present, happily, France, equally with the United States of America, seems to be " bound over to keep the peace of the world," by financial difficulties at least as stringent as those under which we lie ; and whenever we resolve to terminate our debt, the ability to do so will be found close at hand.

The proof of this lies on the surface of facts. The annual *direct* loss to the country, inflicted by the Corn and

Provision Laws together, has been estimated by calm and well-informed men at from 70 to 120 millions sterling; if we were to believe the outcries of the Protectionists, we should compute it still higher. We think we may feel safely within the mark, by assuming that the direct gain of the abolition will be above 20 millions annually; in other words, it will be equivalent to saving for ever the interest of the national debt. But the indirect gains will be vastly greater. Every increase of population would make the debt sit lighter and lighter upon us, but for the infatuated crippling of industry; and with our enormous productive power, we ought to think it ridiculous to mourn over money which was thrown away fifty years ago.

That is the side of the subject which we might have expected to strike Arnold. A man who knew so little of details, but was habituated to reason abstractedly, ought surely to have considered, that whatever the prodigality of the reign of George the Third, there never was on earth a nation so wealthy, *in proportion to its population*, as this of England now is. In one thing only are we poor, namely, in food: but we can, with extreme ease, produce what will buy it, if the law would let us. By what hallucination he could imagine that the evils of throwing away national wealth thirty or sixty years back, are to be relieved now by creating artificial starvation with a view to artificial famine prices; and how he can think to prop such an opinion, by declaring that he has Niebuhr on his side,—is to us a great mystery.

His notions concerning the manufacturing towns (viewed in their commercial aspect) are equally full of confusion and absurdity. He seems to believe that wages are much lower in these towns than in the purely agricultural districts; for he says that it is vain to hope to raise wages in the country, since they would instantly be depressed again by the competition of the town labourers, as well as by those from Ireland. Odd as is his mistake of fact, it is still more odd that he should treat Capital as the great enemy of labour, which is constantly reducing wages! (Pp. 108, 180, 196, &c.) We cannot follow his mistakes in detail. It suffices to notice, that after drawing shocking pictures of our manufacturing population, he imputes the

miseries under which they labour to "Free Trade" and to "letting alone," phrases which he seems to employ as synonymous.

Such confusion of thought, in such a man, is not unconstructive; as it helps us to think more charitably of Lord Ashley. It might seem that it did not need any deep or patient attention to discriminate between "letting alone," as regards commercial dealings, and that neglect to uphold and extend social institutions and municipal rights, which well deserves to be branded as destructive. It might also appear that Arnold (pp. 456 and 459) deprecates permitting men to migrate into manufacturing towns "*in order to work for an employer;*" which, he says, draws after it this consequence—that no relation at all subsists between the population, but that of employer and employed. His neighbourhood becomes "a mere mixed multitude," "as incapable of forming a society as if they were a mere assemblage of slaves." When he uses terms so very strong as to the evils of home migration, it is paradoxical that he is equally severe on those who hesitate to emigrate to the ends of the earth; whom he denounces as slavish spirits, bound to the soil. Emigration to Canada and Australia seems to be his great recipe for our overflowing population: but however proper a systematic emigration may be, the events of later years have convinced most persons that it can bear but a small part in remedying our existing maladies. But to return to the towns. Arnold treats them as the *causes* of that misery which they have relieved; not considering that men would never flock into them, unless cast out by the indigence and hard-heartedness of the country places. "Free Trade" has not existed, and to say that it has been the mischief is absurd; but undoubtedly the operatives have most improperly been "let alone;" that is, their interests and rights have been shamefully neglected, in our opinion; and we proceed to explain in what senses,—in part with Arnold on our side.

"Undoubtedly," says he, p. 215, "it is a matter of public concern that our great towns be not injured at the discretion of every individual speculator, who runs out street after street and row after row of houses, till the working man in the heart of the town can neither breathe fresh air, nor find any open ground in

his reach on which he can venture without being guilty of a trespass. It would be no slight benefit if public walks and gardens, and, still more, public places of exercise, so laid out as to be ornamental, as well as useful and agreeable, were of necessity attached to every great town in the empire. And it might be fairly imperative on every man who builds a certain number of houses, to annex to them a certain portion of ground which might never be built upon, and which should serve in various ways for the sports and recreation of the inhabitants."

A great principle is here touched—touched but very slightly—which will revolutionize the prevalent notions concerning town land, if it be but duly pressed on public attention. The Sanatory Reports have already done excellent service in this direction. It has been shown that our large towns are literally pest-houses; and after the exposures which have been made, we cannot think that the matter will pass over without some comprehensive and strict enactments. But it is very seldom that we have seen the principle laid bare, which here justifies peculiarly stringent legislation: the English mind is too tenacious of the so-called "rights of landed property," to desire a very searching inquiry. Arnold does indeed plainly declare, that men's title to land, in individual possession, depends on their having "subdued it" by labour; but he does not follow this out to its consequences concerning *land for building on*. Every one is aware that barren patches, on which no industry has been bestowed, and which were not worth a shilling an acre before the growth of a neighbouring town conferred value upon them, may attain the rent of a shilling for a square yard. This price is gained, not by human industry improving the land, but by an extortion practised on the wants of the community. In saying this, we are not blaming an individual, but are exposing the results of the system. The argument, "if I do not do what my neighbours do, my tenant will do it for me;" or, "I am but making a present to my tenant;" must ever prevail, where land is looked on in a purely commercial light. Arnold himself nearly escaped being wounded by a feather from his own wing, when he first came to Rugby. As soon as it was understood that the accession of such a head master would give prosperity to the school, the landowners in Rugby raised the rent of

ground from 40 to 75 per cent., and if Arnold had not luckily secured on his first coming an increased patch for his garden, he would a few months after have been forced to pay a double price for it. Landowners are the only class in the community who essentially live on a monopoly, and who therefore have no clue whatever to *reasonable* prices, but naturally take the utmost they can get; and of all landowners, those who hold town land are in this respect the worst; for a certain portion of the "rent" of farm lands is a return for capital, and in so far the landlord is a tradesman, not a monopolist. We were recently at a humble village on the sea coast, where the country is beautiful, and the sands are excellent for bathing; in consequence, the landlords have so raised their rents, since this has been discovered, that the tenants of miserable houses have to exact of lodgers prices proportioned to the beauty of the rocks and softness of the sands. So inherent is it in the very position of the landlord class, to be able, and to be disposed, to tax the community for the enjoyment of God's gifts—a salubrious sea-breeze, a fine beach, and a pleasant view. Yet no *moral* right can be pretended; it is endured by the community merely as a less evil than that of interference with the landlord's possession and authority.

If the community were so well organized as to make it expedient for the town itself to buy up from time to time such lots as seemed to be needed for buildings, they might justly force the landholder to part with them at a price calculated at their *past*, and not from their *anticipated* value. But if the public declines to enforce this right against the individual landholders, it is justified in dictating the terms on which alone the land may be built upon. The holder could not have even a pretence for murmuring, except in the improbable case of the terms being so severe, that the land would become *less* valuable than before, if he ventured to let it for building; and then his remedy would be in his own hands—to retain it for its former agricultural or other purposes. A large and difficult field for legislation is here opened, to which Lord Normanby and others are already turning their attention. We fully believe that to *prevent* is still more urgently needed than to *remedy*. "To cease to do evil," must

precede, "making reparation for past evils." In effecting the latter, we come into collision with numerous powerful interests, and great delay and many disappointments are inevitable; yet during every day that we defer to legislate prospectively for the prevention of similar wrongs, the mass of evil continues to accumulate. Every month a new mill is built, and a new stream is spoiled. Let a limit to the growth of mischief once be set, and we shall be able more distinctly to contemplate the means of cure. In regard to all new streets and all towns which are in process of formation, but in which no hostile interests are yet grown up, and where land is not yet seriously enhanced in price, it is of extreme importance instantly to lay down at least such provisional enactments as shall justify the application of future regulations, without the odium of *ex post facto* law.

And here we cannot help expressing our extreme suspicion and vehement dislike of certain enclosure-acts, which are perhaps at this moment passing through Parliament. An enclosure act is neither more nor less than a confiscation of public land, for the immediate benefit of an individual: as if in this country there were too much public land!—But we are assured by the *Morning Chronicle* and other liberal organs, that such enclosures are really desirable, in order to provide the nation with more food. If so, is it impossible to empower the municipality to let it to farm, and retain the rents for public purposes? Why must the public rents be given away to individuals? Ten years hence, let occasion require its resumption, and the same parties will be able to offer every legal opposition, and to demand ample reimbursement.—Certain reserves, we learn, are to be left; enough forsooth, to suffice as exercise-grounds and breathing-room for the existing generation. But is it forgotten that forty years hence, the population of many districts may be four-fold what it now is? Such acts appear to us peculiarly calculated to bring all landed property whatever into odium with the poor; for it suggests that *all* the land may have been taken possession of by a similar legal robbery. We ourselves, although not among the poorest, are conscious of an elation of heart, in walking on a public common, and could not live near a moor or a mountain on which we had been accustomed to

wander as children, without as deep a feeling of *right* in it as a landholder feels in his arable land. To be shut out from the well-known paths, to be warned off by notice of trespass, to see the public ground converted into private possession, and especially by a parliament of landholders, is most acutely exasperating.

Not for one or two reasons, but for a hundred, the public rights need authorized Protectors. Such, in theory, perhaps, we may be told, the members of the House of Commons are: such to a certain extent they once were: but a very different agency has long been needed. If there be anything which is needed for life, and which God has given freely to all, it is Air, Water, and Light: but of these things, as well as of Land, the poor man is unscrupulously robbed. The pure streams, in which he bathed as a boy, are turned into stinking sewers, or drugged by dyes and every sort of refuse. The air which he breathes is poisoned by exhalations from chimneys, graveyards or ditches; is loaded with smoke, which dirties, beyond control, his dwelling and his person, and destroys all pride in the beauty of home. If garden ground existed, shrubs could not flourish in it; no flowers can grow up the sides of his cottage. Those things which savages enjoy for nothing, are exactly what the poor in our towns are robbed of; pure air, clean water, the bright and pleasant sky, the sweet smells of herbs and trees, and with these things, they lose, unawares, the elastic spirits and health, by which alone they could happily sustain an amount of continuous labour, the half of which no savage will endure. These are the iniquities, and not "Free Trade," that wear down our manufacturing poor: the proof is found in those country factories where air and water is as yet undefiled. It is almost useless to enact municipal laws against these things, for there are no sworn and efficient prosecutors. The very men who are expected to indict a nuisance, are implicated in the system directly or indirectly. It is begun, in the country, by the manufacturer and landowner. The parliamentary member fears to displease influential constituents. When the mischief has been perpetrated, the offenders retire to live at a distance from the nuisances which their workshops, or their close-packed "courts" of houses have created; and their whole vast interests are

then engaged to maintain the pestilential and demoralizing system. Enormously deficient as is our organization in many directions, nothing strikes us as a greater want than *Public Prosecutors of Nuisances*,—legal officers, sworn to do their duty for the protection of the community at large, and of the poor in particular. They should be appointed by some other than local authority, and should receive a handsome salary: with what checks upon neglect, we cannot now inquire.

Careful arrangements are needed to prevent hurtful vagrancy. Tables of the rates of wages and weekly earnings at various work in every town, should be weekly published by authority; which, no doubt, would be circulated in the local newspapers: and by the diffusion of such authentic information in times of distress, workmen would be saved the heart-breaking labour of travelling to look for work that was not to be had. If miserable lodging-houses for travellers cannot be directly forbidden, public lodgings might be kept on a healthy and economic system, under-selling the unwholesome and dangerous places; and if this could only be done by a public expense, the money would be well laid out. Handposts on all the roads should direct strangers to the public lodging-houses of the district, and useful information on all such matters communicated from time to time to the country villages.

To induce the population to be more stationary in their homes might not be extremely difficult in the newer and more country-like towns, if any fixed engagements with their masters could be made. It would surely be a great mutual benefit, if contracts were entered into, by which the master agreed to furnish, and the workman to take, a certain amount of work at a certain fixed rate of wages, for a specified number of days, months, or years; the contract to be void by the death of either party, and of course by the insolvency of the master, and to be in suspense during the ill health of the workman. We can hear of no real difficulty in the way, except the want of a cheap and speedy decision of disputes, concerning the interpretation and fulfilment of the contract: and we shall presently suggest one mode by which a valid tribunal might be afforded. The master would take care to enter into such contracts only with picked men, whose reputation would rise by the

bare fact. They might then be induced to rent their houses by the year, or ultimately for a longer period, and in favourable cases to purchase the freehold, which is already occasionally brought about, by the exertions of wise and benevolent masters. If a portion of the workmen thus rose into a higher position, they would form a most valuable link of society, and be, as it were, ballast to the rest. Especially, if such Labour-Leases were taken by one quarter of the number, it would break up those mischievous combinations called *Strikes*. But whatever might be the efficacy of such arrangements in preventing a farther advance of the evils in new places, (supposing laws to be enacted more imperative than at present exist,) it is clear that we could not deal summarily with *vested nuisances*. How are we to redeem our rivers from the infamy of spreading filth and contagion? How are we to rescue the land from too thick set abodes, and the air from its endless defilements and obscurations? A Sanatory Report can at best but awaken us to the evil: the remedy (we say with Arnold) must demand large sacrifices from the richer classes. As the country landlords need to make restitution to the farmer and peasant, so the wealthy townsmen to the poor of the towns. To invent the necessary organization will not be very difficult, as soon as men are convinced that justice and prudence absolutely demand it. The spirit which has originated public parks round Manchester, shows that in our chief manufacturing town, expense will not be grudged for an object once recognized as important. It seems to us that there should be permanent boards, composed in part of medical men, in part of builders, surveyors, engineers and lawyers, each to be denominated, A Committee for the Removing of Nuisances, and for the Improvement of the Town. They should report to the Town Council, what are the most urgent nuisances, and what will be the expense of removing them. The Council should be empowered (and if possible, with certain provisos, commanded) by a general Act of Parliament to undertake the removal forthwith; raising the money either by immediate rates on the inhabitants, or by loans to be secured on the rates, with the proviso that they be entirely repaid within thirty years. The sums required for such purposes will be extremely large. Consider how immense a work, to purify the

Thames or the Irwell from their pollutions! While writing we almost fear that the idea is absurd. Yet that which a disastrous conflagration would effect, may be done by the determinate will of our people. As regards the expense, it might in part, and in many places entirely, be defrayed by the income tax, or by the same modified into a property tax. When we see how willingly this has been borne to save the public credit, although it was at the time pretty well known, and is now notorious, that it might have been obviated by a moderate change in the Corn Laws, we cannot doubt that a continuation of the tax would be felt as a light payment for the sake of removing the nuisances which destroy both health and beauty in our towns. The moral evils of which Arnold and others justly complain, have grown in great measure out of these physical evils, and would, in time, be sensibly lessened, if the latter were removed. "The labourers," complains Arnold, "have no sense of *home*." How can they, while their only home is dark, dirty, incapable of beauty, and is not even their own, to say nothing of the unhealthiness, to which unfortunately they are in general callous? Such is the force of habit, that, we are informed, they will prefer to dwell in a house from which the unhealthy odours warn off a richer man, if by so doing they save a shilling a-week in rent, to spend in more luxurious eating. It is therefore clear that no efforts of the workmen themselves, and no times of prosperity, can be expected to wear out the evil system gradually. Vigorous and expensive exertion on the part of the richer classes, continued for two generations incessantly, will barely suffice to attain the end. The other evil so justly complained of,—that masses of poor live together, unbroken by any adequate sprinkling of richer inhabitants,—is mainly caused by the dirt, unhealthiness and ugliness of these towns. No one will live in their worse parts, who is not compelled; nor can any one be blamed for that. If even full success should attend the efforts to do away with the smoke from factory chimneys; if moreover the drainage should be made as perfect as theory could desire; the mere smoke from the dwelling-houses of a first-rate manufacturing town (especially since these houses are generally very low built) suffices to destroy vegetation, and defile the interior of rooms. Nothing short

of a resolute determination *to confine within narrow limits the number of ordinary chimneys, which shall smoke on a given area*, and to maintain numerous squares and gardens within every town, will bring about a due admixture of rich with poor.

It may deserve consideration, whether a number of Commissioners of Municipalities should not be appointed, to facilitate the working together of Central and Local power. A fresh eye is needed to see the deformities of any system; and those who have no local connection, are less exposed to the danger of jobbing. The increased powers to raise local taxes for the improvement of towns, would be objected to by many, as leading to this danger; but it might be obviated, by requiring that all such plans should be first laid before the Board of Commissioners, who might have power to suspend the operation, if they suspected evil, and either to interpose a positive veto, or report on the matter to Parliament. We believe that if some check of this kind from a central organ were provided, far greater powers of *buying up town land at pleasure*, as well as of imposing taxes, might be usefully given to the municipal authorities. It might moreover be the duty of each Commissioner to assemble from time to time the municipal Councils, which were especially assigned to him, and point out to them what was needed among them, and the methods which had proved effectual in other places. Particularly important also is it, to avoid that most discouraging error, of spending money and time in injudicious improvement: such as, in carefully paving and draining streets which ought to be wholly destroyed. In a hundred cases, to have fewer houses on a given area, is quite essential, and local energy, through want of comprehensive views, will too often be misdirected. Considering the activity in paving and draining already displayed in some towns, the Government cannot be too quick in securing that such good will should not be thrown away. We believe they have already ample information to enable a Commissioner to act the part which we have suggested. Whether such Commissioner might beneficially also hold the office of Prosecutor of Nuisances, of which we spoke, we do not venture to decide.

But let us suppose that our towns were as balmy to breathe and as beautiful to look at, as the most Utopian

imagination can contemplate; that the wealthier classes no longer shunned them; and that the workmen became attached to their dwellings and lost the desire to "flit" from street to street. Suppose all restrictions on Trade removed, and that as great prosperity smiled on the land, as the most ardent enthusiast of the League can imagine. Should we then have done all that legislation and government can do for our manufacturing operatives? Arnold loudly calls out, No. Every man, he maintains, should become a member of a society limited in numbers, and varied in its elements, so that each should have a reputation to maintain with the rest, and each be zealous for the collective reputation of the whole; moreover, so that no one should be in distress without its becoming known to those who would have a peculiar duty to relieve it. The Society collectively should possess a portion of inalienable ground for exercises and sports, and partly, it may be, for public walks or gardens (p. 462). It should also possess its own internal tribunals for judging small causes. And the method by which he would effect this, forms a part of his "Church Reform."

His "Idea" of a Church was sufficiently discussed in our last Number; and we must not here renew the subject. As we desire to say nothing disrespectful, we shall simply call his vehemence for Church Reform, according to his own pattern, an enthusiasm. If we could with him believe it to be essential for the welfare of England, it would throw us into positive despair. To announce it as the remedy for our maladies, is like prescribing Christianity for Turkey, or Protestantism for Ireland. The *societies* of which he claims that our operatives should become members, seem more to be wished than to be hoped for. Unless rich and poor are to be bound to the soil, it is impossible to retain them as fixed members of certain territorial divisions,—sections of parishes, such as he implies; and until great external changes shall have intermixed the dwellings of rich and poor, no territorial division would give to the workmen the "varied elements" of society which he desires.

Nor is it possible to include in any *religious* bond whatever, devised by law, the heterogeneous masses of our workmen. If the scruples of so many and so various dis-

senters could be overcome by any comprehensiveness of the Established Church, what is to be done with those who have a positive disbelief of Christianity? and what with those who, from dislike of restraint, or from independence of mind, refuse to acknowledge any religious teacher or superior? Such resistance may yield perhaps to gentle influence, but would be exasperated into obstinacy by a parliamentary system enacted as compulsory. In short, we suppose few would hesitate to apply to the scheme the epithet "impracticable," which Arnold deprecates and disdains (p. 460). On the other hand, we think that he too broadly condemns and casts aside the *voluntary clubs* into which workmen enter. No doubt these, when at their best, fail to afford varied society, and, when at their worst, are organs of all lawlessness. Yet it should be remembered that many of the most valued national institutions rise in this way,—out of a voluntary beginning; and are gradually taken up into Law, after they have become established by Custom. All such associations, when they show any tendency to be permanent, have in them a real adaptation to the wants of the parties, and a principle of life which mere enactment cannot give; and it seems to us that wisdom would dictate the endeavour to invest the workmen's clubs with a legal sanction, holding out such boons as may entice them to accept the terms which the law shall proffer to them. If the attempt were to succeed in perfection, it would not at first supply any bond between rich and poor; nor did the guilds of our ancestors or any other trade-unions. Perhaps, indeed, a total failure would result, if any direct and manifest effort to unite the higher and lower orders entered into the plan. Yet, in process of time, certain wealthier families would become associated by hospitality and by benefits with certain clubs; and unions would grow up in half a century, which the will of the legislature cannot create. In this belief we venture to draw up a scheme for Workmen's Clubs,—adopting several of Arnold's ideas,—in order more fully to illustrate the means which we think might be employed. In regard to the details, our plan may admit of, and must probably need, much correction; and we shall have attained our object, if we have set the

reader's mind at work to find a yet more feasible and more promising organization.

A Scheme for Chartered Workmen's Clubs.

A Club to consist of not less than 150, nor more than 200 (male adult) members.

Every Club constituted as hereafter named, to become a legally chartered corporation, using a common seal.

Every Club to have two purses, the one for relieving its members in sickness, the other for general objects to be specified ; and all Club members to contribute weekly to both funds, except those whose names are legally put on the sick list.

Every Club annually to elect its Chairman, its Treasurer, three Committee men, its Attorney, and its Medical Officer. The Medical Officer to be a regular Surgeon or Physician, and the Treasurer and Attorney not necessarily members of the Club. The Chairman to hold the common seal. The Chairman to be liable to be displaced at any moment by a formal vote of the Club (held according to a fixed process) constituting a successor to supersede him.

Every Club to elect its Elder, who shall be at least forty-five years of age, and (after the Club has lasted long enough) shall have been fifteen years a member of the Club. The Elder shall have no routine of business laid upon him ; but shall have the honorary precedence on all festive occasions, and shall be the referee for testimonials concerning the conduct of a member. He shall be elected for ten years, and not liable to displacement, except for grave moral causes, and at the instance of the Protector of the Club, who is an officer to be next named.

Every Club to have its *Public Protector*, appointed by the Crown, with a salary. Every Protector might belong to ten, twenty, or more Clubs ; and the Protectors collectively should form one or more *Boards*, to act as hereafter stated.

The first duty of the Protector is to countersign all orders drawn by the Chairman on the Treasurer, for money to be expended out of the general fund, and otherwise to sanction

sales, contracts, and purchases for the Club, under the Chairman's authority, except when such dealings appear to the Protector to be an abuse of the property of the Club.

All use of the Club money to assist in strikes against masters to be absolutely unlawful, and to subject the Treasurer and others who have sanctioned it, to severe legal penalties, at the prosecution of the Protector.

Every Club, as soon as possible, to have its own Exercise Ground, and upon it its Hall of Meeting and its Library: none of which may be sold or mortgaged without leave of the Board of Protectors.

If a Club has existed five years, and is too poor to purchase such Exercise Ground, its Protector to be at liberty to petition the Municipal Corporation for a grant (in whole or in part) of money to purchase such ground; and the Corporation to be empowered to make what grant they please out of the existing municipal property, or to be chargeable on the rates.

Voluntary contributions to both purses of the Club would of course be allowable: also in case of a failure of the sick fund (through any miscalculation for which the Club itself was not blameable, or through the prevalence of unusual sickness), the Protector to ask of the parishes around, and the parishes to be authorised to grant, assistance towards the sick fund of the Club; in preference to, and superseding, other modes of parish relief to the members of such Club. The Chairman of the Club of course to have power to decline the grant, offered on such terms, if inadequate in amount.

The name of a member is to be placed on the sick list, or struck out from the same, by the decision of a tribunal of three [say, by the Medical Officer, the Chairman, and the workman's Master or his deputy].

A member who does not pay his quota to the Club (and whose name is not on the sick list), is to be treated, after the lapse of two weeks, as if he were not a member at all, until he has paid up all arrears; and if he remains in arrears for [six] months, he shall be declared to have forfeited his place in the Club. It should be the Treasurer's duty to give information of defaulters to the Protector from time to time; and the Protector always to have a right to demand inspection of the Treasurer's accounts.

As soon as a Club has its own freehold Exercise Ground, measuring not less than [] square yards, its Chairman shall become an Elector for the Imperial Parliament. For the next forty years, [thirty] Chairmen to make an electoral college, sending one member to Parliament. After forty years this shall expire unless renewed, since nothing but experience can show whether this would give permanently to the workman a fair influence, without predominance in the legislature. On similar terms, the Clubs might be allowed to elect Town Councillors, only that the number of Chairmen needed to make an electoral college should diminish with the size of the Municipality.

Special care will be needed in deciding what negligence as to the rules of its charter will suffice to disfranchise a Club until they shall be observed;—only that the vote of the electoral college as a whole ought to be valid, unless it be proved that more than half of its members belong to Clubs whose vote is at present in suspense.

The Clubs shall appoint their hours of recreation and festivity; shall tax themselves for the general fund which will defray this and other expenses, and shall spend what they please on such common objects. Except, that if their Protector judges them to spend too much on mere festivity, in comparison with the more substantial objects of a good exercise ground and its permanent accompaniments, he shall decline to appeal to the Municipal Corporation or to the Parishes for any grants of money.

A Club which has become rich and otherwise desirable, may demand an entrance fee of all new applicants for admission to vacancies, (the amount to be sanctioned by the Protector?) and they shall themselves elect from the candidates. Except, that in case of the death of a member, his eldest son (or after him the second, third, &c.) shall have a right to free admission; unless there is any *moral* objection to him, to be judged of by the Elder, and information of it given to the Protector. And if the sons are under age, the widow or other friend may keep the place open for them by paying the fees in their name. [This will need to be settled in more detail.]

If a member desires to emigrate beyond the reach of his Club, the Elder shall have power to convene the Club

and invite them to pass a vote expressive of his honourable conduct : and if this vote be carried, the retiring member shall receive from the Club the same sum of money as would be demanded for entrance fee of a new member. [This would be some check on their setting the entrance fee too high.]

The Club must have its ordinary monthly hours of meeting for this and other purposes, at some of which meetings the Elder, at others the Chairman, (according to the nature of the case,) will preside.

If the Exercise Grounds are large enough, a part of them may be set aside for Gardens and pleasure walks : and the Club may then take rent of any of its members for small portions of such ground to be used by the member as his own garden.

Although the money of the Club cannot be lawfully employed in general trade, (since the property of the Club cannot be alienated to creditors,) yet it may keep a shop for provisions and clothes, at which none but members of the Club shall purchase. In case the Protector suspects, by the largeness of the capital employed, that other persons are allowed to buy indirectly at the shop, he shall refuse his signature to the orders on the Treasurer, and otherwise interfere, to hinder so dangerous a practice.

The Club also might be allowed to buy, or get built by contract, houses to be rented by its own members, or to be bought by them in freehold, under conditions and for an amount to be sanctioned by the Protector.

The good conduct of the members in and towards the Club, to be judged of by the Elder, the Chairman, and the three committee men, jointly. If all five are unanimous, they should have power to expel the member summarily ; and a majority of them should have power to carry a vote which would subject his conduct to a special jury of the Club. The constitution, processes and powers of such jury would need to be defined.

A Club member who has migrated, not to be admissible for two full years into a Club existing near his new abode, unless he have received testimonials of honourable conduct from his former Club.

In case of any workmen having *leased their labour to*

masters, and disputes arising concerning the interpretation or fulfilment of the contract, such disputes to be authoritatively decided by a mixed tribunal constituted as follows; first, of the Attorney and two officers of any Club or Clubs named by the workmen; next, of any three persons named by the master. The vote of the majority to be binding. If the Master contended that the workman's *health* was so bad, as to suspend the application of the contract, it might suffice for him to name some medical officer as one of his jurymen.

A Club, being a corporation, would, we believe, have an ordinary vote for members of Parliament or of Municipal Councils, whenever its property entitled it to the same. If its property were exempted from Parish rates, there might be a propriety in refusing the latter privilege; but considering how slight the power conferred, it would seem more gracious to leave to the workmen this little link to the constitution around them.

The Medical Officer, having no duty but that of helping to decide on the sick list, would probably serve for nothing. The Attorney should receive a small yearly sum from the Club (which would teach them to rely more on his advice concerning the value of property); and fixed fees for attendance on such mixed tribunals as were named.

The Chairman, Elder and Protector should all have their deputies in case of sickness or absence. The Vice Chairman should be one of the Committee men, expressly elected by the Club for that purpose. No deputy should act without a written sanction from his principal for the causes assigned.

All needful blank forms to be filled up, should be furnished to every Club by its Protector, according to the resolutions of his Board; which should provide in detail the machinery for carrying out the objects above set forth.

It may hardly be necessary to observe, that the grant of the franchise to the Clubs is intended in part to induce the workmen to adopt the proposed scheme, involving, as it does, a submission to legal regulations. The same will apply to the permission granted to the municipalities to

purchase (in whole or part) plots of land for the benefit of the Clubs. It would be in their power thus to do two things at once; if they selected portions of ground in the heart of the town which *ought* to be cleared of houses and left permanently vacant, they might buy it up and present it to a Club under their own conditions, so that these conditions did not clash with the general regulations. If wealthy benefactors directed their free contributions into the same channel, this would soon ensure success to a Government scheme.—Other details have been intended to impart somewhat of a *hereditary* character to the Clubs, without giving to the members any direct pecuniary rights, such as might give rise to the evil practice of a member *selling* his place to one who desired admission. To prevent this, it is essential that no member retiring from the Club should be *entitled* to remuneration, and no member should be admitted without the vote of the Club or of its annual officers.

As regards Emigration, which we would on no account *discourage*, although it is apt to drain off the more valuable part, and leave the refuse, of our lowest classes,—it seems clear that such habits of organized acting, as would be imparted by becoming members of Clubs legally constituted, must be highly beneficial to emigrants. For this reason, among others, we should be glad to see similar Clubs constituted in rural places. In fact, the old archery grounds or cricket grounds have been generally lost to our villages, even if leisure time in fine weather, strength, and spirit is any where left to them for the enjoyment. The intelligence which union and organization develops is sadly wanted by our peasants, and the want itself makes emigration a more perilous experiment. But we cannot here enlarge on that side of the question.

It may, not unreasonably, be anticipated, that as soon as a Club possessed property that might tempt a poor man to a dishonest use of it, anxiety would arise to find a Treasurer wealthy enough to offer some outward guarantee of probity; and indeed, their Protector would justly press on them the propriety of this. If such a man were found among the workmen, it would testify that diversities of wealth (to be followed by a higher tone of rank) were rising among themselves. If not, they would probably

choose a Treasurer from without ; and some wealthy manufacturer or banker,—some generous benefactor of the Club,—would be their permanent Treasurer, re-elected every year. Numbers of benevolent persons in the middle classes would rejoice at being brought into a voluntary yet definite relation to 200 workmen and their families, different from that of master and operative, in which it is so often necessary to use severity or resist pressing claims. An old club easily assumes aristocratical airs and has various points of sympathy with old families ; and, we persuade ourselves, would by no means exhibit that unpracticable suspicion of the richer classes, which puts at present the greatest difficulties in the way of mutual understanding.

If any one thinks that we are disposed to create too many new offices, let him reflect for a moment on our enormous population, and compare it with any other known civilized nation, and he will be forced to confess that our deficiency in officers and organization is unprecedentedly great. The defect pervades all our institutions. We have the same number of judges, as tradition or history declares Alfred the Great to have instituted. The number of law courts is as scanty. We have scarcely more numerous parishes, rectors and bishops (which are presumed by the law to be good things) than under Henry VIII. If the municipal organization of Manchester be compared with that of any Greek or Italian republic, we believe that the meagreness of the English system will appear marvellous. We cannot pursue the matter further ; but we would finally suggest to those who dread Government jobbing, and who look on every new office as merely a new piece of patronage,—that even if one place out of three were badly filled, this would be far better than to go without needful organs : and that the aversion to new offices which turns on this alarm, ought consistently to deprive us of parliaments and all civil government whatever. Our senators have often proved mercenary, nor is there any office of State, whether in the Queen's Ministry or in the Army, in the Municipalities or in the Excise, which human jobbing will not try to turn into a mere perquisite for the convenience of individuals.