

public keeps the whole subject in the background, particularly as the rank and file of the party in the country districts are far more interested in the price of wheat and beef than in any change in local government.

Accordingly, as soon as a really large and representative Conservative convention was held, protection at once came to the front. The farmers and landlords want a duty on foreign agricultural products, on the amount of which they are not agreed; but, as the promoters of impracticable schemes are apt to say, "this is a mere detail." To secure the support of the voters in the towns for any scheme which would raise the price of food, something would also have to be done for the protection of manufactures, but nobody has yet pointed out what the manufactures are which could be protected against foreign competition, because, as a matter of fact, there is practically no competition in the English markets on the part of foreigners. There are articles in which foreigners undersell the English producer, but they are few and unimportant, and their total exclusion would have no perceptible effect on the condition of English industry. Consequently, the party has as yet been able to formulate no bid for the votes of the English operatives in factories and mines. The manufacturers have got the home market already, and the fair-traders cannot offer them any other.

This is not all, however. The Liberals have entered the field to show that, as a matter of historical fact, the English farmer never derived any real benefit from the old Corn Laws, that the landlord was the only person who ever profited by them, and that if the duty on grain were reimposed to-morrow, its only effect would be to arrest the progress of rent over a large part of England towards total extinction. Mr. Leadam, an English lawyer who has given considerable attention to the agricultural question, has made a study of "What Protection does for the Farmer and Laborer," in the shape of a chapter from agricultural history which gives a terrible blow to the "fair trade" plan of revenue. He shows conclusively by copious citations from Government statistics, and from the evidence and reports of Parliamentary committees of inquiry, between 1800 and 1841—the period when the Corn Laws were most stringent in their operation—that they never in any degree improved the condition of the farmer; that in fact, at several periods of their operation, a state of things arose very like that which we now witness—a wholesale abandonment of farms by men who had put a small capital into them and found it impossible to make them pay, and had either become bankrupt or were anxious to make their escape before they had lost everything.

The immediate effect of the duties on foreign grain was, of course, to raise the price of the home product. This caused a certain competition for farms, but the rents fixed by the landlords followed up the price of agricultural produce so closely that no profit was left in the business, particularly as the increased domestic competition soon knocked prices down. This

result frequently recurred during the period we have mentioned, and the cry of distress was generally followed by a Parliamentary inquiry, in which the landlords always maintained that the whole trouble was due to the fact that the duties were not high enough. They were, in truth, the only men to whom the Corn Laws did any good. Each rise in the duty brought on a fresh batch of farmers to compete for their farms and throw away their capital in rents which the land never could afford. The ruin of the farmers, of course, meant pauperism for the laborer.

A solemn protest was entered on the journals of the House of Lords against the Corn Law of 1815 by twenty-five of the peers. One of those who voted for the law—Earl Fitzwilliam—in an address to the landowners of England twenty-five years later, in 1840, expressed his deep regret at having done so, inasmuch as experience of its working showed him that it was "founded on erroneous principles, and attended by most disastrous consequences." Of its effect on the poor tenants in leading them to offer high rents for farms when prices were high, which they could not get reduced when prices fell, he spoke in the strongest terms. It will be easily seen from all this that the way of the English protectionist is hard.

#### THE LAND QUESTION IN THE HOME-RULE STRUGGLE.

DUBLIN, November 18, 1887.

In the month of November the greater part of Irish rents become payable; for on many estates rents are collected but once a year. It is a time, therefore, of anxiety and activity with land agents and landlords, and never more of anxiety than it is this year. For farmers generally it has been a disastrous season; an unprecedented drought has made produce short, and prices have been, as a rule, lower than ever. Comparing the present crisis with former years of distress, the change in the position of tenant farmers is very remarkable. This is partly due to changes in the law, but quite as much to altered public opinion and the strength of the National party. In past years of scarcity and distress, rents were rarely lowered; if tenants were not evicted, they were debited year after year with unpaid balances, till the estate rentals exhibited as due an amount of arrears which no industry, thrift, or good fortune could hope to discharge. Rents have already been lowered by law, and are again about to be judicially reduced; the force of public opinion now restrains landlords who formerly "enforced their rights with hands of iron, while they disclaimed their duties with fronts of brass." Their relations with tenants are now to a large extent regulated by law, instead of by estate-office rules, arbitrary fines, and the caprices of agents and owners. In former times, resistance to the wishes or demands of a landlord was almost unheard of; it was better to endure oppression, rackrenting, petty annoyance, than to resist or resent, and probably be "dishomed" in consequence. Tenants are now to a large extent independent, and no longer live in a state of degrading subserviency. They are becoming accustomed to act together, and recognize the wisdom of the motto, "United we stand, divided we fall." For the first time they are fully represented in Parliament, and their grievances are fully and audibly expounded.

The land question is without doubt the central and critical point in the home-rule struggle, the incidents in which recall and are very

similar to those in the struggles which took place 2,000 years ago between the plebeians and patricians at Rome. The Hortensian laws abolished or greatly reduced debts, and allotted land to the plebeians. That is precisely what legislation and agitation have been doing in Ireland. Rents, those ever-accruing debts, have been reduced; arrears have been remitted; and the real ownership of the land has been distributed among the people—for fixity of tenure, at rents judicially fixed, is more properly ownership than the landlord's legal estate in lands held by tenants, which is now reduced to a right of action for rents. The quality and quantity of the landlord's estate in land have been changed and diminished, with this result in addition to the diminution of revenue, that their estates are now unsalable. Up to 1878 land occupied by tenants was a favorite investment for capitalists. The ownership of such an estate gave the landlord political power, social position, a good return for his money, and there was a probability of obtaining an increase of revenue by raising the rents. None of these inducements now exist; the landlord's estate is unsalable, except to the occupiers; and the occupiers have not to buy at competitive prices.

Some economists have drawn a distinction between land as an investment and land as an instrument of production, and this distinction is well illustrated in Ireland. Land is still in demand for possession and occupation purposes, but no longer as an investment. The same distinction is observable in Continental countries. Land is purchased in France and Belgium at prices which, measured by its rent, would not return 2 per cent., while the same purchasers if they borrow on mortgage would pay from 4 to 6 per cent. The estate, using the term in its legal sense, of the investor is different from that of the buyer, who, in addition to ownership, has the occupation of the land, and finds employment on it for his labor and capital, as well as daily enjoyment and a sense of freedom unknown to tenants holding by precarious tenures, or to wage-earning laborers.

The depreciation in value of the landlords' estates is best shown by the prices at which they are ready to sell. Ten years ago estates were seldom broken up for sale to the occupiers except for prices of not less than twenty-five years' purchase of the rents—the legal costs of the tenant's transfer deeds amounting to from one-tenth to one-fourth of the prices of their farms in such cases. Landlords are now selling for from sixteen to eighteen years' purchase on the reduced rents, and paying all the costs of transfer to the tenants. The Marquis of Lansdowne is offering one of his best estates in Queens County for eighteen years' purchase of the rents; the tenants refuse to give more than sixteen. But for the recent evictions, and now the imprisonments and prosecutions under the Crimes Act, this transaction would probably have been settled amicably by the intervention of the National League; but from day to day we are drifting more and more into a state of war.

The result of the Crimes Act has not been to make either the collection of rents or the sale of their estates easier for the landlords, but rather the reverse. Litigation for the purpose of getting fair rents fixed has been stimulated by the Land Act of last session. About 40,000 notices of fair-rent suits have been given during the last two months, and, until these are disposed of, the occupiers will neither invest money in improvement of their farms, nor even cultivate them to the best advantage. What with these evicted and boycotted farms, and estates where the Plan of Campaign has been adopted, a large proportion of the country is

either waste or but half cultivated. The loss of wealth from consequent diminished production is not capable of being estimated, but must be very large. Want of employment for laborers and general discontent necessarily accompany this state of things, from which at present there seems no hope of escape. Archbishop Walsh's kindly proposal for a conference between the antagonistic parties has been knocked on the head, not so much by the landlords' tardy and hesitating acceptance, as by the action of the Government. An indispensable preliminary to a conference would be a cessation of hostilities, the release of the many persons now in prison under the Crimes Act, and a suspension of eviction proceedings. The Government have, however, entered upon a course of action in which they must persevere or fall; and their action is approved of and applauded by the Conservative press. Numbers of prominent Nationalists will, without doubt, soon be in prison.

In attempting to carry out their policy, the Government are daily placed in difficult or ridiculous positions. They must resort either to extreme violence, which would alienate their own supporters, or submit to be defied and permit their proclamations to be evaded and their warrants to remain unexecuted. At present Mr. Cox, M. P. for Mayo, a warrant for whose arrest has been issued, is playing hide-and-seek with the police. Mr. Douglas Pyne, M. P. for Waterford, has fortified himself in a Cromwellian castle on his farm, the walls of which are said to be twenty feet thick, with provisions for some months. The castle might, of course, be easily knocked down by artillery, or more carefully taken down by the Royal Engineers; but as against the civil forces of the Crown it is almost impregnable. The Government has become not only odious but contemptible; but whether they will learn the impossibility of administering a country with representative institutions against the will of the people, and take a new departure next session, or whether they will persevere till they fall, it is hard to say. At any rate the materials for another Irish session of Parliament are being abundantly prepared.

#### A LAND VALUER.

#### THE ANCIEN RÉGIME.

PARIS, November 17, 1887.

FEW systematic works have been written on the organization of France under the *ancien régime*—that is to say, before the Revolution of 1789. The elements of such a treatise must be looked for in an infinity of sources. Taine has passed his judgment on the *ancien régime* in his 'Origins of Contemporary France,' but he has chiefly insisted upon the abuses and the defects of the old organization. Tocqueville also approached the subject, trying to find the causes of the French Revolution and of its special character. Some of the chapters which he wrote on this great question are among his best productions. As he well says: "The French Revolution will always be mere darkness for those who look at it alone; it is in the preceding times that you must look for the only light which can bear upon it. Without a distinct view of the ancient society, of its laws, of its vices, of its prejudices, of its miseries, of its greatness, you can never understand what the French did during the sixty years which followed it."

It seems to many as if the history of France were divided in two parts. Some only know what took place before 1789, others only care for what has happened since. There never was, in one sense, a more minute attention paid to history than in our time. We have a *Revue*

*Historique*, an *École des Chartes*; we require in our historical works the severest criticism and the constant use of original documents. The method is perfect and the result is miserable. All our great publishers have told me that the public for good historical books is becoming every year more restricted; those who care for the history of ancient times become more difficult to please as they become less numerous. Even the *Revue Historique* and the professors and writers who support it are obliged to come nearer to our own time; they are more and more occupied with the history of the French Revolution. They have discovered that the Revolution had diplomats, and are publishing and analyzing their despatches. The Revolution is the great attraction—it is the sphinx of history.

This Revolution was, however, in germ in the *ancien régime*; it had been predicted by many thinkers. In 1710, Fénelon wrote at Cambrai: "As for myself, if I took the liberty to judge of the state of France by the fragments of Government which I see on this frontier, I should conclude that we live by miracle, that it is an old, broken-down machine which still works in virtue of its original impulse, but which will be broken at the first shock." If we come to a nearer epoch, we have hundreds of witnesses who testify against the perpetuation of the old state of things. Mme. Campan, who was attached to Marie Antoinette, writes: "Twenty years before 1789 it was said that the institutions of the old monarchy were falling with a rapid motion; that the people, borne down with taxation, were silently miserable, but began to open their ears to the audacious speeches of the philosophers, who proclaimed their sufferings and their rights." The return of Voltaire to Paris in 1770, and his triumph, was a sort of proclamation of the rights of man, and, strangely enough, all classes took part in this apotheosis. Six years before the Revolution, the "Mariage de Figaro" was played before the court. In a word, it can be said that the Revolution was made in men's minds before it took its material form. Everybody felt that a change had become imminent and necessary. Few knew where the change was to take place.

Was it in the court? We have a good description of the court in a book just published by the Vicomte de Broc, 'La France sous l'ancien régime.' This description is very minute. As he says: "We may judge of the place occupied by royalty after Louis XIV. by the prodigious number of persons attached to the service of the King; his civil household (outside of the military household) embraced no less than 4,000 persons." M. de Broc gives the detail of all the services—the house of the King, the chamber, the ante-chamber, the cabinet, the *garde-robe*, the stables, the *vénerie*, the lodgings and houses, the journeys, the police, the ceremonies, etc. The King had 3,000 horses in his stables (their number was, in the end, reduced to 1,850); there were 500 men in livery. There was, besides, the house of the Queen; under Louis XIV. there were 573 persons in the household of Maria Theresa. A terrible etiquette surrounded the sovereigns; it made them almost slaves. Presentations were one of the King's functions. M. de Broc has made the calculation that from 1760 to 1789, in the course of twenty-nine years, there were no less than 2,078 presentations, a number which corresponds to 826 families. This number will not seem large, as it shows that in the course of one year there were no more than twenty-eight families presented; but this needs an explanation. Once presented, you had a permanent right to certain honors; and when the proofs necessary to a presentation had been made, the presentation of a single member of

the family procured the honors of the court to all the representatives of the family who bore the same name.

What were the proofs? The *règlement* of April 17, 1760, adopted by Louis XV., decided that no woman should be presented to the King, and no man allowed to enter his carriages and to follow his Majesty to the hunting-field, without having produced before the genealogist of the King a filiation, established by three original titles on each side, since 1400. This regulation dispensed only the great officers of the Crown, the descendants in the male line of the Knights of the Holy Ghost, the officers of the King's household. A woman was presented, not on account of her own birth, but upon the proofs made by her husband. When you had once received the honors (which consisted, for a woman, in presentation to the King and the royal family; for a man, in admission to the King's carriages), you had a right to be admitted to the receptions of the King and Queen. This regulation excluded families which had recently procured patents of nobility or had recently become ennobled by an office. The court was therefore strictly aristocratic, and it constituted a small nation in the nation. At Versailles there were habitually, at the time of Marie Antoinette, no more than a hundred men and as many women at court; and no more than 500 men and women at the solemn receptions.

The writers of memoirs have given us complete descriptions of the life at court. Less is generally known on a more important point, the King's council. "Le Roi gouverne par lui-même" was the great maxim of government after Louis XIV.; but the King had councillors. His council was subdivided into various committees. Saint-Simon tells us that "on Sundays there is a council of state, and often also on Mondays; on Tuesdays, council of finance; on Wednesdays, council of state; on Saturdays, council of finance." There were also a council of despatches and a council of war, which sat more irregularly. The King did not often attend the council of finance, and the Controller-General had in reality absolute power. "Whatever is called finance," says Saint-Simon, "taxes, duties, impositions of all sorts—new ones, augmentation of the old, *régies* of all kinds—all this is managed by the Controller-General of Finance, with an intendant who acts as his clerk, or quite alone."

From the time of Louis XIV. till 1789 there were only four ministers secretaries of state. The four departments were the Foreign Office, the War, the Navy, the King's Household. The principal officers of state were the Chancellor, the Controller-General of Finance, and the ministers secretaries of state. Many of the ministers of the old monarchy were chosen from the *tiers-état*, outside of the ranks of the nobility; they were "les gens du roi." They were, however, admitted, as well as their descendants, to all the honors of the court, and dispensed from all the proofs usually necessary for these honors. Saint-Simon is never tired of reproaching the kings for their preference for the *roture*, and he sees in the exclusion of the nobility from the active part of the Government a method for obtaining a more absolute subjection from the ministers.

Tocqueville remarked that the existing French centralization had been prepared before the French Revolution. The provinces were divided into two distinct classes, the *pays d'États*, which had their own States or Parliaments, and the *pays d'élection*. The provinces which had their own States, their small Assemblies composed of the three orders, and which, under the name of *don gratuit*, voted their