

December 10, 1881.]

THE SPECTATOR.

1569

I venture to believe that a judgment of Lord Selborne, Lord Cairns, and Sir William James, on some purely historical question, pronounced after they had heard all that Mr. Freeman had to say on one side and Mr. Froude on the other, would outweigh the opinion even of Mr. Freeman. I repeat that the Ridsdale judgment seems to me, on the whole, the most reasonable solution of a perplexed historical problem. That the problem should present no difficulties to you, is as unaccountable as that you should see demonstrative force in ambiguous expressions which yield at the most but a slight presumption. I admit that an impressive case may be made out on behalf of the Ritualists, and I should say that *prima facie* their case is better than that of their opponents. But the strength of their case is in what was brought before the Judicial Committee, not in what Mr. Ridsdale's counsel passed by. Your points of evidence from Withers, De Laune, Horn, the inventories, &c., I still hold to be inconclusive. For example, the argument from a doubtful phrase in an ordinance of the Puritan Parliament in 1644 seems to me very weak, by the side of an official condemnation of the chasuble as illegal by such a man as Archbishop Laud in 1637. The question is one of the balance of conflicting evidence, and it needs judicial impartiality to determine satisfactorily on which side the beam descends. In what has been written in defence of the Ritualists in your columns, I recognise, not judicial impartiality, but chivalrous advocacy of what seems to you a persecuted cause.—I am, Sir, &c.,

J. LEWELYN DAVIES.

[No evidence has been produced that Laud ever condemned the chasuble as illegal in the Church of England. Mr. Davies quotes the assertion about Laud from the Ridsdale judgment, which makes the same assertion, without justifying itself by the quotation of the words to which the Court refers. Those words occur in some visitation articles addressed by the Archbishop to certain churchwardens and sidemen in the archdiocese of Canterbury. After sundry inquiries concerning the Church and its ornaments, and the conduct of the minister, there is a series of inquiries under the heading of "Articles concerning the Parishioners and others of the Laity." Included in these we find the following:—"Whether there be any in your parish who are known or suspected to conceal or keep hidden in their houses any Mass books, postesses, breviaries, or other books of Popery or superstition, or any chalices, copes, vestments, albs, or other ornaments of superstition, uncancelled or undefaced, which it is to be conjectured that they do keep for a day, as they call it?" Both the heading and the whole substance of this passage ought to have saved the Court from falling into the erroneous inference they deduced from it. The use of the Mass, even in private, had been, ever since the excommunication of Queen Elizabeth, a treasonable offence; and the visitation inquiry of Laud was a stereotyped form, addressed to churchwardens in those times, the object being the discovery of "Popish recusants." The Court, moreover, overlooked the fact that copes and chalices are put on the same footing with vestments in this interrogatory, and that no one ever suggested that copes and chalices were or are illegal in the Church of England. To the best of our belief, there really is no substantial historical evidence on the side of the Ridsdale judgment, and a very great deal of substantial evidence the other way.—Ed. *Spectator*.]

THE BROAD CHURCH ON RITUALISM.

[TO THE EDITOR OF THE "SPECTATOR."]

SIR,—In your last number, in the article headed "The Broad Church on Ritualism," you refer to the First Prayer-book of King Edward VI. That book, no doubt, deserves to be studied by all who are interested in the ritual controversy; but as it was not printed, and had no authority from Convocation or Parliament, till after the end of the second year of King Edward VI., it is idle to refer to it as explaining the Ornaments Rubric, which speaks plainly of "ornaments" "in use in" (not after) "the second year of Edward VI." Any clergyman performing divine service during that year would have been guided by the rubrics of some previous book, and the present rubric, dating from 1662, seems to point back to such a book? What was it?—I am, Sir, &c.,

E. S. D.

[There is no need to discuss the point raised by our correspondent. We believe that the Ornaments Rubric does refer to the First Prayer-book of Edward VI., and this has been judicially decided. The argument of "E. S. D." would prove that

the Ornaments Rubric refers to the ritual in use by authority of Parliament before 1549,—that is, to the full ritual of the Mass.—Ed. *Spectator*.]

CAPITAL PUNISHMENT AND VIVISECTION.

[TO THE EDITOR OF THE "SPECTATOR."]

SIR,—We have just seen the last sentence of the law carried out on a fellow-creature. Our sense of the sacredness of human life has been shown by the decision that certain actions render the agent unworthy of retaining it; we have not shrunk from the terrible practical assertion that it is possible to forfeit the right to breathe the air we all breathe as our common possession. Why, I would ask your readers to consider, do we stop here? Why, when we are told that science needs living material, when we thence infer that many victims to disease might be restored to a health they have never abused by the sacrifice of one whose very life is forfeit to justice, do we not take advantage of this opportunity, happily so rare, to make the death of one the advantage of many? The right to take life, we have been told, includes the right to inflict pain. A few extra pangs, to the worst of criminals (and none beside will in England ever be condemned to the gallows), might (if the same authorities speak truly) save the health of the most virtuous of mankind. On any consideration of the least pain to the smallest number, the argument for prolonging the life of many good men, by adding a few days' suffering to the death of one bad man, is irresistible. Physiologists want organisms to experiment on which approach our own most nearly, and here is a specimen of our own. They want to benefit their kind, and here is a man who has done nothing but injury to his kind, and has in death the opportunity of making some atonement. Why does the notion of giving up such a one to Vivisection awaken a horror which, were it once provoked by any serious proposal, would be expressed in an outcry from one end of the kingdom to the other? It is because we all see, where human suffering is concerned, that the infliction of torture is not justified by any consideration whatever but the immediate good of the sufferer. It is a case where the maxim that we may not do evil that good may come (which often seems to me very much abused) is felt to be unanswerable. To know what is going on inside the living bodies of men and women might be the greatest possible gain to science and to medical art, but if this inestimable boon can be attained only at the price of a single pang to the worst of criminals, we must "let that alone for ever."

Why is the case wholly changed when we deal with innocent brutes instead of guilty men? Surely, all obvious considerations, both of morality and of science, brought forward as arguments for the vivisection of animals, would appear to tell far more strongly in favour of the vivisection of criminals. On the side of science, we might urge that a knowledge of the living human organism must, for the purposes of healing that organism, be more valuable than a knowledge even of those organisms which approach it most closely. On the side of morality, we might touch on more than one consideration. If the few are to suffer for the many, do not the guilty few seem more appropriate than the innocent few? If torture is to be inflicted, had it not better be inflicted where it should serve as a deterrent from crime? If anguish must be endured, is it not fitting that it should follow guilt? Every reason by which men justify the vivisection of brutes applies to that of convicts condemned to capital punishment, and applies much more forcibly. There is more to be said for the practice which we could not bring ourselves to contemplate, than for that which is generally tolerated. I wish I could bring your readers to ask themselves if there is any reason at all for this marked distinction, except that animals are helpless. They cannot resist, they cannot remonstrate, they cannot appeal. Therefore, the justice and mercy which in the case of every other suffering class have been reinforced by threats and entreaties have here to stand alone. It is a painful discovery that we who make an appeal for these helpless creatures find ourselves thereby in antagonism to the whole Medical profession, but it is quite explicable, without supposing them to care more for human suffering than most people, or less for animal suffering. Let us grant that vivisection aids medical science. I do not myself believe that it has proved advantageous to us in any adequate proportion to the torture it has inflicted on our subject fellow-creatures. When I hear of the beneficial results of Professor Ferrier's experiments on the brains of apes, I cannot but remember how, a short time ago, we were told everywhere of the experiment

which had "saved the lives of hundreds of women," and which, in fact, was made many years after an American, in the words of Mr. Spencer Wells, "enriched modern surgery with the operation" which it was said to have rendered possible. And when I read that "to vivisection we owe almost all our knowledge of the processes of disease and the action of our most powerful remedies," I am sure that the physician who makes this statement is exaggerating the facts, nearly as much as when he tells us that "some of the bitterest hours" in the lives of his professional brethren "are those in which they are appealed to for help which they cannot afford." But I do not base my appeal on the exaggeration of statements like these. I should still make it, if they were proved accurate. I merely cite them to show that professional utterances, on this subject, should be received with as much caution as attention. May we, indeed, not say this of all professional utterances? No corporate bond seems to me to involve so little of the blessing and so much of the danger involved in all which tends to make selfishness vicarious, as that which associates men on the basis of their interests. I do not forget that the word *interest* has a high as well as a low meaning; it would lose half its danger, if the vulgar temptations it suggests were not akin to lofty aims. Trades-unions may be very good things, but trades-unionism is a very dangerous thing. And its dangers never seem to me to have been exhibited more clearly than in the recent attitude of the Medical profession towards Vivisection.

It is but a little way that in this world we can see into the meaning of Pain. Perhaps the tendency of our day is to exaggerate its evil, to forget all that is elevating, all that is softening, in its influence. But it is elevating, it is softening, only for us. For the creatures beneath us, it would appear pure evil. Shall we, who may find in it the waters of purifying, condemn those to whom it seems but as the scorching flame to taste its utmost bitterness? We recoil from doing it when the sufferer would be human, even though he be the guiltiest of human beings; even though, as far as human eye can see, to suffer would be the best thing for him. Why should this horror vanish when we deal with those for whom suffering, as far as we can see, is the worst thing? If we can say that we know anything of the purpose of pain, it is to make the sufferer more merciful, more tender. Shall we strip it of this divine meaning, and condemn the creatures whose only good seems happiness to agonies that the best of men would refuse to face, and from the infliction of which the worst is absolutely secure?—I am, Sir, &c.,

AN OPPONENT OF VIVISECTION.

THE BRIBERY SENTENCES.

[TO THE EDITOR OF THE "SPECTATOR."]

SIR,—In your article on "The Bribery Sentences," you infer that all the solicitors made false returns. I desire to point out, in fairness to Mr. Edwards, that this is inaccurate, so far as he is concerned, the offence charged against him being for bribery only. I think your article does not deal with what is one of the great hardships of these cases, viz., that the principals who find the money go free, whilst the agents are sent to prison as common misdemeanants. Bribery on an extensive scale has existed at all the Sandwich elections during the present century. Until 1880, Mr. Edwards, who is sixty-three years of age, never interfered in any political contest; and yet this old man, with a wife dying at home, is singled out as an example to the rest of the community, when others as guilty are not even put upon their trial. Surely this is a burlesque of justice.—I am, Sir, &c.,

FIAT JUSTITIA.

[We discuss the general argument elsewhere, and have neither desire nor intention to hurt any individual. Mr. Edwards's exemption from this charge of course makes a marked difference in his favour.—Ed. *Spectator*.]

CHEAPER BOOKS.

[TO THE EDITOR OF THE "SPECTATOR."]

SIR,—Surely that is a sad article of yours in the *Spectator* of December 3rd on "Cheaper Books." You say, "As to the average Englishman, he simply hates buying books . . . and sometimes, in his eagerness to borrow, performs acts of incredible meanness. We have known authors asked to lend their own copies, by men of ten times their income;" and so on, in the same sad strain.

That, Sir, may be true of some, but surely not of all. I am a very "average" Englishwoman, and yet almost the keenest

pleasure of my whole life has been to buy books. When I have made acquaintance with a noble, good, and beautiful book, I could not rest until it was mine,—my very own. The years roll back as I write, and I see myself, five-and-twenty of them ago, young, and just married. We had very foolishly married without and against the consent of our parents, and they (God bless them!—they are here no more) thought, I fancy, to unmarried us, by a process of starvation. Many a time (my husband dining at an eating-house) did I eat only dry bread for dinner, all the while guarding and treasuring up—chiefly tied in a corner of my handkerchief for safety, fearing, if discovered, it would go in beef and mutton—a sovereign given me by a cousin, and which I destined to the purchase of "Boswell's Life of Johnson."

I had to wait five months ere opportunity favoured me, and not until I had been some time at the Cape of Good Hope did I triumphantly carry home my volumes. But when at last I held them as my own in my eager hands, what were exile, and poverty, and vexation, in comparison?

Sir, every book on my shelves is dear to me, for every book means a sacrifice. But for what an end! In my many sorrows, they—my books—have been unailing in kindness and comfort. In foolishness they have given wisdom and guidance, they have been strength to my weakness, have helped me to help others, and in their possession has been deep joy; and what is more, they have removed far from my home and from my heart that sore sorrow and trial of woman's life,—loneliness.

It is to me a small matter that I have mostly fed poorly and dressed plainly, since, by so doing, I have been enabled to gather under my roof the great and noble of the earth, who look down at me from my walls with the faces of friends. Had I (would to God I could have!) the boon of life once more I should, so far as the blessed acquisition of books goes, live it all over again.—I am, Sir, &c.,

E. S.

[NOTE.—Mr. Lacey's letter on "The Papal Power" is in type, and will appear next week.]

A R T.

THE ROYAL SOCIETY OF PAINTERS IN WATER-COLOURS.*

THE Exhibition of the Royal Society of Painters in Water-Colours, which opened to the public on Monday last, is one of unusual merit and interest. It is, of course, nominally a collection of sketches and studies, but many of the works differ from finished pictures only in the name. It happens, however, that this year there is far more of the genuine sketch and study element than is usually the case, and that some of the best members have sent contributions of this kind which are of singular power. A few members only send works below their customary level, and we may, perhaps, allude briefly to these, before commencing our tour of the gallery. Mrs. Allingham's work has for the last two or three years been declining in breadth, and gaining no corresponding advance in delicacy or subtlety, and this year her contributions are the weakest we have yet seen. There was always in her art a tendency to make much of trivial things, and to surrender truth to prettiness. This tendency has grown upon her with its indulgence, and her self-restriction to a very minute scale of work, has exaggerated her defects of technique, till now, when we look at her little cameos of English life, we notice an unpleasant, niggling kind of effect, very inconsistent with good work. Mr. Lamont's faults of hard colouring seem to be growing upon him, and he has, we think, done unwisely in forsaking the poetical subjects in which he made his chief successes. We would give all his late contributions for another series like that of "Bonnie Kilmeny," or a picture like Glasgerion harping the whole Court to sleep, that he might make love to the King's daughter. Mr. Thorne Waite's drawings become less interesting every year, if only because the artist never progresses. He can do a vivid sketch, in clear, bright water-colour, of a rustic landscape, but he cannot, try as he will, make his sketch into a satisfactory picture, and the consequence is, that of all his works, the hurried sketches done in half an hour are the most satisfactory. Of the two new associate members of the Society, it is difficult to speak with anything like patience or justice, when we remember

* 5 Pall Mall East.