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SOCIAL LEGISLATION—MR. FORBES MACKENZIE'S ACT.

THE political questions of the age sink to comparative insignificance when contrasted with those that affect the moral and social condition of society, in the estimate of many persons, who quietly bear the Bullion Act, which diminishes work and reduces wages, or submit to exclusion from political privileges with exemplary resignation, yet threaten to rebel against the slightest infringement of their beer. The late William Cobbett once said that if Englishmen ever rebelled, it would be for two-pence-half-penny, or thereby. The London agitation of the last year confirmed this bad opinion of the revolutionary tactics of Englishmen. Great topics of public interest abounded, yet the Beer Bill had preference in Hyde-park over the bread meetings, and numerous assemblages threatened to stone Lord Robert Grosvenor for proposing to shut certain shops on the first day of the week. Social legislation comes direct to the habits and homes of individuals, and is felt in all their family and personal arrangements. They do not often pause to reason upon its qualities or tendencies, but work for or against its proposals from impulse or instinct.

The Sunday meetings in Hyde-park last summer, and in subsequent months, excited much interest out of the metropolis. The numbers were large for a provincial town, but small for London, with its two and a-half millions of inhabitants. They were not meetings for discussion, because a considerable number of persons who might have supported the assailed bills could not, from their principles, attend to discuss the questions upon the day selected for these gatherings. The demonstrations were thus on one side, and, looking to the vast population of London, the selection of the day, of the Park, and the professional attendance at all places of the kind, they were not, in any respect—not excepting the roughness imputed to the police and their subjects—comparable to large provincial assemblages on any question of popular interest. Their importance was derived from their locality. Hyde-park is the lounge of the genteel and the rich. It is the centre of aristocratic

mansions. It has room for all classes, without confusion or jostling; but when the "tag rag" came west—not for air only, but practical amusement, hatting, hooting, a little stone-throwing, and a small row, in addition to speeches and resolutions, the affair became troublesome. Two sections of the east were engaged evidently in the proceedings—those who speak after they think, and who believed that solid privileges were endangered by Acts of Parliament passed and proposed; and those who think little, speak much, and have no particular care or love for any liberties that are worthy of preservation. The west were willing to legislate for the *canaille* while they kept in their lairs, but when this legislation threatened to bring them out, their effort ceased.

The history of recent legislation on social affairs induces us to consider carefully and minutely several questions arising out of the subject. The middle and upper classes of society can take their own time for any pursuit in which they may wish to engage. They can present a sober front on Sabbaths, because they have Mondays, or Saturdays, or any other days, for indulgence in debauchery; but the working classes must toil for six days, and if debauchery were a good article, they should have the means of enjoying it patent to them at the only time when they can use them. All classes, however, consider "debauchery" a term meant to signify whatever they deem vicious; and therefore any class would resent a proposal to ensure for them opportunities of engaging in its pursuits. The definition of the word is a difficulty. It is impossible to call a glass of beer by that name; but it may be the beginning of many sorrows. When therefore one party require the closing, and another the opening, of beer-shops and public-houses on the first day of the week, they have both much to say for their respective views. The intemperance common on that day amongst the more ignorant and thoughtless classes should close the question; but a large number of individuals resent an infringement on their freedom for no better reason

than the welfare of their brethren. Their argument will not bear discussion. They can hardly state it to others with a grave and sober countenance. A man cannot occupy a decent place in society, and yet refuse to exercise self-denial for the public good. The law compels us all, at twenty turnings in a day, to avoid, for public purposes, something that we should gladly do if private interests were the only rule of action. No moral evil exists in sugar that has never paid duty, yet a good subject will not use a smuggled article wilfully. A similar rule affects many practices, not essentially evil to an individual, but rendered wrong by his duty to society. The theory is so generally acknowledged that we are bound on every topic to prove "the public good." "The end will not justify the means," and suffering must not be inflicted upon any person for the public benefit alone. The part of Quintus Curtius may not be forced upon private citizens against their will; yet, in municipal and national institutions, the private inclination must bend, in numerous cases, to the public welfare.

An honest man may properly earn his livelihood by feeding and rearing pigs; but he must not pursue this trade in the centre of a dense population. The conservation of city manure is an object of the highest importance to the pecuniary resources of the country; but long ago, in large towns, its private collection was forbidden and suppressed. No evil exists in dunghills. The collection and economy of refuse are most commendable; and we agree with all the pamphlets published on the subject as to its propriety, and with more than one half of them upon its value; yet this desirable operation is not allowed to private persons in towns, and all acquiesce in the propriety of this sanitary restriction. The rule on which we insist is so common that the examples given were almost unnecessary, and more than a hundred similar cases that might be named would only encumber space, without strengthening our position.

The opponents of the bill proposed by Lord R. Grosvenor said that the labouring classes in London could not, from the limited accommodation in their houses, purchase a day's food in advance, without incurring the risk of having their dinner spoiled by the vitiated atmosphere which they breathed. This argument implies a state of existence which should not be tolerated for twelve months longer, without reference to its vitiating consequences on chops and steaks. The houses should be thrown down in a mass, and the population located in tents, until even wooden huts were erected, rather than allow men to rot like sheep in homes where a round of fresh beef begins to decompose in ten to fifteen hours. The sanitary condition of many localities in Edinburgh and Glasgow cannot be mentioned without reprobation; but they have nothing approaching to this state of misery upon a scale so large as to influence public opinion, and regulate the construction of laws; for although we have once or twice admired the bulk and corpulence of the blue bottle flies in some parts of both the great

Scotch cities, and marvelled how they reached in poor houses to their state of prize-cattle fatness, yet such places are not numerous, and we hope that reform is rapidly reducing their number. The world is indebted to the proposers of this bill for indirectly eliciting a blot on metropolitan life which those who have seen it will diligently endeavour to remove.

A second objection originated in a practice more apparent than the corruptive tendencies of a vast number of dwellings, and one that should be altered before the habits of the labouring classes of London upon this subject are censured indiscriminately. The payment of wages at a late hour on Saturday night postpones their expenditure until an early hour on the following morning; therefore, it was said that many classes, unless they could buy food on Sunday, must fast until Monday. The labourers and operatives of London do not always reside "near their employment." They often do not visit their families and homes from morn to night; and if wages are paid on Saturdays, they cannot lay out the income of the week until it has nearly closed. In some cases it may be entirely closed before they reach home. This habit has originated in the omission of employers to reckon its cost to the families of operatives. Wages paid at a late hour on Saturday evenings are of five per cent. less value, to those classes who wait for their money to buy their food, than their worth twelve or twenty-four hours earlier in the week. Our acquaintance with the more populous districts of London enables us to say that the best shops in every trade are closed at all hours on Sundays. The leading thoroughfares present a Sabbatical appearance of shop-doors and window-shutters. The men who always keep open doors do not supply the middle classes. They do not have the business of the more respectable artisans in many localities. They sometimes keep inferior articles, and we believe that they charge on Sundays a superior price, with the exception of dealers in perishable commodities, who may be glad to clear out their stock for what it will bring. But even if the price on all days were uniform, the quality cannot always be the same, and there is reason in the proverb, "First come, best served."

A vast number of families in the operative classes do not depend for one week's food upon that week's wages; and a large number keep accounts in pass-books, which are discharged fortnightly or weekly. To these classes the objection was not available. It was advanced on behalf of families who live "from hand to mouth," and society is deeply interested in raising them out of that unsatisfactory position; but so long as they are numerous they cannot be forgotten, and legislation must not be shaped in a form likely to increase their distresses.

The greater portion of the Anglo-Saxon race work too long, and therefore short hours' bills are good for them in every sense. They render labour less painful and more regular. The work accom

plished under the short-hour system is found to be equal in quantity and superior for quality, in many trades, to that done upon the long and weary plan of toiling from "waking to sleep;" and even in other trades where machinery is employed extensively, short hours only equalise labour, and prevent that overproduction, as it is called, which causes weeks occasionally of "no time whatever," but universal idleness, with all its consequential sins or sorrows.

The Sunday of the world, the Sabbath of Christianity, is one security for short time instituted by the Author of all time for bodily rest or mental and spiritual improvement. The friends of short time, of family happiness, and mankind's progress forward to freedom from every evil, or all the evils that can be reduced or removed, naturally guard this institution—proclaimed first among the Armenian mountains, and then from the frowning cliffs of Arabia—against encroachments by Mammon in any form or shape, either as the genius of pleasure, crowned with fading flowers; or of business, marked by abiding wrinkles. Their objects are twofold; chiefly and first, of a religious character, and, less prominently, of a sanatory nature. The first can only be promoted by moral persuasives. Men cannot be made religious by Act of Parliament; but that sentiment is often repeated by those who forget that men may be made very irreligious by statute. The kings and queens of Castile never made any of their subjects religious by the Inquisition, unless those of them, who, irritated, like the Prince of Orange, at their invasions of all the principles of civil and religious freedom, recoiled to Protestantism; but they made many millions of men comparatively irreligious; for Fenelon and his coadjutors of the Gallican Church could have been no more satisfied with the practice of many Romanist nations on the continent, than an active, zealous priest of Ireland would be pleased with the morality of the South American nations at this day. The proceedings of Catherine de Medicis and her descendants were perhaps more injurious to the Roman than to the Protestant Church in France, where practical infidelity subdued all other forms of religion among the male population of cities and towns for generations. A large proportion of Europeans have, in one sense, been made very irreligious by Act of Parliament, or of kings and priests.

In dealing with the first-day question in its religious character, many persons have forgotten or overlooked the fact that they propose to legislate upon a command which is disregarded by a great number of their fellow subjects. The census of public worship leaves a few millions of persons in England who have evidently no particular attachment to any form of religion. They are represented as infidels by one class, but they might be more properly styled neutrals. Their number, in all the three countries, has increased from causes which we need not discuss; for their existence is an admitted fact that will not permit itself to be

now overlooked in any legislation on their personal habits and practices. It either altogether made the Hyde-park meetings, or formed three-fourths of their strength.

The same parties omit another element in prosecuting their labours. They forget that the census of attendance on public worship included many persons in various churches, and even entire sects, who do not consider the fourth commandment binding upon them as Christians, or who interpret it more loosely than many other members of the same bodies. We mention the existence of these parties as another fact that cannot be ignored in legislation. A decided minority in all non-essential matters must yield to the majority, and if our liberty were not infringed upon in other respects, we should not consider it an essential point, that in Mohammedan countries we were compelled to be idle on Fridays; but the majority must be large indeed to enforce conformity to its views in this particular.

The primary purpose of a day of rest is not necessarily that on which it can be advocated with the best advantage. The secondary purpose is the stronger in a political sense, for it interests a number of persons who neglect the primary object. The friends of Lord Robert Grosvenor's Bill neglected to attain two points which would have helped them to struggle for the third. If they had associated with their legislative measure steps to secure the payment of wages on Thursdays or Fridays, and the general establishment of a half-holiday on Saturday, they would have gained over many enemies, and turned them into friends. The payments of wages before the closing hours of the week cannot be compelled by law, which cannot enforce them even on Saturday night at twelve o'clock. They can only be the object of arrangement between the employers and the employed; but the former would readily adopt Thursday as their pay day if it were rendered fashionable; and the latter might agitate for this in their unions as readily as for an advance of wages, for it would be equal to five per cent. upon their receipts.

The half-holiday movement proceeds favourably in London. It has long been adopted in the manufacturing districts of Scotland with admirable results. It should be the object of earnest pursuit to all friends of the productive classes. The toiled and care-worn London clerk, who returns to his suburban house at a late hour on Saturday evening, and has his Sunday dinner, the only one of all the week with his wife and family, is blamed by those who dine daily at five in their domestic circle—and feel more properly, it may be, and more strongly on this subject—for causing so much labour on the day of rest; but they should aid to give him the cheerful Saturday afternoon in his home. It might and would in the course of time become the warm dinner day, the weekly festivity, the evening of amusement and recreation to the young, and pleasure to the old. No measure of reform would be more gratefully received. The splendid parks

of London would be crowded with happy families, relieved from care, on summer Saturday afternoons; and on winter Saturday evenings, lights would sparkle from a thousand windows that now are dark and lonesome. The Sunday would become a Sabbath of gratitude to many thousands of hearts, who now begin the day at an advanced hour in the forenoon, jaded and fatigued; and close it in perfect weariness at a late hour of night.

Scotland has become an advanced post or experimental field for social legislation, upon this as upon some other topics. Mr. Forbes Mackenzie's Act has been assailed by its enemies and supported by its friends with extreme vehemence. It is a charter of privileges and rights with one class, and an edict of oppression and tyranny with another. It has been tried less by the reason than by the prejudice of its subjects, and more by their passions than by its results.

We have noticed incidental reports or statements on the subject as they were published, and they have established generally a favourable opinion of the Act, while some of the newspaper correspondents complain of the hardships and sufferings encountered by them, in remote parts of the country, in consequence of its regulations. The Act prevents the transaction of business in ordinary licensed spirit shops or taverns at any hour on the first day of the week, or before eight a.m. and after eleven p.m. on any other day; but an exception is taken in favour of inns or hotels, where *bona fide* travellers may be supplied on any day and at any hour.

This Act must necessarily have numerous and powerful opponents. All the parties who feel a reduction of their sales, if that has been effected, naturally oppose the cause; and all those who hold strong opinions against the practices and views of "the Sabbatarians," believing their own freedom of action and enjoyment lowered, quarrel with the restriction. The latter class must, of course, submit to some inconvenience and restraint for the general good. Many of them may be qualified to regulate their own conduct, and many more may hold that opinion without any good ground; but the fate of the bill will be decided ultimately upon the general merits, without undue consideration for the miseries of those who are compelled to become *bona fide* travellers or drink their excisable liquors for one day out of seven at home, or in a friend's house. It is an infringement of one liberty, calculated, probably, to promote another liberty, which we wish to see established. The manufacturers, and all the dealers in the goods under partial condemnation, must console themselves with the thought that multitudes have been obliged to change or modify their callings from physical revolutions, and they suffer, in the same way, from the changes of a social revolution.

The only general statement made respecting the operation of the Bill has been issued by the Scottish Temperance League, from answers to a series of questions transmitted by them to the officials of

their own societies, to magistrates, and to ministers of the Gospel. The pamphlet contains the opinions of 86 magistrates and city officials, 43 Superintendents of police, 15 governors or officers of prisons, 206 ministers of various denominations, 83 city missionaries, 188 employers, 13,269 working men and their wives, and 89 secretaries of Temperance societies. We deduct the three latter classes, however, as so many members of the Temperance societies might be found, and they would be witnesses in their own favour. The ministers and missionaries may, as in the former case, without doubting the fairness of their testimony, be considered interested witnesses. But the official persons, writing in their public capacity, present a hard mass of opinion, not easily assailable. We presume that information was sought from many magistrates who did not answer their querists; but as one magistrate may often write for himself and companions, and as the large towns of Scotland are fairly represented in the report, we are bound to accept it as the best evidence yet collected. We observe that Inverness is mentioned as one of the burghs where, according to the Temperance correspondent, the Act has been enforced loosely, because the magistracy were, directly or indirectly, connected with the spirit trade; yet, at a recent date, we have had evidence that the Town Council are unanimously favourable to the Bill. The opinions are supported by statistics which, although not so favourable as we might have expected, still exhibit a considerable reduction of crime consequent on, or subsequent to, the operation of the new law.

Society being put to expense for the support of criminals and the suppression of their offences is entitled to adopt any plan that promises to reduce the outlay. Prevention is superior to punishment; and should be adopted in preference, with or without economy. The apprehension of disorderly and drunken persons is more certain in the streets of a Scotch than of an English town. Especially it is more certain than in the metropolis, where an intoxicated person may go at large with impunity, until he becomes "dead drunk" and unable to go farther. We have seen the police of London engaged in separating a party who were all drunk and fighting in a public place without the seizure of a single offender. In Edinburgh or Glasgow half a score of sorrowful drinkers, black and blue with blows, and dull with headaches, would have figured next day in the police sheet as drunk and disorderly for a similar offence. We are unable to say whether this leniency promotes the custom of wife-beating, which is scandalously prevalent among one class in the metropolis, but it is extremely misplaced, and only hides an evil that should be exposed, in order to be suppressed. We believe that London expends more money than Scotland on intoxicating drinks, although a different opinion is prevalent.

The official return of the cases of drunkenness within the circles of the Edinburgh police were, for the years ending on the 15th May:—

	1852.	1853.	1854.	1855.
Drunkenness alone ...	6,399	6,211	5,565	5,121
Do. and other offences	3,034	3,427	3,934	3,425
	<u>9,432</u>	<u>9,638</u>	<u>9,499</u>	<u>8,546</u>

The decrease on the season in Edinburgh was 953, or almost precisely 10 per cent. upon the total of former years. This diminution was not effected altogether upon the day when public-houses and spirit shops are closed entirely. The numbers committed on Sundays during the four years mentioned stood as under :—

1852.	1853.	1854.	1855.
1,401	1,340	1,252	788

One-half, or thereby, were for simple drunkenness, and one-half for that and other offences. This return shows that Sunday has not for some time been the great drinking day of Edinburgh. It is indeed under the averages; and when freed from the legacies of Saturday night, has been, for four years past, at least, an unusually quiet day. The following numbers were apprehended from eight o'clock on Sunday morning to the same hour of Monday in each of the years named :—

1852.	1853.	1854.	1855.
713	715	628	153

These statistics must be disproved before we can deny that the Act has wrought well for Edinburgh. The Lord Provost, at the time when this bill came first into operation, was a sincere, tried, and trusted Radical in secular, and a Voluntary in ecclesiastical politics. He might fall into error on any subject; but he will not be charged in Edinburgh with lending himself to any petty purpose, or any piece of oppression, large or small, with a knowledge of its character. During the first year of the Act he watched its effects and published tabular statements at intervals, which were never answered, because the difference between drunk and sober men is so great that no mistake can occur on the subject. Mr Morham, the Deputy City Clerk, recommends that the Act should, in some particulars, be rendered more stringent; but he most sincerely hopes that the doors now shut against the sale of whisky on the Sabbath will never again be opened.

Captain Smart, of Glasgow, who is not surpassed for activity and efficiency in the management of a numerous police force by any superintendent in our large towns, or the metropolis, says, that while he is not at liberty to give precise figures, yet the decrease of "drinking cases" in the first seven months of the Act's life was 3,000, or at the rate of upwards of 5,000 per annum. As "this decrease still continues," an end of all controversy on the subject should have arrived in Glasgow, for Captain Smart's evidence cannot be questioned, and in the language of Bailie Thomson, "the Act has done much good."

Dundee is a busy, manufacturing town, in population now the third of Scotland, and containing at the present date, we should say, over eighty thousand persons. The provost and the four

baillies of that burgh join in a "declaration," dated on the 5th October last, in which they say that since the Act came into operation "the Lord's day has been observed with greater outward quiet and decorum, and the prohibition of the sale of intoxicating liquors before eight o'clock, a.m., and after eleven o'clock, p.m., has been attended with the happiest consequences, more especially to the operative classes,"—they consider "that the repeal of the Act, or any of its leading provisions, would be a great national calamity." In the experience of these gentlemen the reverse of this statement has been established, and the maintenance of the Act is a "great national benefit."

Mr. Mackay, the Superintendent of Police in Dundee, confirms the views of the magistrates in every respect. The number of persons apprehended within the boundaries of his jurisdiction, from the 15th May to the 31st December, between twelve o'clock on Saturday night and eight o'clock on Monday morning, upon charges of drunkenness, or disorderly conduct in connexion with the former offence, in the year before and the year after the passing of the Act, was :—

	Cases.	Persons.
1853	363	536
1854	180	260
Reduction	<u>183</u>	<u>256</u>

This reduction is equivalent to one-half—rather over in the number of cases and under in that of persons; and it appears that the proportion of individuals apprehended is nearly 1½ for each case, but as solitary drunkards are messed up with the fighting class, the quarrels must involve an average of two or more persons for each instance.

The number of persons convicted for drunkenness and disorder, from the 1st January to the 31st August, in the following years, is given in the first line of the subsequent table; and the number from the 15th May, the date of the operation of the Act, to the 31st August, in the second line :—

1852.	1853.	1854.	1855.	Reduction.
2,036	1,727	1,625	1,587	233
903	926	767	700	67

We have taken the reduction between the last and previous year; but in the second line it would be more marked if taken between the last year and either 1852 or 1853.

Mr. Cruickshanks, the governor of the prison of Dundee, gives the number of persons committed to his charge for four years, from the 15th May in each case. The first line consist of the numbers charged with drunkenness and disorderly conduct; and the second, of those committed for other offences :—

1852.	1853.	1854.	1855.
1,542	1,156	1,245	1,009
687	656	875	759
<u>2,229</u>	<u>1,812</u>	<u>2,120</u>	<u>1,768</u>

The number charged with intemperance and its

direct fruits, are nearly two-thirds of the criminals who are placed in the custody of Mr. Cruikshanks, and it is obvious that the annihilation of this practice would save more money to Dundee than the amount of any profit that the trade can yield. The reduction of committals on Mondays since the operation of the Act, is in the proportion of 4·962 to 7·269; and of other offences, of 3·452 to 4·100.

Aberdeen was formerly the third city for population in Scotland, and the difference between it and Dundee is at present scarcely perceptible. Three magistrates of the northern city give favourable testimony to the working of the Act. They apparently consider that it should be rendered more stringent. The influence of the measure in arresting intemperance appears, however, to have been slight in Aberdeen. The number of persons taken to the police office on that charge in the Sabbaths from January to June, 1854, was 263, and in the corresponding period of 1855, the number was 187, but the decrease is only 76. We are prepared therefore for the assertion of the Assistant Inspector of the Poor, that there "the Act has often been violated with impunity."

Leith is socially a part of Edinburgh—the port of the Scotch metropolis, and although placed under different municipal government, yet so connected with the neighbouring city that the habits of the population are identical with those of their neighbours, excepting the influences always existing in some districts of any sea port. The numbers of drunkards apprehended on Sundays between the 15th of May, 1853, and the corresponding day of 1854, was 222, and in the corresponding period to 1855, only 71—showing a reduction of 151; but unless some error has occurred in the figures the number increased upon the other days of the week from 569 to 596, or 27 leaving a net reduction of 124 per week. Sunday appears to have been the hardest day among the drunkards of Leith previous to the operation of the Act, but we presume that a number of the gratuitous lodgers in the Police-office were seamen, from home and idle.

Greenock corresponds in all social characteristics very closely to Leith. The population are engaged in almost the same pursuits, although less numerous than those of Leith. The figures given below are only from the 1st of January to the 1st of May in each case:—

	Drunk.	Drunk and Disorderly.	Total.
1854	1,180	258	1,438
1855	547	146	693
Decrease...	633	112	745

Paisley contains a larger population than either Greenock or Leith. The industry and the ingenuity of the Paisley manufacturers and weavers has rendered its pursuits well known in nearly all parts of the world. It stands only seven miles from Glasgow, and consists exclusively of a manu-

facturing population, who, from the high price of provisions and the low remuneration for work, have for some time occupied a depressed position. The Procurator Fiscal (or public prosecutor) and the Superintendent of Police attribute in part the reduction of drunkenness to these bad times, but they agree in ascribing beneficial results to the operation of the Act. A declaration, signed by forty-five magistrates, councillors, and commissioners of police for the burgh, states that the Act "has conferred great benefits on the community." All the officers of the Paisley prison, eleven individuals, "believe that the bill has tended materially to lessen the number of commitments," and "do earnestly desire to see its powers increased." The average commitments for the quarters ending on the 30th September during seven years preceding 1854, amounted to 112, and in 1854, the first quarter under the Act, they were 92, showing a decrease of 20; while in 1855 they were only 55, giving a further decrease of 37, or a total of 57, being above one-half. The Governor of the prison is satisfied that the benefits are mainly to be ascribed to the Act.

Arbroath and Montrose are manufacturing and shipping towns, containing from fifteen to twenty thousand persons each, situated between Aberdeen and Dundee. The committals in the Arbroath police court for the year which terminated on the 1st of May, 1854, were 454, and in the year terminating on the 1st of May, 1855, were 277. All these cases originated through intemperance. The number of convictions from all causes in the police court at Montrose for the year which closed with the 6th of May, 1854, was 462; and for the following year 324. This table excludes militia cases, which could not have occurred in the former year. The Superintendent of Police at Montrose states that the Act is very popular there, and neither the trade nor the police wish any change. The Superintendent at Arbroath considers that the carrying out of the Act "to the letter of the law will prove a fortunate affair for Scotland." The authorities of Kirriemuir, a weaving borough, say that the Act "in its operation has been satisfactory and beneficial to the community." The Provost and two of the magistrates of Kirkaldy say that "it has done much good." The Provosts of Ayr, of Stirling, of Dunfermline, and of Alloa bear fully out this opinion. Similar testimony comes from Dumfries, Wigton, Stranraer, Sanquhar, and other towns. Kirkaldy and Dunfermline show a fall of more than one-half in the number of convictions for drunkenness. The Superintendents of Police for Berwickshire, Selkirk, Peebles, Linlithgow, Ayr, Argyle, Clackmannan, Forfar, Kincardine, Moray, Sutherland, Bute, Kinross, Inverness, and Banff shires all give strong testimony in favour of the Act, and state that it has reduced crime; but only a few propose any restriction of its provisions. The Superintendent for Edinburghshire cannot answer without official authority. The Superintendent for Dumbartonshire apparently finds little relaxation

of his labours from the Act. The Superintendent for Fifeshire, with a population of 153,196 says "that the effect has been excellent," and supports his opinion by that of over 300 gentlemen in the county to whom he circulated queries on the subject. They said that the Act could be improved by advancing the hours for closing to ten or even nine each evening, and reducing the number of public-houses by one half, or thereby; and yet Fifeshire is one of our most liberal counties, and many persons would be inclined to call it a perfect hornet's nest of Radicals. Forfarshire resembles it in that qualification, but the Superintendent of Police for Forfarshire "considers the Act referred to one of the most useful our country can boast of," while the Superintendent for Fifeshire "views the Act as being one of the greatest blessings Scotland has had conferred upon her for many years."

"Private drinking" is said to have increased from the operation of the Act; but it is the smaller of two evils, and it cannot be overcome without the enactment of a sumptuary law, which would not be obeyed. The public prosecutor is not empowered to examine into private habits, and the concealed offence is not equivalent in guilt to that which is open and manifest; but the assertion is not likely to be true, for the general return of the spirits absolutely used gives a considerable decrease.

"Unlicensed houses" of sale are said to have increased, but the superintendents of police for the counties say that they are more easily detected and more frequently prosecuted under the new than they were under the old Act. Their evidence on this subject is conclusive; for the increase of this crime is likely to be more accurately and generally known to them than to any other persons, as they form a complete acquaintance with their different districts. They allege that, in the present and the previous year, a greater number of persons have been punished for selling spirits without a license, than in former years; not merely because the crime has increased, but because the criminal can now be more easily convicted and punished than before.

The interpretation of the words "*bona fide* travellers" has been troublesome and various, both in England and Scotland. The term is loose, yet it is difficult to suggest anything less vague. It clearly infers that the travelling shall not be undertaken for the purchase of "the drink." The customer must be a traveller at a considerable distance from home. A drive by omnibus for a few miles will scarcely make a man a *bona fide* traveller for the day. The language is intelligible, and yet the precise distance, mode, and time of the journey must depend on both local circumstances and the applicant's position. Seven miles from home is twenty minutes at some places, and two hours at others. Therefore, the law cannot be applied with the precision of a mathematical statement. An unfortunate person who considers excisable liquors essential to his enjoyment of life, should carry a phial on the approach of the doubtful hours. He would pursue this course on a railway

journey; and all *bona fide* travellers have seen "pocket pistols" at work with alarming zeal in railway carriages. As for absolute refreshments, coffee and tea, bread and beef, sandwiches, or Welsh rabbit, cold ham, or fowls, they can be found at any house. Travellers are restricted slightly respecting "their drink," but they may always have plenty of food. Mr. Birrell, a magistrate of Kirkaldy, writes upon this subject thus:—"It seems a libel upon the *bona fide* traveller that he cannot be 'refreshed' upon Sunday without spirits." Some people exist who would get on badly without snuff; but they fill their snuff-boxes on Saturdays. The persons who are in similar straits for spirits should provide themselves in the same way with the coveted goods.

The number of licensed houses has been reduced by the operation of the Act. In Glasgow, the decrease was 42 in 1854, and 147 in 1855, making a total of 189, which on 1864, the present total, is 10 per cent. The reduction at Dundee was 79 in 1854, and 137 in 1855; altogether 216, or more than one-third of the number, 596, existing in 1853; but as Dundee does not contain one-fourth of the population of Glasgow, the number was in excess. The fall at Leith was, last spring, 32, or rather over 10 per cent. The reduction in Ayr is 6 per cent., "all of them of the very worst houses we had." In Dumfries it is 10 per cent. In Fifeshire, 114 houses; and in Forfarshire, a considerable number. In some small towns the difference is more marked.

The utility of the measure to the families and servants of persons in the trade is unquestionable. The number of these establishments exceeded 2,000 in Glasgow, and reached 10,000 in London. These numbers were probably maintained in proportion to the population in England and Scotland. The assistants and members of the families connected with these houses averaged, we presume, seven. The estimate is, we believe, low. It would give 80,000 licensed houses in Britain, and 560,000 persons affected directly in all their moral and social circumstances by the business. The number in Ireland is probably exaggerated by one-third; but that would give 186,000 persons, or a total of 746,000 individuals affected by, or engaged in, the retail trade. Their business proceeded from five or six a.m. to eleven or twelve p.m.—eighteen hours per day for six days weekly, and half as many on the first day, making 117 hours of trading per week for a home population equal in number to the slaves of the West Indies in 1830. They would not enjoy much comfort in their calling on the long-hour system. Their homes were always at the disposal of their neighbours. Their existence was a continuous round of lazy plodding, varied by a burst of business now and then. They could not engage in any process of mental improvement, at any season or time, safe and secure from interruption. All arguments that are applicable in support of short hours in other trades were applicable to them, with the additional and startling fact that many of

them did not feel the burden of that injustice under which they did not live, but existed, or vegetated. The hours per week under the Scotch Act are now reduced to *ninety*—far in advance yet of the Ten-hour Factory Bill, although the public-house legislation affects the circumstances of an equal population.

All the facts that we have learned on adequate authority are favourable to the Scotch Bill, which will never be repealed with the consent of the people of Scotland. Brilliant declamation, pungent wit, and racy paragraphs, sometimes concocted over the flowing bowl, have been hurled at the measure; yet its results answer all objections. A little self-denial can be sustained for a general advantage; and the Act has already promoted sobriety, and therefore the political and social welfare of the community.

The extension of this system of legislation depends upon some preliminaries. Rest from labour is requisite by all classes. By many it has not been attained; yet by few among those employed on salaries or wages is its importance overlooked. The first necessary step in a community so large as the metropolis is the Saturday half-holiday; persons highly favourable in theory to this practice give their orders for clothes or boots almost invariably in haste; and they must be delivered on Saturday. If they would always order a week in advance the limitation to reasonable hours of all toil would be better promoted than by many articles or tracts.

The second measure relates to the payment of

wages early in the week, which is equivalent to their increase by 5 to 10 per cent. Many employers object to this course upon the plea that their workmen would not resume labour until all their money was expended; and Sunday is a convenience for relieving them of spare cash. The opinion proceeds upon libellous thoughts of men and manners. Those operatives who would act in the way supposed should not be employed. They disgrace their class, distress their families, and merit neglect. Their number is few, and would be fewer, except for the temptations put in their way; and they can never attain a higher social position while their life presents only the two extremes of dissipation or labour.

It is essential to all radical reform that men should live upon a smaller proportion of their time, engaged in labour, than has been hitherto used for the mere purpose of attaining the expenses of existence. It is both the end and the means of all sound reform. Therefore we are bound to promote any measure that secures all proper objects of labour, and yet shortens its hours. Thus families are enabled to become acquainted, and those numerous classes who live alone may gather instruction. At present, many families never meet together; and very many individuals find it easier to spend their half-hours in idleness at bars and in parlours than in any intellectual employment; because, though they might redeem evenings or half-days, yet half-hours are miserable fragments, that, in their opinion, it is scarcely worth while to gather up.

TANGLED TALK.

No. I.

BY THE AUTHOR OF "READING RAIDS," &c. &c.

"Sir, we had talk."—*Dr. Johnson.*

I.—OF TALK.

"A PROFILE," says Mr. Bantam, in Longfellow's "Kavanagh," "is a delineated outline of the exterior form of any person's face and head, the use of which, when seen, tends to vivify the affections of those whom we esteem or love." Talk, I might say, if I wanted to write like Mr. Bantam, is an articulated projection of the interior action of any person's brain and heart, the use of which, when heard, tends to vivify the intellectation of those with whom we associate. But, after all, there is a great deal too much fuss made about definitions; and though Whately says that half the controversies which have divided Christendom arose from an imperfect understanding of terms, I never in my life knew a dispute terminated, or a couple of opponents approximated (if I may Yankeeize the Queen's English so), by a definition. It sometimes furnishes a hasty or skulking fellow with an excuse

for backing out of an awkward position, and so saves pulling of noses and undisguised hatred between individuals who have been improvident in the use of language; and I grant you the dictionary cannot be *altogether* dispensed with. For there would be no end to the mischief of an entirely arbitrary use of words, and the confusion to social intercourse would be worse than Babylonish, if people were all to imitate the example of the imaginary schoolboy, naively instanced by Dr. Watts, who should say he had learned his lesson—meaning by "learned," *eaten*; and by "lesson," *breakfast*. No, that would never do. If a fellow who keeps a marine store shop in Seven Dials, is to be entitled to tell me he teaches moral philosophy in a university; or a youngster, who has married his great-grandmother, that he has read Pollok's "Course of Time," the consequences must be at once quaint and tragic. The definition has its place; but it