

Vol 9.

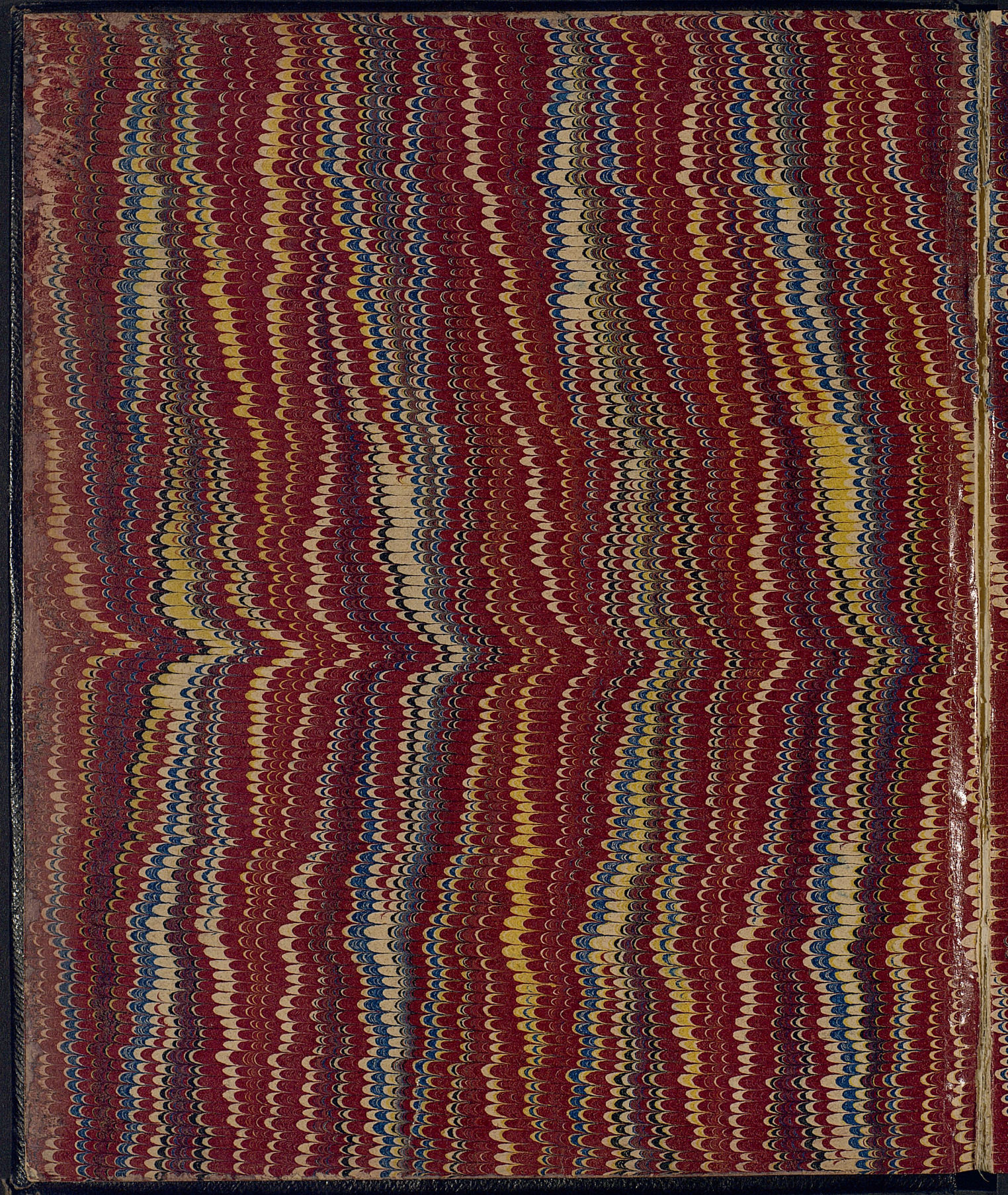
March 1885 — Ma 1886

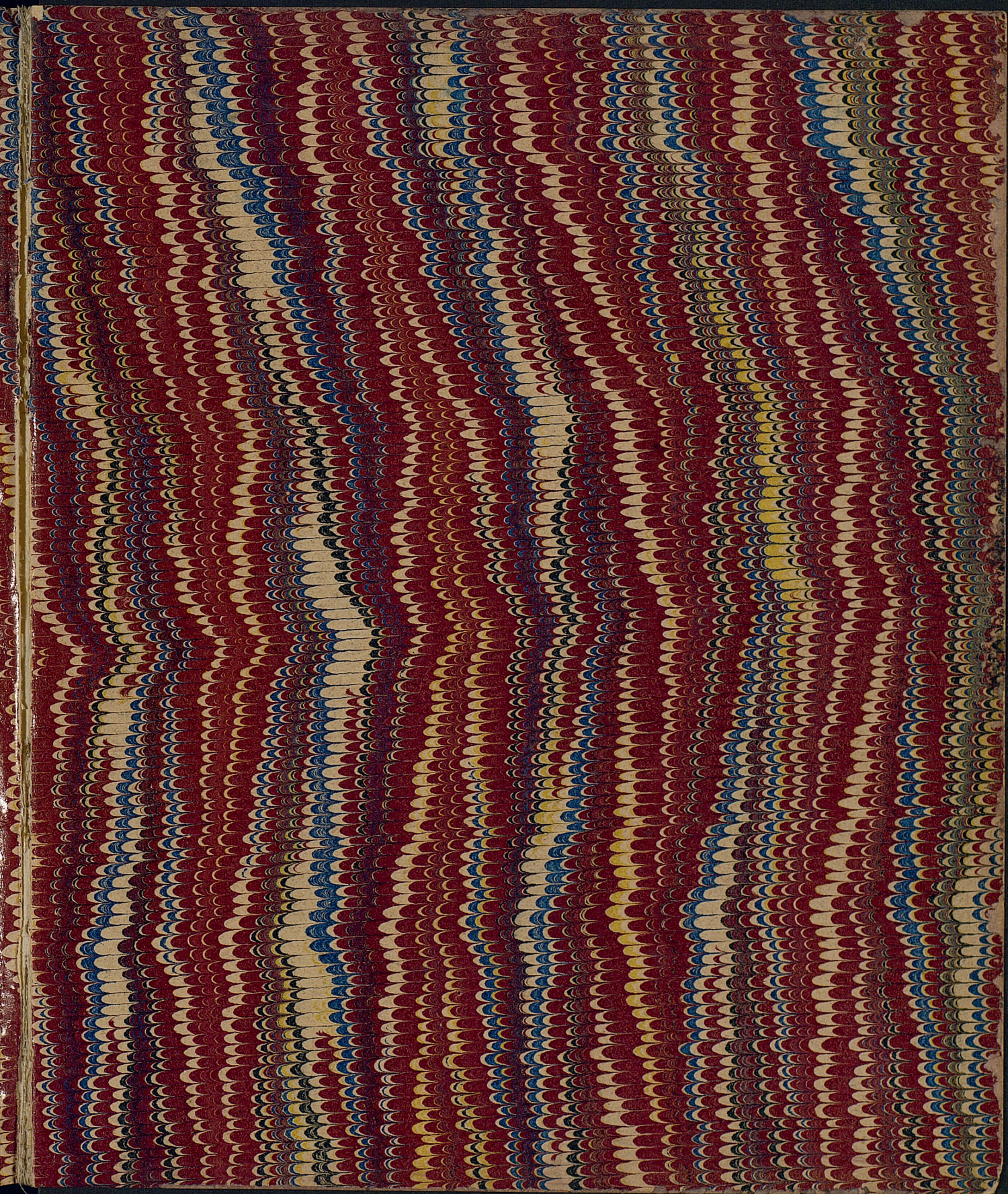
9.

March 1885

25 1886

Ma





3/6 I

March 29<sup>th</sup> 1885 - How are Democracies  
In short, modern societies, whether autocratic or  
Democratic, are passing through a great transformation,  
social, religious, & political. The process is full of  
uncertainties, difficulties & perils. There are the dominant  
trends of our era. To set them all down to popular  
government is as narrow, as confused, as ~~unintelligible~~  
unintelligent as the imputation is a paper encyclopaedia  
of all modern ills to liberalism.

You cannot isolate government, and judge it  
apart from the other & deeper forces of the time.

Western civilization is slowly entering on a new stage.

Form of government is the smallest part of it.  
It is well said that these nations have had a change  
of empire & catastrophe in the course & maintenance  
which before us, the first & way of opening the  
most liberal career & the aspiration of a present  
without too much breaking with the old tradition  
of the past. This is what popular government,  
which (under, & best all to do)

John Ruskin.

"A Race curious to know the ways of others & to attempt  
to amend their own"

St. Augustine.

St Augustine's Confessions 2  
"Critic of God"

"See you not that ye are destroying altogether the whole  
authority of Scripture, so that every man may use  
judgement - is to decide for him, what in Scripture  
he shall approve, what disapprove, in other  
words, he is not for him to subject himself to the  
authority of Scripture, but to subject Scripture to himself  
& not therefore approve of a thing, because it stands  
written in that so high authority, but therefore not  
of it he rejects written, because himself approves  
of it. If then thou hast submitted to an authority  
utterly unknown & unrecognized so as to believe a thousand  
fabulous phantoms, because they are written in  
those books, wh. by a miserable error, thou hast  
judged right to believe in, why not rather submit to  
the Evangelical authority; so founded, so established,  
so firmly spread abroad, & commended to us by  
a most certain succession of Bishops from the Apostles  
him to us own that you may believe may see may  
know that all these things also wh. offend thee offend  
the Church even in person imagination."

In order to understand the things of God, one  
must first believe them.

St Augustine's Confessions are of supreme interest. The history of his mind, which he tells with his wonderful power of mental analysis, is the history of the action thought feelings of the representative & leader of the highest life of his age.

Greek & Roman civilization had degenerated into intellectual anarchy & moral dissolution. ~~There was~~ In that age of scepticism <sup>the day</sup> no truth of principle, no criterion of truth - in a time of unshaken belief, no standards of morality.

If we follow closely Augustine's mind life, we shall understand the conditions of the times, the influence of Christianity, & the struggle between the secular & the religious ideal.

We have a graphic sketch of his mother & father in the book of his Conf. This of his mother's child hood: "Fit for her good discipline, was she worth to be commended not so much her mother's diligence, as that of a certain decrepit maid-servant, who had carried her father when a child. For the reason, & for her great age, and excellent conversation; was she, in that Christian family, well respected. Whence also the charge of her master's daughter was entrusted to her, to which she gave diligent heed."

instructing them earnestly, with reverence with holy secrets  
& teaching them with great discretion.

The anecdote of St. Mother, her & her, giving way & her last  
for wine, cured by the prof. administration of it, & her side:

"Being lectured upon a husband, she served him as a Lord;  
& did her diligence to turn him into thee, preaching thee  
into him by her conversation; by St. Non ornamented. In;  
making her incessantly, & admirably into her husband,

It is clear from Augustin's description, that his  
mother was not only naturally pious & devout, but  
gifted with great qualities of intellect & judgement.

The father was a man of pleasure, fervid in all  
his passions & given to uncontrived fits of passion. Though  
he wished his son, to excel in the learning & philosophy  
of the world: encouraged him in his youthful inordinate  
pursues to develop not a fine animal & a fine  
intellect; to give pleasure & power in the world.

St. Augustin's description of his child hood is striking  
analysis of the growth of man & means of expression  
of his <sup>divinity</sup> & of the method of education. When he is sufficed by  
his <sup>inwardly</sup> <sup>problem</sup> to God & visits his world in him.

Early in life he was led to prayer. His feelings were  
stirred in when, reading physical pain

(4)

instinctive sympathy, & sympathizing intensely with the  
happiness & sorrows of others. In the main, his  
vigorous & healthy animal nature led him into  
adventures of all kinds, joining with others in  
companionship for evil as well as good.

His education was mainly in Greek & Latin  
languages. It was the morality of the, he, in after  
life. Then came the temptations of the previous  
generations to the African - bred temperament,  
surrounded by the unnatural bias of Greek society.

"And what was it that I cherished in, but to love  
- be beloved? but I kept not the measure of love, of  
mine & mine, friendships beyond boundary; but out-  
of the muddy consciousness of the flesh, & the bubble  
of youth, mist formed up which beclouded & obscured  
my heart, that I could not discern the brightness of love,  
from the fog of lustfulness. (The mind-also of remember  
as an excuse for the Greek bias that intellectual friendship  
could not be made <sup>in the line of woman's inferiority</sup> to sexual feeling in the unnatural being)

"I despise therefore the spring of friendship with the folk  
of consciousness, & I beclouded the brightness with the  
rule of lustfulness."

These years spent at Athens were filled with



rather friendships & physical passions, reacting even in  
 plays & dramas stimulates to all emotions & sensations.

It is here we begin on another part of subtle  
 mental analysis "Why is it, that man desires to be  
 made sad, beholding dolorful & tragical things, which  
 yet himself would by no means suffer? yet he desires  
 as a spectator to feel sorrow at them, & this he gets sorrow  
 in his pleasure." The source of this false statement  
 is not wholly evil - tho' the natural outcome is desire for  
 sorrow ~~for~~ <sup>in</sup> ~~there~~ so as to enjoy <sup>of it</sup> ~~it~~ <sup>in itself</sup>. It springs  
 from "the vein of friendship" - has in it the elements of  
 pity & compassion, tho' perverted there by artificial stimulus.  
 But principally it is the itching desire of the sexual  
 passion for stimulus & cold gratification.

"Some sorrows may then be allowed, none loved.  
 For them dost thou, O low God, who lovest sorrow, far more  
 purely than we, & hast more incorruptible pity for them  
 And thou art sufficient for these things." 11.

But his intellectual life continued undisturbed  
 by these emotions: he had a clear truth-seeking mind  
 & loved wisdom for its own sake.

He became famous as a Melancholic.

Quincy Curo's "Hortensian" he was inspired to seek.

(6)

wisdom in religion: for the name of the Savior was still mighty with him from early association.

He turned to the Scriptures: "But behold, I see a thing not understood by the proud, nor laid open to children, lovely in eyes in its recesses left, & veiled with mysteries; & I see not such a one could enter into it, or stoop my neck to follow its recesses."

In this state of mind, longing for a certainty, & truth to govern both intellect & emotion, he came under the influence of Manichaeism.

Then the followers of Manes, seem to have been mystic rationalists & mystics. They tried by a system of metaphysics, borrowed from the East to explain the origin of all things good & evil. They used rationalism as a weapon against the Orthodox, affirming that the Scriptures gave no sufficient & consistent explanation of the origin of evil & the mysteries. To support this, they criticized both the substance & the authenticity of the Scriptures, affecting to enquire man's reason to determine what was false & what was true. So long as they remain critics, they were rationalists. But Manes sought to complete God's incomplete revelation, & declare

himself

He taught that

7

inspired by the Holy Spirit - so to do. There were two principles in the world; a principle of goodness & light, & a principle of evil & of darkness.

Man's soul was an emanation from God, his body a clothing of the Devil. Matter was evil.

The evil principle was co-eternal & independent of the good - though of limited extent & power. The good was unlimited on all sides, except on one where it was bounded by the evil. The universe was a globe of light, extending not infinitely, with a spot of darkness within it. Various mispractices of souls - the freeing the souls of the dead from matter & the wish on earth & contemplation. Morality based on this, were the doctrines of this sect. Christ was a direct emanation of God in light & was not clothed in evil - but was immaterial.

He was not man: only seeming so. It was a kind of Bondage without the high philosophical questions which distinguished that great religion as the firmness of the modern belief in the Providence.

All connection with matter was vicious, next to the sexual connection, which <sup>is properly</sup> a part of God was of impurities ~~was~~ in human form.

(8)

The chief-idea of inner body: & seem to have  
resembled to Bonaventura's activities, & the aim  
& methods of life: & however, St. Augustine  
belongs more or less for long years seem to have  
contacted themselves with little practical virtue.

In fact there was only one moral precept: free  
yourself from matter - which St. Augustine affirms  
suggests should logically lead to self-destruction.

The weak side intellectually of Neoplatonism,  
was the dogmatism in detail on all things, human  
& divine. Doubtless it was the doctrinal side  
of Neoplatonism which attracted & held St. Augustine's  
mind - possibly also the somewhat profound  
& metaphysical interpretation of all things.

It was a ready solution of the great question  
"When is Evil?" to assert the eternal existence of the  
two great entities Good & Evil. It was really  
an assertion of what appears as an contradictory  
fact of present existence, & a prolongation of the  
fact backwards into eternity.

In his ~~criticism of St. Augustine~~ on the  
Neoplatonism answer to "When is Evil", I seem to have  
for one moment grasped the ~~relativity of Evil~~ -

has adaptation to certain circumstances - the absence of  
proof)

But Thomism is full of superstition,  
& ignorant & presumptuous explanation of physical  
facts. It has the dogmatic ignorance of names & his  
disciples which offend to have & secretly instilled  
of St. Augustine. They had no true authority & used  
this faith on man's reason, & reason was

Proposition explains that to a faith, reason on  
authority, error in secular & physical matters is of  
2. account. "Dicitur tibi o Lord, God of truth, who so  
knoweth these things, therefore please thee? Surely  
with thee is he who knoweth all these things, & knoweth  
not thee: but happy who so knoweth thee tho' he  
knows not these." But names, & his disciple  
Thomas, pretenses to solve the major problems  
of physical nature with the same instrument. as  
he solves the great problem of existence, & the ignorance  
of faith. With them these things pertained to the form  
of the doctrine of faith. And Augustine is discovering  
this ignorance, affects to be superior wisdom  
of the ancient & secular philospher and the  
objective verification of their theories ~~of the~~

" For with their understanding & wit which  
 their hearts set on them they search out these things  
 (the ancient philosophers) & much have they found  
 out: & fruits many years before eclipses of  
 their 'hominies' to sun & moon — that day  
 hour & how many digits — Now did their  
 calculation fail & it came to pass in the future

But he found Gamerton to great regret among  
 the Hierarchians, utterly ignorant (tho' pronouncing  
 himself infallible) & incapable of <sup>explaining</sup> the <sup>merging</sup> difficulties  
 of names' physical science, with proven fact:

He was a man of 21 learning: "but because he  
 had read some of Euclid's Proportions, & very few books  
 of Seneca, some things of K. Jueli, & such few volumes  
 of his own sect, as were written in Latin & heath  
 (then is the true scholar's scorn) & was daily practicing  
 in speaking, he acquired a certain eloquence, which  
 proved to more pleasure & seduction, because under  
 the guidance of a good wit, & with a kind of natural  
 precipitation." Hence Gamerton who had led  
 so many men into darkness by his eloquence, &  
 was a means of leading Augustin out of darkness  
 A doubt as to truth of this metaphysics, is not

naturall, follow on to improve of their physics.

~~The mind that had pronounced faith i. - during  
the time of the difficulties was presumption &  
attempts - the solution of the greater problem. He could  
not see anything - th. it had died during  
So Augustine reached by <sup>as the result of God</sup> his faith: small as  
yet to accept Christendom.~~

His difficulties were these: 1. He could not believe  
that a good God could create evil - therefore if he  
believed in god, he must believe that evil was to  
co-eternall with god. 2. He could not accept the  
incarnation of Christ - for he felt it seemed to him  
synonymous with evil - therefore Christ could have  
been part evil like man. 3 He failed to overcome  
the critical objections of the manichaeans to the scriptures  
making their consistency and also their authenticity.

It was soon after his intercourse with Faustus  
that he removed to Rome, to partly to escape the  
troubled life of the "suburbia" but then too he  
was about 29 & had spent 10 years of his  
life as a rhetorician at Carthage. A beautiful  
friction of the strength of his friends help & of  
his devotion to his mother & of her joyful

(12)

Devotion & Firm. But the views of the Catholicism  
disgusted him. He may believe that with members  
he had shaken himself loose ~~with~~ <sup>from</sup> all  
~~religious~~ <sup>mystical or</sup> ~~theological~~ <sup>theological</sup> ~~relationships~~ - and that his  
human nature had satisfied itself with the  
love of women. All through his life, when he  
he was a Roman Catholic & then he was a Christian  
he believed sexual intercourse in itself had the  
of with the growing Christian belief that all  
things were ordered by God & that marriage was  
ordained by him for the procreation of children,  
he had made the fine distinction between the  
fact that was right & the pleasure from it  
that was wrong. Hence in the Code of Law he  
declares that before the Fall Adam & Eve  
had intercourse but without the sensual  
pleasure.

He was disgusted with the dishonesty of Roman  
society. In Milan we have a vivid picture  
of his life. His mother had followed him  
& rejoiced exceedingly to find her son had  
forsaken the errors of Romanism.

He taught Aristotle in Venice; his friend



Alphian's lecture law. The friends of a  
 meditate are earnest temperant - fathers  
 found them. At the time, so united were they  
 in loving friendship & common search after Truth  
 that they decided to live together with Maria  
 Augustin's mother to do for them. But Maria's  
 some, the affianced brides of others prevented this  
 arrangement. It was here that "he came under  
 the influence of S<sup>r</sup> Ambrose. "The little Killeth, but  
 the Spirit pineth him" was the frequent text of this  
 Thomas. In him was no vain conceit trying  
 to explain all things - but a lowliness & meekness  
 of heart; resting his faith on Authority of the Church  
 to teach, & of the grace of God, making the faith  
 susceptible to the heart of man.

This Chapter describes Augustin's conversion  
 from an intellectual question to the present  
 satisfaction in God's grace, through his son Jesus Christ;  
 is very beautiful & fulfilled with deep emotion.

The Roman under criticism - & can only be expressed  
 in the words of a hebraic.

It is possible to separate in this deep emotion  
 through which bears impressed on it the eye

of faith the stamp of a higher being than man,  
the purely intellectual steps which led to the  
acceptance of the Christian faith ~~the~~ seem to be these..

He grasped the relativity of Evil: seeing  
that no thing is in <sup>itself</sup> ~~itself~~ evil - but appears  
so <sup>only</sup> in ~~the~~ <sup>its</sup> relation to other things with which it  
seems not ~~adapted~~ to harmonize. But he felt  
fast to <sup>faith in</sup> one universal order or law, with which  
all things harmonized & were subject to - an  
unbreachable & inscrutable wisdom..

The great difficulty of his intellectual life, "When  
is Evil" was in that way overcome: since Evil  
existed only in one finite & limited view, which  
noted only finite relations & could not comprehend  
an infinite & universal law. But Moral  
evil remained. Man had been created & mind  
against the laws of his creation. This Augustinian  
evaded as a logical difficulty; by the assertion  
of free-will - & in this case he appealed from  
logic to instinct - the practical & incontestable  
instinct of faith is the freedom <sup>of</sup> ~~of~~ action in all ways.

This finite truth was also submitted to the  
infinite truth: ~~that~~ of the view of God, which

our own man believe.

The intellectual & practical basis for this new faith: ~~was the~~ "the" distinction belief in God & the moral government of the world: the belief in inspiration & in Authority, as the only means by which men could be guided to "do perfectly in the sight of the Lord". The necessity for a moral law, supported by one faith removed from the sphere of intellectual criticism, must have been wiped on St. Augustine.

Unrestrained & unnatural because had produced in him, as in all the great intellects of the age, a belief that the sensual life of man was in itself bad. The creed founded in pure Reason had failed to restrain it. He himself the "moral" Disputes, led the life of ordinary immorality, & was my restraint from grosser vice by fear of death & after punishment. Where then could restraint from this growing intellectual & moral Anarchy be found? For intellectual liberty, unbridled by any criticism of truth, leading not to agreement among men, but to endless diversity of opinion, & leading to unbridled gratification of the individual

constitutions of men then shown by the first effects of material evolution & intellectual development - how low to moral evil the threatened & destined the whole nature of man. And Authority; as it appeared in their day, it was in part of man's natural ~~and~~ <sup>innate</sup> propensities of mind & charity to all men, seemed in itself intrinsically good.

Then, there, were the intellectual & practical predispositions towards the faith of Christ:

The moral beauty & intellectual beauty of the Christian Doctrine, practical in its precepts, basing its creed not on human reason but on the firm <sup>incontestable</sup> ~~unalterable~~ ground of Authority, opening the heart of man to emotional tenderness & self devotion to the very God & very man, conquered & made its own the dark mind of St Augustine.

They were useful to look upon; this reflection of all the manifold influences of the time in the powerful mind - teaching you more the fundamental truths of History than the most learned & painstaking account of future

historicism. The metaphysics of the East with  
 their sensual aesthetic; the grand idealism  
 of Plato teaching Augustine that it was with the  
 eyes of the spirit - not that spiritual things could  
 be perceived. preparing his mind to receive the  
 doctrine of St. John - the Platonic version of  
 Origenism - with its wonderful dialectic  
 subtleties so stimulating to the devotional  
 spirit. The hard sense of the Academics with  
 their attention in the great problems of life &  
 rationalistic interpretation of the facts of nature  
 dispelling the superstition & scrupulousness  
 of the monks - a wonderful web of  
 thought - without any certain plan or design  
 growing through it. <sup>before the marriage to the</sup> It is the common well  
 of life - where thought plays no important part -  
 by some means, crime, via, slaying, banished abroad  
 in the world. Old civilisations breaking up -  
 countries so active new life springing up  
 with a web made of different languages, laws,  
 religion & constitution. Dante from the only  
 list of world-famous. The Catholic Church alone  
 claimed unity & spiritual dominion.

born one with the subtle persuasion  
from morality, regulated thought, the heart of the  
Barbarian. It was not to be wondered at that  
great minds looked towards the rising sun,  
& saw in it the Light of Knowledge.

But when we come to the moments of  
spiritual conversion we are treading on holy  
ground. No one can interpret in the terms of  
mental analysis, the incoming grace of the true  
believer. It remains a great mystery to those  
who have once felt it: ~~even if it leaves them~~  
~~without~~ to those who know it not: no words  
can help them to realize it. They will call  
it ecstasies, emotional instinct, morbidness, &  
their attempt to explain this will show how little  
they understand it. Here St. Augustine:

"But when a deep consolation had from  
a secret bottom of my <sup>soul</sup> heart - drawn together & heaped  
up all my misery in the secret of my heart; there arose  
a mighty storm bringing a mighty shower of tears.

Which that I might pour forth whole in its natural  
expression, I rose from a slumber: solitude was  
suggested to me as fitter for the business of weeping;

So I returned so far that even his presence could not be a burden to me. Mrs. West then took me & he perceived something of it; for something I suffered I had spoken, & when the tones of my voice appeared choked with weeping, & so had risen up. I cast myself down I know not how, under a certain fig-tree & being full wept away tears; and the floods of mine eyes poured out, in acceptable sacrifice to thee.

And, not indeed in these words, yet in this purpose, spoke I much unto thee: "O Lord, how long? how long, will thou be angry, for ever? I remember not our former iniquities, for I felt that I was held by them. I sent up these sorrowful words. How long? how long? "Tomorrow & tomorrow? Why not now? Why not in these things from an end thy uncharities?"

So was I speaking, & weeping, & the most bitter contribution of heart, when lo! I heard from a neighboring house a voice, as if by a girl, I know not character, & oft repeating: "Take up & read? Take up & read!"

As plainly my countenance altered, I began to think most intently, whether children were writ in my mind of play to my such words; nor could I

remember ever to have seen the like. So checking  
the torrent of my tears, I arose; interpreting it  
to be no other than a command from God, to go  
to look & read the first-chapter of the first.

Early then I returned to the place where  
Alypius was sitting; for there had I laid the  
volume of the Apostle, when I arose thence.

I seized, opened, & in silence read that section  
on which my eyes first fell: not in resting &  
dreaming, not in chattering, & wantonness,  
not in shifts & evasions; but put up on the Lord  
Jesus Christ, & make not provision for the  
flesh, & concupiscence. No further words I  
read; nor needed I: for instantly at the end  
of the sentence, by a light, as it were, of serenity infused  
into my heart, all the darkness of doubt vanished  
away."

He gave notice to the Emperor (I found another  
"Sister of words" for the children. With characteristic  
modesty he asserted nothing - & gave as his  
reason his growing infirmities. With his friends  
& his mother, he retired to the beautiful villa





men, which thou hast not heard from me; nor dost thou not hear ~~from~~ any such thing from me, which thou hast not first taught me."

Not with doubting, but with assured consciousness, do I love thee, Lord. Ye who heaven, and earth, & all that therein is, behold, on every side they bid me love thee; nor cease to say unto all, that they may be without excuse. But more deeply will thou have mercy on whom thou wilt have mercy, & will have compassion on whom thou hast had compassion: else in deaf ears do heaven & earth speak thy praises. But what do I love, when I love thee? not beauty of bodies, nor the fair harmony of tone, nor sweet-melodies of varied songs, nor the fragrant smell of flowers & ointments, & spices, & of manna & honey, nor limbs acceptable to embraces of flesh. None of these I love, when I love my God; & yet I love a kind of life, & melody & fragrance, & meat & embraces, when I love my God, the light, melody, fragrance, meat-embra-  
 of my mine man: where these shineth unto my soul what space cannot contain & there serveth what time beareth not away, & there smelleth what breath doth percell not, & there tasteth what eating

Thou shalt not, & there shingeth what saith  
 I will not. "Thou is it wh. I love, when I love my  
 son"

In these words we see that the Christian Spirit  
 acc. to St Augustin comprehended the whole nature <sup>of man</sup>  
 his relation to God. God was his Creator & his  
 Father, his Friend & his Lover & the Beloved of his soul,  
 his helper & his judge - the Truth which he  
 sought & which manifested itself throughout - Certain  
 All things were by him & of him.

(As I write these words, dear Father came - "Good morning,  
 dear child" he said in his cheery tone, "how are you  
 this morning?" (he always said, "Thou" & "I" had always seen  
 him directly after breakfast) Now he sat down looking  
 as bright & happy as if he had not known other  
 Mr Thompson somewhere "Is't he looking smart this  
 morning?" "Yes, as usual & smart too" - "Why it's  
 the 1<sup>st</sup> of April today - I hope it isn't April fools'  
 day at times". The words struck me, for though he was  
 looking happy, his mouth was more drawn down  
 than usual. He wrote a few letters, & kept his  
 promise to me to enter some of his other investments  
 in his ledger. I noticed, as I had noticed, all

Along side the stroke & however that his mind  
was weak & incapable of ordinary business.

It was not bathing that the change came  
over him. I cannot tell when - but I felt instinctively  
that he had changed as he looked heavily on  
my arm. His eyes were glazed, his mouth more  
than ever pulled down - but he was just  
unconscious of it - He cut his lunch mechanically,  
his cigarette smothered from his <sup>left</sup> ~~right~~ hand,  
& his mind was dull & unconscious of  
movements around him. At last Dr. Zalk  
came. As he had not seen him before he said

he could not appreciate the amount of the change. He could  
only say: He seems an old man before him, suffering  
from the effects of partial paralysis of the left side.

He said this on anxiety I think said (what  
we know from his former experience) that nothing could  
be done except to keep him absolutely quiet with  
light food & a slight aperient. Except for  
the measure of weakness he seems in perfectly  
sound condition. No tension of pulse, no  
mind quiet, good appetite, clean tongue.

His mind not in any way excited, but

perhaps

Clouded & dimming to west half. More than  
his usual absence of mind is not noticing the his  
surroundings. To-day being he complains for the  
first time in the day. He felt weary & weak -  
He said in the church - way. "The peace arrived  
from mine heart." He doubts the idea of being  
in a similar again & will think it possible.

Dearest Father: he has been so sweet here, so  
uniformly loving & gentle & so wonderfully happy.

He has indeed the reward of a loving & self-sustained  
nature. His life is without friction & without  
repent - his only sadness, that deep religious  
sorrow for Mother's death. And even in that there  
is ~~more sweetness than bitterness~~ <sup>less sorrow</sup> - for he loves  
& dwells on it - & lives over & over again in his  
imagination. These years of <sup>of narrow life</sup> death & other but  
the good is remembered!

These two months, he has been especially  
happy: enjoying his physical health &  
not regretting his absence of strength - partly  
because unconscious of it. Loving in the  
train of <sup>his</sup> children who have been constantly  
round him, perhaps thinking these lives of

more women more important (to work) than they are - still that is pardonable (to the eye) parent - looking out to please

Brody's absence has been an untold comfort. I all - not least to Father (whom she had become a thorn in the side). I'm with this she would be distressed if he dies & her absence: it would be last thing for her. Her nature of pleasure is only fit for an easy cheerful untroubled life - guarded on all sides. She is incapable of any of real self-devotion & brave effort.

Whatever happens, I shall look back to these days here to the peace & contentment & his loving dependence on me - ~~with~~ the quiet thought & reading - with a sad regret. It has been one of the resting-places of life - so few & far between in the constant & painful struggle.

If only I had not seen that hand written April 4<sup>th</sup> Father slightly better than still much changed. Still the same day as yesterday in his arm - chair - holding the fingers of his right hand. F.G. Mr. advised me to move him to London. It is sad watching the slow decay.



Wash on it - with an open mind & a simple heart.  
God grant it. J.

April 5<sup>th</sup> morning. Father's sudden illness  
has hurried me from my own work. Also I had many  
things to think of & wished my mind free for them.  
One - Louis in Paris will be bound to do, & one  
of his should remain in the same state or improve.  
Our expenditure must be reduced. I have been  
careless in this; I must try & settle about the  
Argon & Stock Park & persuade him to sell out  
of worthless investments. My best energies must  
be given to this. And then there are friends  
& relations to see: the I shall have to lead on  
to work of acquaintance. Still, my life  
with a decaying mind would be too mortifying  
if I did not fill it with other ~~occupations~~  
thoughts & pictures & time is always precious  
& by them who would do ought in the world  
must be carefully used.

Let me try & take up the threads of  
St. Augustine's thoughts & feelings.

In this I Chapter of the Confessions  
there are some excellent bits of description & analysis.



J. K. Knowlton of man - He is questioning Creation:  
 Where then is God. All creatures answer him:  
 "We are not God, but above us." He passes from Creation  
 into man - through his sensation, which he has  
 common with other creatures - to memory.

"Now I come to the fields & spacious palaces of my  
 memory, where are the treasures of innumerable things  
 brought out of from things of all sorts pursued by the senses.

There is stored up, whatsoever heeds to think, either  
 by enlarging or diminishing, or any other way varying  
 those things which the sense hath come to; & whatsoever else  
 hath been committed & laid up, which forgetfulness  
 hath not swallowed up & buried.

When I enter there, I require what I will, the trumpet sounds  
 & something instantly comes; there must be large receptacles  
 after, wh. are furnished, as it were, out of some more  
 receptacle; there is a multitude of troops & while one thing  
 is desired & required, they stand forth, as when the word says,  
 "Did ye purchase it?" These things I drive away with the  
 horns of my heart - from the face of my remembrance; what  
 should I wish to be omitted, and appear as if kept  
 out of his secret place. Other things come up readily  
 as introduced upon, as they are called for; there is present

Now again: "All these I do that great-harbor  
 of memory access in her wonderful secret-  
 & true friendly bondings, to be forth-coming, &  
 brought out - at need; each entering in by his own  
 gate & there laid up. Do I do the things themselves  
 take in; but the things of the things perceived, all these is  
 laid down for the thought-to-recall".

He passes through this secret into the nature of  
 mind: he questions the origin of words, words, of  
 the affections of the mind. Surely he remembers  
 some without knowing, & goes without knowing,  
 he waits to enquire where these is the happenings  
 which all men desire & he has seen from what  
 have they remembered it. This word which has ac-  
 cused as reality - he passes through this "deep  
 & boundless" mystery of the mind of man to  
 mount up through his mind to God.

He explains nothing: he only questions & through  
 questioning he reaches the Unknowable:

"Where then did I find thee, that I might learn  
 thee? For in my memory thou wert not before  
 I learned thee: Where then did I find thee, that  
 I might learn thee, but in thee above me?"

Place there is none; we go backward & forward  
 & there is no place. Every where, O Truth dost  
 thou give audience to all who ask counsel of thee,  
 and at once answerest all, though on manifold  
 matters they ask thy counsel. Clearly dost thou  
 answer, tho' all do not clearly hear. All consult  
 thee on what they will, though they hear not what they  
 will. He is thy best servant, who looks not so much  
 to see from thee, which himself willeth, as rather  
 to will that which from thee he heareth.))

Man cannot find God; because <sup>iniquity to him</sup> is deformed  
 & plunged in sin. God is within him, & without  
 him, but through sin he cannot see him.

The grace of God will give him new life  
 & this will lead to purity & to Earth

Earthly things, the pleasures of the senses, are not  
 to be avoided because matter & its qualities are  
 evil - for all things are good, springing from  
 the creative force. "By continuance, verily, we are  
 bound up & brought back into One, when we were  
 dispersed into many." No bodily action is bad;  
 it is the pleasure in it diverting the mind from the  
 absolute devotion to God.

St Augustine examines the sin of the flesh, by  
 enjoying sensation; the sin of the intellect - curiositas  
 curiosity after facts for their own sake - curious  
 enough he bracket this with superstition because  
 he - the mysteries of nature, sin of the imagination -  
 love of the praise of affection, - of the name of man  
 He turns from the "wilderness, full of snares -  
 dangers" & cries aloud for a mediator between  
 man & the unknowable transcendent <sup>God</sup> who  
 yet makes his presence felt by the "still small  
 voice" within the heart of human creature.

"We might imagine that thy word was far  
 from any union with man, & despair of mankind  
 unless he had been made flesh & dwelt among  
 us" It was the beautiful Humanity of Christ  
 which subdued St Augustine's mind - to be  
 understood only by deep humility & reverent faith  
 that wonderful & still mysterious state of the  
 human mind which calls some great Power  
 apparently from without to enter it - like a  
 force ~~not its own~~, seemingly not its own, & Power  
 which in its various manifestation, has inspired  
 all the great movers of human thought; poetry,

action. And a loving contemplation of the  
 God in man, led not to a sensual asceticism,  
 but to a humble devotion to God & man.

"Appropriate to my time - the brother of my music,  
 I had cast in my heart, and had ~~proposed~~ to fly  
 to the wilderness: but - then forbade me, &  
 strengthened me saying, Therefore Christ - died for all,  
 that they ~~might~~ which live may live no longer  
 unto themselves, but unto Him that died for  
 them" & living unto Him, meant helping Him  
 in his work - the salvation of the world.

Christianity writer in St Augustine's time  
 the "worship of the unknown" & "worship of  
 Humanity". But his practical mind saw only  
 one firm & abiding basis for this worship, namely  
 the sublimity of the intellect, untrammelled by any  
 criterion of truth, the excesses of the passions  
 untrammelled by any standards of morals, might be securely  
 anchored in the wide ocean of human thought  
 & passion - & this basis was Authority - an  
 Authority to be traced straight to God through the  
 Jewish Dispensation, through the life & death of  
 his divine Son, through the mission of his apostles & the

Succession of Bishops. If the "Authorities"  
 that St. Augustine gave his powerful mind  
 to establish had remained Christian in the  
 spirit & Christian in the action, we know  
 that the mind of man would not now be  
 anchored to it. But the "still small voice," <sup>spoke again to the</sup> ~~letting~~  
<sup>heart & subject of the man</sup> from the rest of truth whereby he might finally  
 learn the laws of the mysterious Power working  
 in nature, answering him to the moral  
 disorders of the Catholic Church. But with  
 that "rest of truth," he lost forever the basis  
 of Authority.

St. Augustine's "Authority" was the scriptures.  
 In this he is at one with the Evangelical of  
 later times. But in that mysterious Being  
 the "City of God" the Wisdom creates before  
 Heaven. Earth's spiritual beings contemplate  
 directly the Face of God. The Succession Ministry  
 of God on earth represents this City on earth  
 & draws their inspiration direct from God.  
 In the Confessions there is little said of this  
 "City of God." St. Augustine writes Preface  
 to the Books of God & in the spirit

" O let the Light, the Truth the Light of my heart  
 not mine own Darkness speak unto me. I fell  
 off into that, & became darkened. But even there,  
 even there I loved Thee. I went astray, &  
 remembered Thee. I heard thy voice behind me,  
 calling to me to return & scarcely heard it, through  
 the tumultuousness of the memories of pain.  
 And now, behold, I return in darkness & panting  
 after thy fountain. Let no man forbid me! of this  
 will I drink, and so live. Let me not be mine  
 own life; from myself I lived ill, death was I to  
 myself, & I revive in Thee. Do thou speak unto me,  
 do thou discourse unto me. I have believed thy  
 Books, & their words be most full of mystery."

With St. Augustine it was the "still small voice"  
 that within him that he believed supreme in  
 deciding the Truth & the Authority, & that voice arose  
 from the Spirit of God dw. entered the heart of man.

And the Scriptures yield Truths relative to the  
 understanding of man - not one, but many  
 interpretations may be true - & yet none of them  
 may be the Truth. Surely it is only the  
 spiritual being in the City of God, who see "The Truth."

St Augustine had his own deeply metaphysical explanation of the Scriptures, reading into them various allegories. I will end my study on Confessions by this beautiful passage:

"Angels fell away, man's soul fell away, and thereby pointed out the abyss in that dark depth ready for the whole spiritual creation, hadst thou said from the beginning, 'Let there be light' and there had been light, & every understanding of the heavenly City had shined in thee, & rested in thy Spirit, which is borne triumphantly over everything changeable. Therefore, had even the house of heretics been a shell & darkness deep; but now it is light in the Lord. For even in that miserable utterance of the Spirit, she fell away & discovered the very darkness she bore of the clothing of the light. Just then sufficiently reveal how noble thou madest the reasonable creature; to which nothing will suffice to give a happy rest, less than thee; & so rest even herself."

"The City of God" is a magnificent attempt to bring the whole learning of the time





down sized; passages that cannot be  
 circumstances be to understand which <sup>are</sup> translated  
 most especially. The responses of the Church are  
 joy, hope of eternal bliss, fear of eternal  
 torment. Semi-supernatural leaps, devils-  
 sorcery & other miraculous actions should -  
 remind the whole of the nature of supernaturalism in  
 put down to their agency. There is a yet - no  
 world of the body or of the spirit. The one God  
 reigns supreme and absorbs the whole of St. Augustine's  
 feeling. The great object of the book is to  
 trace the continuities of God's life on Earth  
 - the relation to the cities of men, which are  
 typified all the Temporal Powers of the Earth.

The city of God is the company of the Elect  
 governed by the law given & prophetic, inspired by  
 God up to Christ, & by <sup>Christ</sup> ~~the~~ apostles & then  
 spiritually increased from them after Christ's  
 death & resurrection.

Thus while the Powers of the Earth were  
 a fall, the continuance of the spiritual community  
 & the God appointed government were continued.  
 The can relate that is a divine, when all

civil societies were crashing in & falling,  
then the Queen of the South, Rome, was pillaged  
& destroyed by rude barbarians - This picture  
of an Eternal Rome fascinated the minds of  
Belshazzar & struck terror & amazement into the  
hearts of the unbelievers.

Here is St Augustin's description of the City of God  
" But they that live <sup>in</sup> according to flesh, sought  
for all their joy in the Sea of temporal profits.  
Whence the inscription here is full expectation of  
the glory to come, with the occurrences of the world  
but as pilgrims, not to abide in their earthly towns  
God for mortal respects, but - thereby to avoid the  
infirmity of the corruptible flesh & make it more able  
to encounter with toil & trouble. Wherefore the  
Necessaries of the life are common both to the joyful  
& the infidel, & to both their families; but the end of  
their two usages thereof are far different. The joyful  
looketh only inwardly at earthly peace, & seeketh the  
Self therein, only to have uniformity of the Citizens'  
with it matters only pertaining to Decency

And the Heavens life which is a rather that part of  
it, which is a yet a pilgrim on earth & dwells by flesh

to settle this question also as help with, what is  
 beneath this mortal life wherein this person is  
 "expressed" has been the same as to that the "Etern-  
 ized" conform to all ways & to the Divine Law  
 of Divine Action so long as they do not "oppose  
 the adoration of our God": The line dividing the  
 Secular & the religious life on earth is here clearly  
 described & it is the Christian Doctrine.

The Ecclesiastical idea had not yet arisen —  
 that moral paradox of using temporal power for  
 spiritual ends without de-spiritualizing the ends.

This of the life of the Christian  
 "But concerning the three kinds of life, action  
 contemplation, & the mean between the two, although  
 one may keep the fact in any of these courses, yet  
 there is a difference between the love of truth, & the  
 desire of Christ. One may, not be so given to  
 contemplation as to neglect the good of his neighbor,  
 or so in love with action as to neglect Divine  
 speculation."

April 7<sup>th</sup>

April 12<sup>th</sup> York House.

Genl. Denny, was magnificent - I sat on the Irish question  
 John Keble's seat in Lewis's gallery front or position beyond.  
 Anna full. Gladstone, Denny, & the end - sitting  
 together looking like 3 conspirators - the  
 Ministers, a few looking on scattered <sup>front</sup> on the benches  
 with Denny's side, puzzled expressions.  
 Chamberlain & Bright come out. Talked with  
 that least Sir Charles Diller. The sight of that  
 made me shudder & feel sad. Chamberlain was  
 pale & nervously excited; kept looking at his watch,  
 & when Diller left him, he talked to his neighbours  
 disjunctly, more & then glancing at ~~his watch~~ <sup>rearranging his papers</sup>.

Denny's Dull listened to with indifference, &  
 impatience for 'their end'.

Chamberlain's son, raised by opposition cheer.  
 His speech is slow measured tones; ~~with~~ his voice  
 perfectly clear with that peculiar "timbre" that  
 comes to the ear. His attitude, in the presence  
 of his speech, was dignified & remarkably composed.  
 I was with W. Gladstone though he succeeded in  
 saying little to the House. The anti-slavery & abolition  
 day in which W. Gladstone had Dill with him

Cabinet. "~~Forgetting~~ Now Sir, I admit that in all probability the misunderstanding was <sup>entirely</sup> ~~all~~ my own fault. I certainly assumed that the inquiry by Sept-Hon<sup>ble</sup> would be undertaken by him in concert with his colleagues. I imagined that after full consultation we were all ~~to~~ to be called upon to endeavour to bring up some scheme which would fulfil the intentions of the Prime Minister. But, as I say, I must have misunderstood my Sept-Hon<sup>ble</sup> friend in this particular, because it was not until the 18<sup>th</sup> of March that this matter was mentioned for the first time in the Cabinet. It was brought forward in connection with the scheme for loan purchase which had been circulated in members of the Cabinet the day before. The scheme contained in this paper was certainly a very startling proposal, making the issue of £120,000,000 Consols."

Here W. Gladstone jumped up: W. M. said that had no right to enter into the discussion of a measure not before the House: If any attempt or any partial attempt - to enter into the particulars of that <sup>was</sup> ~~was~~ plan, it would lead to a radical

"My understanding". The old lion, <sup>was</sup>  
 governing with angry excitement & set down  
 facts with all connected passion. Chamberlain  
 too looks unimpaired. Bright with his sister  
 soon was by his side. But W. Ch. <sup>later</sup>  
 proceeded to explain the nature of the arrangement  
 as to his explanation, <sup>with the chief</sup> ~~with the chief~~ & cited a  
 letter which he writes to me giving his reasons  
 abstractly for tendering his resignation. This letter  
 he has received W. Gladstone's permission to read  
 & K. H. says W. Gladstone now withdraws  
 that ~~permission~~ <sup>permission</sup>. The old hypocrite goes to say that  
 he could not at the moment "recall the letter".

I think there was a struggle in Chamberlain's  
 mind: but as he rose again. Perhaps it was  
 Bright's good influence by his side, which  
 made him take the more considerate course & show  
 absolute respect for his late chief's wishes.

But - all through the acute & able criticism of  
 Gladstone's inconsistency, it was easy to see by  
 his manner that he had to some extent lost his  
 self-command & was disconcerted. Perhaps that,  
 together with the dramatic incident, added really

2- The effect of his speech. He pointed out - one  
 by one the weaknesses in this ill-constructed scheme.  
 The practical difficulties <sup>of the plan</sup> - its inharmoniousness  
 with the primary laws of constitutional being.  
 He appealed towards the end of the Protestant  
 feeling of the country, in the face of a probable  
 religious persecution of the Catholics.

He suggested tentatively the alternative plan  
 of Home Rule on the basis of federation with  
 a presumption of the "Irish of 50" now happily  
 content with their landlord tenement, by the stopping  
 of convictions & the lending of money to the Irish  
 landlords from the imperial treasury for a 10  
 period, during which the ultimate question  
 should be under consideration. He appealed to the  
 Irish nationality of the country, over party lines,  
 to a council of the ablest men of all parties.

Lastly in this speech, Chamberlain left his  
 hearers, & partly misled them, of an absolute  
 government with party organization compelling the  
 agreement of followers. He urged that on  
 this supreme question, each man should  
 think & speak acc. to his conscience.



Towards the close of his speech, his voice & manner were filled with feeling & energy.  
 "Sir, there are some ~~other~~ persons, servants of the King, who disgrace political life, who say that I am guilty of treachery because I have resigned an office wh. I could no longer hold with honour. What would these men say have been entitled to say, if holding the opinions that I do, which I have expressed before friends & government, & wh. I have expressed today, I had remained on that bench pretending to serve my country with a lie on my lips.

I do not answer, because however I do not pretend to dogmatize on a question of this kind. I do not say I am right in the conclusion, <sup>at least</sup> I have arrived at. I do not presume to consider those who differ from me, but of one thing I am certain — that I should have been guilty of an incredible shame & baseness, if I had chosen to place an office in support of a policy wh. in my heart I believed to be injurious to the best interests of Ireland & Great Britain."

At 2 o'clock, Chamberlain, appeared in the  
 debate in a new light, & it was not surprising  
 that he won for himself the cheers of the higher  
 class portion of the House. Towards Mr. Gladstone  
 while maintaining his ground strongly he  
 had shown a discreet temper, & consideration.

Towards all sections of the House he had shown a  
 respect, and a humility, as to his own position,  
 which is not has been unusual to him.

He had appealed away from class & party  
 feeling to the whole intelligence of the country -  
 & had ended by standing on the high ground  
 of straight-forward, independent, political action.

While Mr. Gladstone, in the House, had  
 denounced him & lauded Mr. Chamberlain,  
 had given Bright his correspondence with Gladstone  
 & was discussing it earnestly with him.

Gladstone's words were in unbroken consistency  
 in which Harcourt joined from the time.

The Liberal party as a whole had remained  
 silent during the debate. ~~The~~ The Conservative  
 cheer the non-conforming Liberals, the House rulers,  
 the ministerial promoters.

47

General took me to his private room & left me there to rest & write. As I lay on the sofa I thought - naturally enough, I thought over the speech I had made. The high ground taken could hardly be entirely deserted, that was good.

As for the practical part of the speech, I felt even to have an opinion of my kind, it was necessary to understand the history & the present condition of Ireland. As I remember, as I have often wondered before, why political workers do not study the basis of fact such undertake all these questions. Even preparation for this study, would take to my mind, hours & long weeks of time.

Then I saw my own career before me as I worked it out. But my energy failed me, as I thought of the narrow limits of my understanding & energy. And even this small bit of understanding & energy was not free from the absorption of miserable petty feelings of personal hatred & a craving for the admiration & sympathy of others.

I felt how vastly superior that great man was to me. How unworthy it had been to me to dwell exclusively on the personal side of me

relationship. If I had been equal (friends?)!

I do not think, as I lay on that sofa, I regret the 2nd-hand recently period between us.

Though according to world's opinion, I had been left by the correspondence in an intense friendly position, yet it had been in no way provoked by me - & in my mind it must have made all things clear & my position perfectly simple.

After all my independence of thought (perhaps objectionally expressed) & my strong feeling which left me the bounds of direct self-interest were both of them truths of my nature & had better be known. And I pray, I might ~~at least~~ keep

this kept ground of perfect truth - & that now that I had been humbled, I might turn to Mark that has in me & follow it without shewing for or against on the other.

My intellect is small, my free energy is little: but I have determination of will & steadiness of purpose to an immortal extent.

When my leading fault is vanity, detraction from my will & purpose by personal & petty considerations

Returning to the gallery I looked down on Mr. Home gradually falling. An immense reading room stretched to the half-filled house to which I went to see him. Lord Haverley made a State-man like speech - English in form in its tone.

John Ruskin followed him. There was an affection in his manner, a manliness in his voice. Some visitors stared involuntarily at Mr. Home who was absolutely silent.

What he said was worded with literary skill - a high fluency. But it was better in candour, ~~or~~ in argument that would bring home conviction to the realistic English mind.

He glances over to see that his proposals had made it well-nigh impossible for further State-men to visit Ireland less generously.

He was playing a losing game, & the House except Mr. Home rather thought so. I left just as he was ending. It was a remarkable debate full of dramatic action & new departures, & especially interesting to me.

Decline - Fall of Roman Empire - Gibbon

I am only picking out - what I want in Gibbon. His writing has one or two kinds of simplicity & terse satire - & in his history 2<sup>nd</sup> & 3<sup>rd</sup> I do not recognize much understanding of support. But I wanted specially the view of Roman Law in its effect on after civilization. The sketch of events is also pretty well in Gibbon.

Roman Law. "The Twelve Tables of the Roman Law were dictated by the rigid & jealous spirit of an aristocracy who had yielded to the just demands of the people. But the substance of the 12 Tables was adapted to the state of the city; & the Romans had emerged from barbarism since they were capable of studying & embracing the substitution of the more enlightened regulations."

The comparison of the Tables of Solon with those of the Decemvirs, some general resemblance may be found; some rules which nature & reason have revealed to every society; some proof of a common descent from Egypt or Persia. But in all the lines of public & private jurisdiction the procedure

The legislation of Rome - Athens appear as they were  
addressed to each other . . . . .

The 12 tables were committed to memory of the  
young - the most delicate of the age; they were transcribed  
in the streets with learned diligence: they had escaped  
the flames of the Gauls, they subsisted in the age of Justinian,  
the subsequent loss has been imperfectly restored  
by the labours of modern critics. But although

these venerable monuments were considered as the  
rule of equity & the foundation of justice, they were  
overwhelmed by the weight & variety of new laws which,  
at the end of 5 centuries, became a promiscuous  
mass intolerable than the laws of the city. Three thousand  
of laws added to the code of the senate - people were  
deposited in the Capitol, and some code in the Julian  
law of extortion, 'superfundo the number of a hundred  
chapters.

The Decretions had been named, & the letters  
approved, by an assembly of centuries, & the richer  
improvements of. novels. To the first class of  
Romans the proprietors of 1 hundred Italian feds  
of upper, 98 who were assigned, & of 95 who  
left for the 6 inferior classes distributed etc.

to the substance of the whole policy of Servius.

But it becomes soon evident & more spacious  
 of public maxims, that every citizen in an equal  
 regard to enact the laws wh. he is bound to obey.

Instead of the centuries, they convened the tribes  
 & the patricians after the important struggle, submitted  
 the decrees of an assembly & wh. their votes were  
 conformable with them of the ancient plebeians.

It is long as the tribes successively passed over  
 their heads, & gave their votes stand, the  
 conduct of each citizen was exposed to the eyes  
 eyes of his friends & countrymen. The ministers  
 of the consuls consulted the wishes of the creditors, & chief  
 would have been bound to oppose the views of his nation  
 the general one followed by his veterans, & the aspect  
 of the grave magistrature was a long lesson to the  
 multitude. A new method of secret ballot  
 abolished the influence of fear, shame, of honour  
 & interest; & the abuse of freedom accretes to  
 propriety of morality & virtuous disposition.

The Romans had aspired to be equal, they were  
 humbled by the equality of servitude & the  
 Dictator of Augustus were patiently satisfied



The formal enactment of the British constitution  
 has subjected her to various all political liberty.  
 The dependence of freedom of domestic life  
 a law that enforced the discipline & strengthened the  
 bonds of marriage but also severely repressed; Property  
 in the form of debt, appeared to be a victory of licentious  
 love; & the project of reform was suspended till a  
 new & more terrible persecution had arisen in the  
 world. Such an example was not necessary to prevent  
 a prudent measure of the monarch of popular  
 assemblies. and the abolition of the Regency had  
 silently prepared was accomplished without disturbance  
 & almost without notice on the accession of his successor  
 Such thousands of the British Legislature, those numbers  
 made formidable & power were suppressed  
 by too sudden, was held their honours, their fortune  
 & their lives by the clemency of the emperor.

The loss of execution power was alleviated by the  
 gift of legislative authority; and when imper-  
 ments that after the lapse of 200 years, that  
 the success of the state remains to form a  
 variety of laws.

There give the by which parts to show

of Minerva - fine but superficial  
In spite of the showing of credit & justice  
by ignorance or abject about Roman world.

The customs & decrees long in that  
law were added laws & edicts & edicts  
of the Senate, but it consists of such provisions  
from the laws. "A jurisdiction that is  
arbitrary, but exposed to dangerous abuse; it  
substitutes as well as the form of justice, but  
of the scriptures & the prejudices of virtue, the bias  
of lowly affection, the gross seduction of  
interest or resentment."

But the errors & vices of such private opinions  
with the annual office; such maxims alone & had  
been approved by reason & practice were copied by  
succeeding judges; the rules of procedure, were defined  
by the statutes of new cases; & the temptation of  
injustice were removed by the Comedian law, which  
compelled the presence of the judge to adhere to the  
letter - spirit of his first proclamation. "

The Edicts were collected & digested &  
revised & more or less fixed shape under  
Hadrian. But the Emperor still promulgated

Epistles - actions on the laws & the customs, &  
 public & private jurisprudence were moulded  
 by the will of the sovereign, & few institutions, either  
 human or divine, were permitted to stand on their  
 former basis. The origin of Imperial legislation  
 was concealed by the darkness of age & the terrors of  
 armed despotism; & and a double fiction was  
 propagated by the scribblers, & perhaps the ignorance  
 of the civilians who looked on the substance of the  
 Roman & by Sauter's credit.

Still we divide the history of the legislation  
 development into 3 periods:

First period: A. U. C. <sup>456</sup> 303 - <sup>105</sup> 648

1. A wide ignorance contributed, during the first  
 period, to confine within narrow limits the science of  
 Roman law. On the public days of market or assembly  
 the master of art were seen walking in the forum,  
 ready to impart the needful advice (the meaning  
 of their fellow citizens, from their votes, or a future  
 occasion, they might expect a grateful return.)

The second period (A. U. C. <sup>105</sup> 648 - <sup>235</sup> 988) is known  
 by the didactic use of jurisprudence, may be extended  
 from the books of Cicero (the days of Sulla & Lucullus).

Cicero gave the western Philosophical line  
 2- to Roman constitution. The whole movement  
 see. to the subtle hypothesis, forms one movement  
 Commonwealth; gods & men, who participate  
 of a same essence, are members of the same  
 community; reason prescribes laws of nature &  
 nations; & all public institutions, however  
 modified by accident & custom, are drawn from  
 the rule of equity. The Stoic has inscribed on  
 every virtuous mind. From these Philosophical  
 Mysteries he mostly exclude the sceptic the  
 system of Socrates & Epicurean the system of  
 Plato, Aristotle, Seneca. he represents a  
 set of lectures the same & instruct & educate in  
 the real duties of life. If there be wisdom of the  
 best form the of the finest temper; it is  
 chief born, like furrow & ornament, in the  
 schools of jurisprudence. From the Portia to  
 Roman civility learnt to live & reason, & to  
 die; but the tribles & son Jupiter to  
 indignation of the sect, & love of parents &  
 justice in habit of debate, & a moral  
 & Natural & words & verbal distinction

1250  
 988  
 1292

524  
 29  
 235

235. 527

This period (a.c.c. 988-1280) between the reign of  
 Alexander - Justinian. The measure of jurisdiction  
 was almost made. The measure of jurisdiction has  
 been filled; the throne was occupied by great  
 barbarians; the whole spent were devoted to  
 religious disputes; & the profane of Rome,  
 Constantinople & Byzantium were mostly content &  
 respect to know of the more enthusiastic jurisdiction;  
 Justinian

"In the space of the centuries the  
 infinite variety of laws & legal opinions had filled  
 many thousand volumes. No fortune could  
 purchase & no capacity could digest. Both could  
 not easily be found; & the way from ~~the~~  
 to the midst of riches, were reduced (the exercise  
 of the illiterate discretion. "

"The theory of procedure was animated by the  
 practice of advocates & the experience of magistrates;  
 & the whole jurisdiction was animated by the spirit of  
 Justinian. Trebonian. "

"Justinian, the great Emperor of Constantinople  
 & the East, was the legal successor of the Justinian shepherd  
 who had planted a colony on the banks of the Tiber

In a period of thirteen hundred years the law substantially followed the changes of government & manners; & the inevitable series of inevitable ancient forms & ancient institutions & institutions & customs & the magnitude of the stream & irregular system. The laws which came on any occasion the ignorance of the subjects compare their own imperfections; the civil forms provided & it was a badge of justice still continued a negotiation process & a profitable trade, & it made the subject of the study was made in the best of the private industry of the practitioners.

The expense of the pursuit sometimes exceeded the value of the prize, & the frequent expense was abandoned to the poverty & prudence of the claimant.

In the <sup>history of</sup> which part of the law I have left out my touches to the character of the law; for these descriptions seem to me too philosophical & insufficient. I must work up, Latin thought & Latin law, & in relation to the study of English history, not only as one of the influences that formed it, but also as providing a subject.

to comparison. April 15<sup>th</sup>

59

from Carlyle.

"A witty statement said, you must prove anything by figures. We have looked into various statistical works, Statistical Society Reports, Poor Law Reports, Reports - pamphlets - not a few, with a scrutinous eye to this question of the Working Classes & their general condition in England; we prize to say, with no good result. What we see. Assertion swallows Assertion; Acc. to the Poor Law, 'as the Statist Monthly, 'Killed Claims'' Tables are like extracts, like the series of the Domain; beautifully reticulated, or only to look upon, but which will show no conclusion. Tables are abstractions, & the object - & most concrete one, so difficult to view the essence of. There are innumerable circumstances; & one circumstance left out may be the vital one on which all turned. Statistics is a science which ought to be honorable, the basis of many most important sciences; but it is not to be carried on by steam, this science, any more than others are, a well head is requisite for carrying it on. Conclusive facts are inseparable from most inconclusive

except by a hand that already understands & knows.

Learn to sound the purblind & obtuse & the show  
of a Pachtus never so golden: then find only greed.  
The seer & finder alone picks up gold grains there.

And now the purblind offering you, with assurance  
& presumptive importance, his basket of grand & gold  
What steps are to be taken with him? — Statistics, one  
may hope, will gradually improve & become good  
for something. Incomprehensible it is to be feared the Cretan  
Saturnus has partly ripe, as Thump says: "a judicious  
man" says he 'looks at Statistics, not to get knowledge,  
but to save himself from having ignorance fristed on  
him'. With what serene conclusiveness a member of  
Some Useful-Knowledge Society steps your mouth with  
a figure of arithmetic: "To him it seems he has  
there extracted the chief of the matter, on which now  
nothing more can be said. It is needless that you look  
into his said extracted chief: & ascertain, alas, too  
probably, not without a sigh, that it is wash & soap  
good only for the gutters . . . . ."

The condition of the working-man in this  
country, what it is & has been, whether it is improving  
or retrograding — is a question (which from



statistics however no solution can be got. After all, after many tables & statements, one is still left mainly to what he can ascertain by his own eye, looking at the concrete phenomenon for himself. There is no other method; & yet it is a most imperfect method.

Each man expands his own narrow breadth of observation to the limits of the general whole; more or less each man must take what he himself has seen & ascertained for a sample of all that is possible & ascertainable. Hence discrepancies, controversies, wide-spread long continued; which ending there is at present no means a hope of satisfactory ending.

When Parliament takes up 'the condition of the people' as it will have to do one day, then indeed much may be amended. Inquiries would soon be made in this most complex matter with good result. Work something, not nothing. But it is a most complex matter; or, such, whether for the past or the present, statistics requiring with its limited means both the short vision & headlong extension dogmatism as yet too often known not life, but error worse than darkness.

What constitutes well-being of a man?

Many things; of which the ways to get, & the bread to buy with them, are but one preliminary item.

Grant, however, that the ways were the whole, that one knowing the ways & the price of bread, we know all; then what are ways? Statisticians inquire, in the present-impairing condition, cannot tell.

Inverni Paul calls yesterday & stays a couple of hours talking vigorously. He is a poor youth, with a good deal in him but something important lacking - the 'deficiency' of it is partly made up for by knowledge, that there is a deficiency. He has given C. Booth's "Laws of Statistical Research" & is I believe to my acquaintance a member of it. He had come across this passage & brought it me to read. It is apt. & that I refer to the doctrine of social diagnosis.

This boy has come powerfully into my life. When I first knew him, two years ago, I thought his "gas appetitive" in the stomach was.

He tells me now he was then leading a low fast-life with the medical students.

He speaks of his "conversion" - a sudden desire to do right, & walk by the light. That was in him.

That has just before I became intimate with him. Clifford's looks were the immediate cause. I remember that ~~spring~~ spring, when he used to lounge out the room on a Sunday, I was told - wondered why this lanky, bleary, & queer-looking fellow came to - joined out his green intellectualism into the class of a severe & working spirit. I remember talking him at one point - a ton up whether he would do it or become a useful member of society.

Two after he, he used to ask, when our room was to be opened. At last we found ample room for him on the other side, indeed he became mid-journalist, & Ella O'Connell. He is I found a true partnership & even the buildings together. There six weeks I worked alone & lived in Cheyne Walk he was constantly there. At one time I felt a very bit uneasy lest he suspect the double act feeling to his side; but I was relieved to find that his attitude was to see towards Ella O'Connell.

Now that I have a view from other points of view I entered myself in watching the relationship between them two: an intellectual & keen boy, with a practical & warm-hearted woman. Two years his senior

They are constantly together - live on the most intimate terms. He leads her - that is the most common part of the relationship.

But she is one of those women, who are thought strongminded, and used to take an abate to do is concerned, but who are deeply impressionable & easily influenced, intellectually.

She has a fine character: perfectly true & sincere & simple & <sup>self</sup> unconsciously self-devoted.

She is accurate & logical & not given to ignorant generalization, like one of the fellow-workers! but she is lacking in imagination & direction to use her practical experience for intellectual purposes.

Perhaps our sympathy morally & intellectually. We ~~have~~ <sup>are</sup> are spiritualistic, for we have the same constitutional difficulties to bear & to master: strong feelings & independent minds; a woman's need for affection & dependence, & a man's desire to act & think independently & free - meaning neither man & physical melancholy.

April 15. <sup>& nature</sup> What a mass of knowledge crystallizing preparation for social diagnosis?

# Horn's Ancient Law.

I am going to abstract this by reducing it to a series of propositions.

## Ancient Codes.

Direct inspiration from supernatural agent; is the judgment of the Chief, harmonizing with the direct supernatural agency in all the facts of life.

Dooms precede Customs = the Dooms proceeding from the chief precedes over the particular relationships or act.

But Horn's theory that every law is a command, prescribing not a single act but a series of acts of some kind applicable to a later stage.

Therefore: Primitive Law consists of isolated commands on individual circumstances, through a superior human being inspired by a supernatural agent. In the Western world, government by a chief was succeeded by government by an oligarchy. The Dooms of the chief, succeeded by the customary law of the aristocracy.

In Eastern World, the chief or monarch retained power unlimited only by Code of Priests - Difference of Political

Development coincident - with difference of judicial & legislative development.

This shows Customary Law <sup>in</sup> the keeping of principles or ideas, though true unwritten law.

English Law not unwritten but uncodified law. At one period it may have been written to some extent, but directly the principle of judgment - all to precedents was established it became written & public.

Codes show on Customary law.

Codes mainly arising from Advisories of the court of writing.

Nature of Codes - their publicity.

In Ancient codes: no system. Civil, religious & moral ordinances. Codes as means by which the popular movement encroaches on the form of principles or ideas.

The Paramount importance of the Particular

Stage of social development - in which Customary law became written law.

In Roman Law, the Placita or popular party - forced the publication of principles of law, before these principles had become elaborated &

Decorated by the principle of law.

In Eastern World, Whiptail Code did not  
with <sup>any</sup> law until it had become a mass of  
Whiptail ordinances.

Roman Code was enacted when Roman Society  
was in a very early stage of development, & then  
Customs were simple.

Law of Roman promulgated in the 12th day of  
the Eastern civilisations.

~~Legal Federation~~

Development of Law.

Once the law of Rome embodied in a Code  
all the direct change must be conscious.  
After the period of Codes, societies show themselves  
statemans & propensities.

Comparative reference of propensities in Roman  
Society. India statemans at the point where  
a rule of civil life is not distinguished from a  
Whiptail ordinance. China statemans at the  
point where the civil laws are exclusion of the  
the idea of the law is capable.

In Propensities societies: Law follows social  
recognition & social feeling.

(68)

3 agencies bringing Law into harmony with Society: Legal Fictions, Equity, Legislation  
Legal Fictions are assumptions, which conceal, or affect to conceal, the fact; that a rule of law has undergone an alteration: They serve to conceal change - to spare the conscience of the judge.

Equity - interprets both laws on the ground of some higher law, not emanating from a person or a body, but being in itself intrinsically good & overriding the lower law - Equity belongs to a later stage than Legal Fictions.

Legislation: Direct alteration of law by the authority of some person or body.

Bentham does not distinguish between the processes of law-making - as they differ only in the machinery & not in the end. But the nature of the machinery explains their scope & profoundly affects their character & ~~their influence~~. Therefore their results.

Legal Fictions (!) are exemplified in the custom of Common Law of England, viz. modus & praeudium that a legal decision before it is announced is supposed to be practically settled by previous written



law: & after it is made, is in itself an addition -  
after an alteration of the law.

"We do not admit that our tribunals legislate;  
we simply that they have never legislated; & yet we  
maintain that the rules of the English Common Law, with  
some assistance from the Court of Chancery & from  
Parliament - are coextensive with the complicated  
interests of modern society."

(2) "The Responsa Prudentium" <sup>the basis for</sup> ~~from~~ Roman law  
are explanatory stories or authoritative written  
documents all nominally based on the ancient  
Code. But in reality they were developments of  
jurisprudence to meet the daily exigencies of an  
increasingly complicated social life. ~~Their authority~~  
~~was not relative~~ The relative weight of these Responsa  
Prudentium was proportional to <sup>their</sup> ~~the~~ reputation of  
the respective authors. These authors were not  
necessarily judges; but teachers of law, etc. &  
all legal capacities. Therefore the Roman law may  
be said to have been created not by the Bench as  
in England but by the Bar.

Another important difference results in the separating  
of the Roman & the English law, viz. that the

real authors of Roman law were not bound  
down to treat special cases of actual fact.

They were allowed to freely develop their  
principles by imaginary cases, so that a certain  
consistency of principle and application was insured.

Their opinions, eventually forming the written law  
of the country, were not judgments but answers  
to questions addressed to them by the student.  
The written down by them. +

The juriconsults formed a distinct class,  
nevertheless public opinion affects individual  
their opinion on decision.

\* "When the data can be multiplied and the  
facilities for evolving a general rule are increased,  
increased."

"The period of Roman freedom, over the period  
during which, the stamp of a distinctive character  
was impressed on the Roman jurisprudence; through  
all the earlier part of it, it was by the responses  
of a juriconsult that the development of the  
law was mainly carried on. But as we approach  
the fall of the Republic there are signs that the responses  
are assuming a form which must have been fatal

to their further expansion. They are becoming systematized & reduced into compendia. The system had in fact by this time been brought close on law.

The Edict, a formal proclamation of the Emperor, had risen into credit as the principal source of law reform. Equity was introduced into Roman law by the Praetor's Edicts.

Statute law was very scant during the Republic & abundant during the Empire.

Law of Nations and Equity.

The jurisprudence of the Court of Chancery, technically called Equity in England, is derived from many sources. Common Law, Roman law, Law of Custom, Law, have all in turn influenced its formation through the Chancellors. Different Chancellors.

Roman Equity is simpler in its origin & structure & has exercised a more definite influence on civilization.

Roman law has two ingredients: laws made for her citizens, by civil law (the formation of it. in her time) & laws of nations necessitated by the presence of foreigners.

This presence of foreigners was an important factor. Ancient societies were exclusive: they regarded the alien as intrinsically inferior. They would not debase their own law sanctified by religion & ceremonial observances. This sense

But the 'deprived' of political rights & socially depressed  
 his presence was useful for commerce, & unless  
 legislators for, might become dangerous. He had to  
 be restrained & protected.

Therefore the Romans form a system called the Law  
of Nations. They strip the non laws, & the laws of the  
 nation, they is a form, of all that was distributed a  
 sacred, arriving at those principles wh. were common  
 to all. They did not look upon the Law of Nations  
 with much respect: it was to their minds a  
 low system than the non civil law, with all the  
 ornaments of religion & ceremony wh. required the  
 sacred inequalities of Juries & classes.

It was the infusion of the Greek philosophical  
 thought wh. changed the Roman point of view & reversed  
 in the mind the comparative estimation of the two  
 systems - also, probably the advance of the political  
 cosmopolitanism.

The Greek conception of nature, <sup>a conception of</sup> was an underlying  
 principle or element. This the later Greek philosophers  
 extended from the physical to the mental world.

All the Roman laws & institutions could be  
 reduced into the primitive moral law or principle

th. from its original - a purity less the highest moral  
authorities. Thus the Stoics tried to return to the "Law of  
Nature" & created a new law to it - a religious duty.

The Romans adopted as their highest life the  
philosophy of Stoicism. Their practical action  
of arriving at some basis of agreement between different  
nations, by stripping them respective institutions & laws of all  
that was special - of the formal element - keeping only  
the common principles underlying all, was now dignified  
& their eyes became to them a philosophical search after  
that higher law, the Law of Nature.

The distinctions, endemic to the old civil law, of  
jurors & slaves, of free & serf, were dismissed  
philosophically by the Law of Nature, as they had been  
practically by the Law of Nature. The law became  
an approximation to perfect symmetry, simplicity,  
& intelligibility. And it was by nature that this new  
legal system was made. The old forms of the civil law  
& much the jurisdiction over categories among themselves.

This was done by the means of Equity - in the form of the <sup>old</sup> <sup>law</sup>  
Equity - as a process of leveling, a removal of anomalies.  
The <sup>means</sup> mechanism for introducing Equity into the civil law  
was a Praetor's Edict.

The Protonotarius was a judicial authority.  
 The Roman people insisted that the principles of his act  
 should be clearly defined. before he began At the beginning of  
 his year of office he published his Edict - the principles  
 upon which he ~~was~~ intended to administer his office.

The Edict was generally the work of his predecessor with  
 alterations of his own & this obtained the name of -  
 "Edictum Perpetuum" or the continuous & unbroken  
 Edict. In Hadrian's reign this Edict received a stereotyped  
 form & reduced to such a body of systematic jurisprudence.

The different way in which the Roman Protonotarius &  
 the English Chancellor perform the respective Law of Equity is  
 that the former is representative of a difference in <sup>the national character</sup> constitution  
 & social life. ~~The English Chancellor~~ <sup>is like a court</sup> But the formulation  
 imposed upon that seems more independent from &  
 other law to stem. Both Roman Protonotarius, English Chancellor  
 were trained in an intellectual order & exhibited the  
 the latter, feeling & judgment of that order. They were  
 restrained by the public opinion of their equals & learning,  
 & the binding force of professional opinion is a factor  
 which no one outside a profession can <sup>fully understand</sup> ~~understand~~.

The English Chancellor sits unceremoniously;  
 his attractions were limited to the judgments &



In the case of *Almon v. Leveson*, Roman Equity  
 ceased to expand. An English Equity ceased to develop  
 in Lord Eldon's time. In both cases Equity was  
 exhausted - and then instrumentally succeeded it.

Another characteristic of both English & Roman  
 Equity Jurisprudence, is the assumption that the Law  
 regulates its date to some antecedent & superior state  
 of morality. "This tendency I took backward instead of  
 forward for the goal of moral progress produced  
 accidents, as we have seen, in Roman jurisprudence,  
 which the most serious and permanent. The Roman jurists  
 in order to account for the improvement of their jurisprudence  
 by the Praetor, borrowed from Greece the doctrine of a natural  
 state of man - a natural society - anterior to the  
 reformation of Commonwealths governed by positive laws.

In England, on the other hand, a range of ideas  
 especially congenial to Englishmen of the day, explained  
 the claim of Equity to override the common law by supposing  
 a general right to supersede the administration of justice  
 which was assumed to be vested in the King as a natural  
 result of his paternal authority. "



Jm

April 19<sup>th</sup>

Charles Booth's first meeting of the "Board of Statistical Research" at his club office. Present: C. Booth, Martin Paul, Benjamin Jones (workman sec. to Whitehead Corp), Bradley (workman sec. to Trades Socy) & myself.

Objct. of the Socy Committee to set a fair picture of the State of London Socy - at 4,000,000 by District & employment - the methods to be used in Census returns. We passed C. Booth's abstracts & detailed plans for the work; also a short abstract of it for general purposes.

At present C. Booth is the sole worker for this gigantic undertaking. If I were more advanced in knowledge of "previous conditions", just the sort of work I should like to undertake - & if I were free! But I intend to do a little bit of it, and I am in London not only to keep the Society alive, but to keep me in touch with actual fact - so as to limit my study of the past to that part of it useful to the present.

There were two lines of historical study in the largest sense: one independent knowledge of facts - as of antiquarian social structure, & an equally independent cultivation of the imagination, etc.

on the ground that the most multifarious conditions  
 & temperaments do make up Human Society -

The difficulty lies in keeping off bye-ways -  
 mastering the leading facts thoroughly & not  
 attempting a study of the excursions - after  
 the first acquaintance with. Now for this purpose  
 a book of the actual facts with Mr. I shall  
 mathematically have to deal. It will be a fine proof  
 of the part of present, will be of use.

Thomas's Present Law continued  
 Freedom History & Law of Nature

"The Law of Nature confused the part with the  
 present. Logically, it supplies a set of notions which  
 had once been regulated by natural law; yet the  
 jurists do not speak clearly or confidently  
 of the contents of such a state." "Natural law, for  
 all practical purposes, is something entirely  
 with existing institutions something which exists to  
 distinguish from them by a competent tribunal."

The text which distinguishes the ideal  
 law of nature from civil law, was something of  
 harmony - & as it seemed discoverable of laws  
 appear to belong to an inherent condition -

<sup>2 intention</sup>  
 1. The a priori mind - general principles seem  
 to underlie a precise special <sup>2 partial</sup> application - notion  
 of special & partial application leading to the development  
 of general principles.

If the belief in a natural law had not been  
 developed, it is difficult to say what would have been  
 the law in the history of thought & progress of the Roman law.

There are two dangers to the law, and society  
 which is held together by law, appear liable in their progress.

Too rapid development, & escape from the influence  
 of form, rule & prescription. A destruction of  
 technique & machinery, and attempt to judge  
 all cases by first principles of morality applied to  
 the facts. (I do have thought that this danger arose from  
 the practical application of the Aristotelian idea of a  
 Law of nature). This was the case in the numerous  
 Greek communities. Consequently they did not  
 know of any system of jurisprudence - their  
 judicial principles consisted of the ideas of right  
 wrong belonging to their civilization at the particular period of it.

The specific danger to the want of form,  
 the absence of a structure sufficiently definite to secure  
 survival, is the case & rigidity of form -



The rigidity & non-elasticity of Roman Civilization —  
 For as an aim, as an ideal, it was true —  
~~of the day so express it — it was the position~~  
 as an historical fact — it was false. The Romans,  
 as far as their law concerns, accepted the idea as  
 an ideal to which the present should be approximated  
 not as a fact, for with of instant realization,  
 & actually realized in some antecedent state.

Here again of more is an interesting discussion  
 the whole of the same idea is found in the 'Description  
 of the' (Cicero's speech on the 'Historical Method')

He refers to this idea that of the vicissitudes & mutual  
 do. political legal & social dictum, radiates from the  
 & spread throughout Europe.

None has the development of International  
 Law from the Roman Law of Nations, is combined  
 with the Roman Law of Nations... Roman International  
 Law has an irregular derivation from Roman law.

It contains assumptions unknown to the Roman Law of  
 civilization. (1) Territorial sovereignty — & absolute  
 ownership of the territory by the King. (2) Equality between  
 states — however different in size & power, equal before  
 the Law of Nations. These ideas essentially combine

by Justinian & his successors & forming the ground-plan  
of the international edifice were not. <sup>any</sup> ~~the~~ <sup>non</sup> ~~the~~  
Roman Dominant in the early periods of European  
civilization. The two ideas of Sovereignty, were  
(1) Gradual sovereignty - the chief of a tribe, the King  
of a nation, <sup>(2)</sup> Absolute Sovereignty - the idea  
inherited from the Roman Empire & constant until  
the Reformation. As But with the growth of feudalism  
constantly became inseparably connected with Law &  
Sovereignty became territorial. The hierarchy of feudal  
ties <sup>still</sup> presupposed a Supreme head & favored the  
Supreme Sovereignty of the Roman See. But this Supreme  
Law destroyed by the Reformation & ~~nations~~ <sup>states</sup> became  
independent - of each other with no mutual  
obligations. The two ideas of these two ideas, the  
existence of them has fact - viz, the absolute property  
of the King in state of its territory, & the absence of  
all ties of <sup>with</sup> dependence, that favored the growth  
of an international law based on the Law of Nature  
to regulate the relations <sup>between</sup> states.

The growth of the system was a necessity for  
there was absolute equality between states.

International Law therefore was a combination

of Roman law of nature & Roman law of property -  
applied to the States instead of to persons, &  
which in two aspects developed by modern  
European civilization: "territorial idea of sovereignty  
& the equality between States of different calibre."

April 1877. But you kindly yesterday at Meadi & Spens -  
It evening with him & at Cambridge done.  
A Lowell man, I do think, I'm afraid

I had sympathy & appreciation of the view of things  
But surely not a man of States resemble yours,  
a of practical sequel: are in which looks the  
"idea of things" not "the view of things."

I spoke enthusiastically of Madison's power of  
work & of his character. Of his abolition in the  
view then present to his mind of his reporting men  
as a character, which then last - who gave me the  
case of flatness & perfect agreement.

This joins to what Husky said at Bournemouth  
that the new sought truth for itself, but also  
requires principles & opinions as so far as the  
work is done by a law a practical number of men  
to give some light to the character of the work.

(84)

## Primitive Society & Present Law (Review)

Common idea prevalent in all jurisprudence, in Lock, in Holmes (the 'them' differ in the characteristics of pre-social state & as to the nature of the abnormal action by the men who themselves set it.) Contrary to the first these historical methods - the 'his' conclusion were somewhat vitiated for considering more too much the character of conditions actually surrounding the individual & not taking into account heredity. Both Meier, also historical, is that he suggests that law is a process of adaptation to the social state, governed by the sense of expediency, with the happiness of the community as the aim. Meier explains that the historical method examines society in its primitive state showing its development to the more complicated form. "It would seem antecedently that we ought to commence with the simplest social forms in a state as near as possible to the fundamental condition. In the words of von Meier A course issued in such inquiries, as the development as far up as we could in the history of primitive societies. The phenomena of early societies present an aspect, which it is very difficult to understand, but the difficulty of grasping with them bears no proportion



(The Juxtaposition of the hereditary & considering the happenings  
but the present of modern social organization.)

Patriarchal Theory of origin of society - (What are the  
the basis?) Society in the primitive state is a  
aggregate of families not a collection of individuals.

Law, in the state, is the command more or less absolute  
of the father. The history of political ideas begins  
with the assumption that provided a blood in the

state provides ground of commonness in political functions.  
The principle of adoption, as still a legal fact,  
on other, primitive sources to continue. extend.

"The expedient; the is then finer, commands  
of war was that the increasing population of the  
primitive the success for to be stock.

Why are there to form the -  
"At some point of time - probably as soon as the full-  
the primitive army enough their extrinsic power -  
all the states came to recruit themselves of factions  
a transition of consanguinity. They became Aristocratic.

The principle of local consanguinity -  
has been to create of commonness in political functions.

Paria Potestas. Absolute property of father  
is wife & children. Dictum & modified in civilization  
adhere

but kept it like a Roman law & made  
 the nations subjected by it. It is not to be  
 the same extent as in the same character - Teutonic  
 nations, who seem to have in their tribal institution  
 that they had not known it. Duties of father  
 or proprietor balanced his rights. He was responsible  
 for the crimes of his sons by nature & adoption.

He had a moral obligation to protect them his children.  
 Agnatic & Cognatic relationships. Agnatic relationships  
 alone considered & primitive society being limited by  
 the Patria Potestas. The whole Roman law of persons  
 is evolved from Patria Potestas\*. The subjects of women &  
 perpetual tutelage. With the doctrine of natural  
 law, Cognatic relationships were admitted, & women  
 became individuals.

\* Fichte, Engel - reputation, gradually shifts  
 the rights & duties of society from the family to the  
 individual. "The movement of the progressive societies  
 has been uniform in one respect. Through all its cases,  
 it has been distinguished by the gradual dissolution of  
 family dependency, & the growth of individual liberty."  
 & movement from Nature to Contract.

---

I reached with W. Barnett. He threw out water  
 on C. B.'s scheme: said it was impossible to get  
 it information requires a less evidently sufficient for  
 value of facts than than. I suggested that "practical  
 men" than who have actually to do with the management  
 of society, do not like to general principles but  
 will only when a special application of these <sup>principles</sup> ~~principles~~  
 to fact. He replied that if he had read history <sup>well</sup>  
 enough that ideas had more influence than fact.  
 (This is a loose use of fact & I believe is wrong,  
 but in ideas of moving fact not necessarily it).  
 That ideas influenced character & that character  
 was the seed of all life - all reform she he produced  
 by this effect on character. I agreed to this, adding  
 that this truth (a fact we are that requires to be  
 carefully demonstrated: that no amount of  
 a priori reasoning would be of much avail in  
 persuading people. But the scientific spirit  
 had produced scepticism as to general principles,  
 & yet was not sufficiently far advanced to give  
 fact in the scientific method.  
 19<sup>th</sup> But to a temporary of years is Whitehead.

Testamentary Succession

Rome preface inquiring into this by saying that there is no law in the direct descent of modern law can be so clearly traced from Roman jurisprudence.

The Barbarians had no conception of Wills: they strictly assimilated the Roman conception of the concept has developed & guarded by the Church, and of which had been much enriched by testamentary succession, & the goods of the faithful. In England the Church plays an especially important part - as the common law & Chancery law, were little influenced by Roman jurisprudence, but they were influenced by the Ecclesiastical tribunals into the jurisdiction of the matter of Wills were delegated.

If we were to analyze a Will as <sup>as the law stands</sup> prior to the time that <sup>it</sup> <sup>was</sup> based on the law: that it was secret, that it was irrevocable, & that it had little effect at death only. And yet historical inquiry teaches us that these laws were absent in early times, & that they were a <sup>of short</sup> development - & not a basis of growth.

The conception of a Will is a member, & not a fruit, of a series of conceptions.

"A Will or Testament is an instrument by

21. The devolution of an inheritance is prescribed  
Inheritance is a form of universal succession.

A universal succession is a succession to a universitas  
juris, or universality of rights & duties. "Quarta  
De" "A universitas juris is a collection of rights  
& duties united by the single circumstance of their being  
belonged at one time to some one person" A man may  
be involved, his duties may overbalance his rights;

Universal succession is the transmission  
at a certain moment of all the duties & rights of  
a man. Several forms of universal succession are  
in Roman law, the most important being  
inheritance. Inheritance does not depend on  
a will. The Jews' main universal succession,  
however he became so, whether by will or intestacy, was  
his heir. The heir might be a group of persons.

"An inheritance is a succession to the entire  
entire legal position of a deceased man."

In primitive jurisprudence everything turned on the  
continuity of the legal personality.

I am becoming rather weary of ~~the~~ <sup>the</sup> ~~Primo~~ but a book like this  
sh. is all to the point & probably most of it true deserves  
careful study.

In <sup>interstate</sup> ~~succession~~ <sup>succession</sup> has more ancient - than  
Testamentary succession. In ~~hereditary~~ <sup>hereditary</sup> law found  
in that primitive unit of the community, the Family.  
~~The~~ ~~the~~ ~~the~~ Family has like a modern corporation,  
it can not die tho' its members must leave -  
and, a rather it resembles the "corporation sole"  
of modern times, sh. is represented by a single individual  
but sh. has a life independent of the individual.  
It can be preserved & continued, of this corporation  
that two methods were used to ~~prevent~~ <sup>transfer</sup> the ~~facture~~  
in case of failure by natural descent: adoption  
& Will. They were both intimately connected with  
religious rites - & the due performance of religious  
rites sh. his place was one of the leading nations in the  
provision of an heir.

Primo declares the Will to be entirely Roman.  
The originally (as before suggests) only had effect in case  
of failure in natural descent: therefore it  
seems a early step to have been in the keeping of the  
Comitia Curia. This was the representative Roman

of the Roman Law. The contents of Roman primitive law ordered inheritance in the following degree:

The son or direct descendant who had never been emancipated succeeded. In the failure the nearest agnate the son or nephew have been under the same Patria Potestas as the deceased. The 3<sup>rd</sup> & last degree, the Sentites, or the collective members of the dead man's house. It is not difficult to see, that the existing power of the House of Senes originates in the desire to protect the property of the Sons or Patrician families.

But this Patrician <sup>the 'great council'</sup> will, was not a required will for the modern will can be used.

The Plebeian Will, originates in the Romanian an institution of great importance in the origin of both Contract & Will, but the father of modern wills.

The Annuntius to a conveyance out & out of the Testator's estate, was not revocable or secret.

The Praetorian will was the extension of Equities into the conveyance. The Heres need not be present - and in the Plebeian Will: it was therefore secret - from him. It was sealed & written conveyed by civil rights & was sustained in the Praetorian Court - a Court of Equities. It became revocable.

The Roman Will as it appears in the Justinian Code has descended from the Praetorian law in the hands of the Plebeian Will in the latter.

It requires no emancipation & has neither verbal seals & 7 witnesses: like the Mancipatory Will it passes the inheritance & not merely the Roman Possession.

With its ancient society - were not used to disinherited children. The unbroken theory accorded by the 12 tables does not believe the tendency wh. a later eye ~~tends~~ thought - wholly correct to counteract, it proceeds on the assumption that the tendency is at least. With the growth of variety in the test writing individuals, with the stretching of the family bonds, Disinheritance of children became more common. It afforded public opinion, therefore the 28 first & variety of rules against it engrafted in Roman Civil Law.

The horror of intestacy is a curious feature in later Roman society. This arose from the fact - the uncut inheritance was founded on the patriarchal idea of the family. The emancipation, freed from the Patria Potestas, was disallowed



from success to the Father's substance except by  
 Testamentary Succession. All cognate relations  
 were excluded. The property was held to devolve  
 on the Sons - a group of individuals united  
 by to the Decem & to fictitious tie of being  
 to some name. The input of Devoted property  
 from the Family (we must remember to the fact  
 since to this by the principle of adoption) was not other  
 than the late Middle age. Roman law protected the children  
 & the widows, Church law protected the widows.

Feudal ideas introduced the principle of  
 inalienability. The French law under the influence  
 of Roman jurisprudence, tried to check this by  
 enforcing equality. This is the end result is small  
 perpetual entails - for this <sup>purpose of</sup> the testamentary  
~~Succession~~ <sup>was</sup> a fruit of Feudalism & was used  
 by it as an instrument so long as feudal was  
 more ~~valuable~~ <sup>valued</sup> ~~appreciated~~ <sup>when the modern way came from</sup> ~~it~~ <sup>became the instrument</sup>  
~~of the modern ideas~~ of the 'dominant-felony' principle.

The origin of Primogeniture is discussed by  
 Morris. It was neither present in Roman law  
 of the barbarian custom & got mixed to the  
 real property of Europe. More considered it being to

(94)

1. a more primitive form of society - When  
the family was the political as well as the civil  
unit. He thinks that the evolution of society  
after the Roman rule of the Carthaginians and his retrograde  
is with the great increase of individuality. A very  
stability capable of existing the for disintegration  
from of the time was a rigid family succession.  
It was further developed in its evolution  
by the contact of the archaic idea of the ~~the~~ with  
Roman jurisprudence. It did not take into account  
the individual duties of the head of the family, &  
the claims of the other members of the family on  
the family substance.

### The Early History of Property -

The Romans viewed the institution of private property  
in the nation around them, & the late jurists with  
derived it from a law of nature. Occupancy, was  
one of the natural modes of acquiring property.  
It was held that manhood in the state of nature  
was in the process of occupancy. Modern jurisprudence  
carries the theory further & holds that long before  
the organization of civil society, occupancy was the  
way by which no man's good became one man's

good & that the occupant had no inherent right  
to that. He held. This doctrine lay at the root of  
international law on the subject of discovery & became  
of immense importance at the 15<sup>th</sup> & 16<sup>th</sup> Centuries  
when the continents were discovered, often by chance.

The law & doctrine wh. was practically established by  
the most adventurous nations, England - Holland.  
They retained their right to conquer what had already  
been discovered by other nations.

Blackstone epitomizes the doctrine: "For by the law  
of nature & reason he who first begins to use a thing  
acquires therein a certain kind of transient property

The right of possession continues for the time that he is to  
act of possession . . . . When mankind increased in numbers  
it became necessary to entertain conceptions of more  
permanent dominion . . . ."

The view of this reasoning is based on the process of reconstructing  
ancient society by directing men as they stand now, of  
all present conditions but leaving them with the  
qualifications formed by their conditions. It is the view of  
the Subjective Method. Savigny's approach wh. he  
applies only to Roman law, but to the original nations &  
property, might be formulated with more generality.

It can be allowed by its author, for it is possible that no sound or safe conclusion can be looked for from investigation into system of laws further than the point at which these combined ideas constitute the notion of prescription right. "Adverse possession requires by prescription" a conception of ownership involving 3 elements —

Possession, exclusiveness of Possession, that is a holding out permission or subordinate, but exclusion against the world, & Prescription, a period of time during which Adverse Possession has uninterruptedly continued.

Why a lapse of time engenders a respect for the holding of property is a Psychological question, & is not the form of the commercial convenience of mankind for that the law has for a long period ~~been~~ de facto existed. But-occasionally, so far from being the original starting point, for private property, was an assumption made after it had existed in fact for a considerable period... "It is only when the rights of property have gained a sanction from long long practical invariability that a claim to vesting rights of the kind of enjoyment have been subjected to private ownership, that adverse possession is allowed to make the first-possessor with Dominion in a commodity

which  
 of ~~the~~ no joint proprietorship has been asserted "  
 The occupant - i.e. Paul - becomes the owner  
 because all things (i.e. the comparatively dense  
 state of civilization) are presumed to be somebody's  
 property - because no one can be pointed out as  
 having a better right than he, to the proprietorship of  
 the particular thing."

The Property was originally vested in the family  
 not in the individual, & so far as modern private  
 property is concerned (that is to say the property of an individual)  
 it has passed from the family to the individual.  
 The newly born son had property,  
 i.e. an undivided community, but if he ceased to be a  
 member of the family, he lost his property.

The modern idea of private property was evolved  
 by the gradual disentanglement of the separate rights  
 of individuals from the blended rights of the community;  
 the division of public from private life.

"Our studies in the Law of Persons seem to show  
 as the family expands into a synthetic group of  
 persons, the synthetic group dissolving into separate  
 individuals, both the household supplanted by the  
 individual; & it is now suggested that each step  
 in the change corresponds to an analogous structure

"The nature of ownership?" I have seen not-  
 attempt to explain the nature of the law of inheritance  
 to respect each other's possession, as they were held  
 by corporate bodies, any more than to explain  
 the nature of the law then to hold together in family  
 union. That is a practical, more biological, than  
 sociological part of the process of formation of society.

Private property is divided into the Division  
 of property, into real & personal - a movable  
 & immovable. Property is the private estate  
 belonging to the family, but more or less individual  
 & a <sup>4</sup>can acquire on account of ceremony  
 in the transferance consisted with the dignity of  
 belonging to a body of individuals.

The Roman law, as far as the distinction between  
 between the Municipi, & the Municipi is the  
 history of the Roman law of property is the assimilation  
 of the Municipi (Property requiring all the formalities  
 of Manuipation) & the Municipi (Property  
 of the simple delivery constitutes possession).

The distinction is not so much based on the  
 nature of the Manuipation of property into movable  
 & immovable as on the period in which

particular article become subject to ownership.

With the kind of property owned when the family was to civil suit. The more common from the Roman law was retained, with property acquired by you when the individual was becoming to trust, the easier mode of dealing a tradition was used - a civil tradition was, that the civil tradition gradually replaced the more common.

The Roman legal system devised a way out of a difficult situation following on the Commission. The machinery of conveyance long before they had the courage to do it. The opinion was an ancient one was introduced in 12th century by the Roman law. A provision for 2 years, a beginning that possession is good faith, a quiet title to property.

Common law was also used to give a quiet title legal title. There are analogies for this in English law. But these devices were made necessary by Justinian's annihilation of Roman law.

Justinian's *Corpus Iuris Civilis* is the history of the substitution of the fundamental law of law by the Roman law of the medieval, and the law of jurisdiction.

History of Property is not yet complete in England,  
 it is vitally the law of personality vs. Merton's &  
 absolute and unincorporated - the law of reality.

European jurisconsults were exceedingly  
 loath to use Prescriptions - partly because the  
 were influenced against them by the Canon law.

(Probably the ecclesiastical feared that returning of  
 benefits to secular hands might be made a pretext  
 for their appropriation). The scholar jurisconsult  
 that a right was inalienable, had an entire  
 apart from the conditions that had formed it.

"The ecclesiastical custom out of the Canon Law  
 grew, because as they were not seen as public sacred  
 interests, they naturally regarded the privileges of the  
 Canon law as incapable of being lost through divine  
 homicide perhaps; and in accordance with this view, the  
 spiritual jurisprudence, when afterwards introduced  
 was distinguished by a method leaning against prescription.

It was the fact of the Canon law, then held up by  
 clerical lawyers as a pattern to secular legislation,  
 that a peculiar influence a first principle.

It gave to the bodies of Canon law, the very  
 forms throughout Europe for their express rules





Roman rules, that of Bon & Frey's impediment -  
 It enables the 1. coalesce with a Roman jurisdiction  
 that had already used you to compare with itself  
 It. it has acquired made to be an Emperor.

Roman enters into the different form of  
 laws which were to Roman empire, & explain  
 that feudal law was more a law & derivative  
 for all of these.

### The Party History of Contract.

"Some of our day is markedly distinguished from  
 that of preceding generations by the largeness of the  
 sphere of contract which is occupied by contract..."

And many of us are so unobservant as not to  
 perceive that in numerous cases where the law  
 freed a man's social position inevitably at his birth  
 modern law allows him to create it for himself by  
 convention; indeed several of its few exceptions  
 that remain to this day are constantly diminishing."

The strain of Political economy is based on  
 contract, that the P. Remains as entire contract  
 with all relationships of life, & best leads Imperative  
 towards the protection of the individual's life -  
 directly & to enforcing contract.



Analysis discovered the one essential quality  
of it will between the two contract parties.  
This ~~is the~~ <sup>simplest the hypothesis</sup> form of contract then, the definition  
of it is within the Law of Nature.

"I know nothing more wonderful than the variety  
of sciences to which Roman law, Roman contract-law  
more particularly, has lent: Modes of thought, ~~and~~  
~~expressions~~ courses of reasoning, & historical  
language. Of the subjects which have shewn the  
intellectual aspects of the moderns, there is scarcely  
one, except Physics, which has not been filtered through  
Roman Jurisprudence. The science of pure metaphysics  
had, indeed, rather a Greek than a Roman parentage,  
but Aristotle's Moral Philosophy, even Theology,  
found in Roman law not only a vehicle of expression  
but a nidus in which some of their profoundest inspirations  
were nourished into maturity."

"Anybody who knows what Roman Jurisprudence  
is, as actually practiced by the Romans, and who will  
observe in the characteristics of earliest Western Theology,  
& Philosophy differ from the Masses of thought which preceded  
them, may be safely left to pronounce that law to  
have element which had begun to permeate a former speculation."

The Law of Aquinas

From the Report of Roman jurisprudence is introduced the idea of Aquinas between citizen & citizen - reciprocal in duties & rights leading up to the later doctrine of "Social Compact". At the Reformation the sense of morality was divided into two schools. The Casuists with influence by Innocentius, moved in the Spanish school under the influence of Aristotle, & the school of moralists descended from Gratian. The doctrine of the former was based on the destruction of mortal & venial sin. They were used to demonstrate morality so as to increase the priest's power & allow him latitude in dealing with the consciences of his flock.

The latter knew the Roman doctrine of natural law of an absolute law common to all individuals & all nations, easy of access & understanding, lay at the end of the morality of the Reformation.

~~It remains to a certain extent its death-knell~~  
 The system of positive morality was discredited by a rise of critical philosophy, with its historical method & conceptions of relativity - but its influence on political thought is still dominant.

It is also pointed out - the influence of  
Roman jurisprudence on the determining the character  
of the Theology of the West - & distinguishing it from  
the Theology of the East.

" I affirm without hesitation that the difference  
between the two theological systems is accounted  
for by the fact - that, in passing from the East to  
the West, theological speculation had passed through  
a course of Greek metaphysics & a course  
of Roman law. In some centuries before their  
controversies you note everywhere ~~the~~  
importance, all the intellectual activity of the Western  
Romans had been expended on jurisprudence  
exclusively. They had been occupied in applying  
a peculiar set of principles to all combinations  
of the circumstances of life in a path of  
being arranged. (What more than principles?)

..... It is <sup>clearly</sup> impossible that they should not select  
from the functions indicated by the Christian records that  
it had some affinity with the side of speculation  
& it. They had been accustomed, & that their manner  
of dealing with them should not borrow something  
of the forensic habits.

Almost everybody who has knowledge enough  
 of Roman law to appreciate the Roman penal system,  
 the Roman theory of the legal establishment of contracts  
 & debt - the Roman view of debt, & of the  
 modes of 'merging', extinguishing, & transmitting  
 them, the Roman notion of the continuance of individuals  
 within the framework of succession may be trusted to  
 say when a more to frame of mind to do. The  
 problems of Western theology proved to converge  
 when come to philosophy & do. These problems  
 were stated, & when the description of economic  
 employed in the situation. 1. Francis mentions  
 that the jurisprudence was that of the Roman  
 age do. is particularly reproduced in the products  
 of jurisprudence. He explains the extraordinary  
 persistence of the Roman law by the fact that  
 many except for the brief Augustan era of  
 from literature, the work mented course of the  
 Roman drifted into the Arabian & simplified  
 of the judicial system to Francis describes  
 the influence of Roman law of contract on  
 the archaic notion of the barter & the products  
 of foundation, the result of the primitive law

2 statements of history, the construction of the  
Tentative view, & the well-defined system of  
Roman contract law.

He ends this chapter by asserting the  
predominant influence of contract law as evidence  
of the Roman & forming the regular & various content  
of modern civilization.

"The truth is that the Roman law is the  
modern society the legal conception & the all  
the irregularities is attributable; of the customs -  
institutions of the barbarians have one characteristic  
more striking than another, it is the extreme  
irregularity. (There is something of the special  
pleads about - Roman in the chapter).

The Early History of Debt & Crime

Manie tells the ancient view of crime as a  
wrong against an individual, the punishment of  
the state is measured etc. to the vengeance which  
have been taken & it brings me to the neglect  
violence as an arbitrator, for the first knowledge of  
participation & the fine is introduced

The crime, a wrong against the state, was  
limited to very special cases, & this was regarded



109

Specialty of the highest - authority of the state are  
single instances & provisions of statute in which the  
criminal law is named. The law, in every year  
law, are furnished here to the religious sense of  
the community. Criminal jurisdiction was a  
comparatively late growth, & was found by the  
Christians. Christ the Son of God all the Sons  
of the Father & the Son of the Father.

April 25<sup>th</sup>

By Herbert Spencer Society.

\* Reason for answering <sup>a</sup> Society in response

"It undergoes continuous growth. As it grows its  
parts become unlike: it exhibits increase of structure

The unlike parts simultaneously assume activities  
of unlike kinds. These activities are not simply  
different, but their differences are so related as to make  
the another possible. The reciprocal and thus gives  
cause mutual dependence of the parts. And the  
mutually-dependent parts, living by & for  
one another, form an aggregate - constituted  
on the same general principle as in an individual  
organism. The analogy of an organism  
becomes still clearer on learning that every organism

of appreciable size in a society; and on learning, <sup>perhaps</sup> that every part in both, the lines of the mould continue for some time of the life of the aggregate is suddenly arrested, while if the aggregate is not destroyed by violence, its life greatly exceeds in duration the lines of its mould. Though the two are contrasted in respect to discrete & concrete, & though there results a difference in the ends subserved by the regeneration, there does not result a difference in the laws of regeneration: the required method influences of the parts, not however necessarily in a direct way being, in a society, a substituted in an indirect way.))

<sup>of the social organism</sup>  
 The indefiniteness of outline seems to me the best point in the analogy in the capability of definite parts breaking off, & also large masses of individuals separating from the one society, & not as in the lower forms of animal life forming new societies but forming societies already formed.  
 Is not the social organism an ideal flexible entity? When can we draw the outline distinction one society from another with sufficient separateness to make it in any way analogous.

111

to an individual animal organism of even the lowest type. It has more of the character of a vegetative organism, of which parts <sup>off</sup> may be taken <sup>from</sup> & grafted into another - tho' here the analogy breaks down as the cuprafter is by a higher power not a self-acting agency of change. Do not see that "a society" is more an organism than an organ of a whole. I do not think you can show more likeness between an individual organism & a society than is common to all things exhibiting vital activities.

Structure & function are both connoted by the term. Organism is by me a Jungrom term as it is bound up in our consciousness with all its qualities connoted by individuality. "Body" would be said less objectionably.

May 10<sup>th</sup> How sad! Poor old man:  
Oh! me. All the pain that comes from that one passion in human nature seems almost to outweigh the happiness of pure affection.  
But what would life be without feeling.  
It is a consolation to me in my loneliness in the painful circumstances of my life, "I feel

That at least I have done in my relationship  
 to Father, the best, given to him devotion  
 of body & mind. On the whole, I prefer to  
 live in the country with Father in the States.  
 I can do no work - the <sup>old</sup> associations of both  
 practical work ~~are~~ & social are too much for  
 me - & Father too, requires more constant  
 watching. Now I have confirmed in my  
 intention. Now I am free to devote myself  
 to work of the sort <sup>for which</sup> I have long felt - felt for  
 by special desire & in a way by all the  
 troubles of my life. I seem to have been beaten  
 off all father but - this narrow way of  
 one-sided work.

May 4<sup>th</sup>. Early morning, looking over the street from  
 the porch of the Benjamin garden. What an world  
 looking to me, my small intellectual life in my  
 present surroundings. At least, their things are  
 kept in their due proportion. Thinking that  
 I might do well to explain through what  
 I mean by social depression & published it in an  
 article in the Nation. If it were well written.

I wd help C. Booth's society. I wd read up  
 History of Science, specially of Medical Science  
 & have Physical Diagnosis. Read for it:  
 Then nature of it, & how it relates to well as  
 quantitative analysis, agents for it, Machinery,  
 present & future use as basis for political  
 or voluntary action, & as material for history.  
 (Prof. Sedgwick's speech of social science)

I have looked through H. S.'s Sociology.  
 I do not like his analogies of the organism.  
 Organization of it means only the connection  
 individuals of the State - separation from  
 & the consciousness of their State of like a distinct-  
 broad consciousness. The life that  
 characterizes it is the life of the State  
 & not the life of its parts & this becomes increasingly  
 manifest as the organism evolves to a higher  
 form. But a social body, as H. S. says  
 is discrete that it represents to me merely  
 a mass of individuals whose lives find one another  
 & important one to life of the State. It has a  
 & functions of culture, for a large or a smaller  
 And as it is increasingly isolated, I wd maintain that the lives  
 of the individuals composing it become more & more

Circle may be taken as forming a social-  
 & then circles may comprehend or partially  
 comprehend each other according to the degrees  
 of it in looking at one or the other phase of  
 life. With increasing evolution the  
 interacting lines of these circles become  
 more & more numerous - a Trade Society,  
 or a religious organization may transcend  
 State societies founded on different nationalities  
 with their respective political & social institutions.  
 And yet each society whether industrial,  
 religious, or state political may show in  
 a distinct form of structure & function.

In deed in characterizing the life peculiar  
 organizations of man as corporations & describing  
 their action as a community I see no more  
 resemblance of this life to the life of an individual  
 organism than necessarily exists between all  
 bodies showing vitality.

I must mark this logic - I must  
 get past them in my mind the laws of reasoning

Aug 8: I have just made up my mind to try an article on  
 "Social Diagnosis". It will take the form of showing first-  
 hand men to be more influenced with a thought & action  
 by descriptions of social facts. That Social Sentiment  
 can be formed by their acts description giving rise to a  
 cry for political action & "uniting itself in  
 voluntary effort. That political <sup>action</sup> then taken, was  
 founded on their descriptions of social fact  
 (see Comm. on Artisan Dwelling) therefore the  
 principle is not whether we ought to be governed  
 by the sentiment & prompt arising from a  
 complete or incomplete knowledge of social facts,  
 whether it is not in view to <sup>secure</sup> ~~some~~ <sup>our</sup> ~~own~~ <sup>own</sup> ~~action~~  
~~to the laws of the development of the Herbert-~~  
~~Spencerian imitation of the sphere of government -~~  
~~drawn from his analysis of the organism.~~

That is not the function of a <sup>the</sup> practical politics  
 of social science of the present day. General principles  
 are discussed with the public at large & with  
 the eyes of men whom they should govern on  
 the fragments of the socialologists.  
 Then a careful description of the kind of medical science  
 Comparison between Politicians & Doctors in their Schools

## Math Logic

Every proposition consists of 3 parts - : the subject, the predicate, the copula; the subject & the predicate being names of things.

Names of things may be divided into : 1<sup>st</sup> Individual or singular, & general ~~and~~ Collection. A general name may be used for every individual belonging to a group; a collection name for the group considered as a whole.

2<sup>nd</sup>. Abstract & Concrete names.

Abstract names denote an attribute common to many things. Concrete names denote a thing, & when general, denote attributes belonging to it. But adjectives like "white", "bad", are concrete names for they are ellipsis of "white object", "bad object" & concrete attributes.

3<sup>rd</sup>. Connotative & Non-connotative names.

All abstract names are non-connotative.

All general concrete names are connotative.

All proper names are non-connotative.

Some singular names formed of many words & rather of a general concrete name limited to a special individual, as "the present King".



117  
Properly of English are composites.

Therefore if a name, given to an object has any meaning it is compositive.

The only names of objects which compositive names are proper names, & then have strictly speaking no signification.

Difference between indeterminate compositives & ambiguous compositives which is using names formed with the same letters & produces

to some sense for different attributes or objects.

4<sup>th</sup> Relation & negation. Opposition, separation the absence of a quality for which some of the conditions are present.

5<sup>th</sup> Relation & non relation. Univocal, equivocal. Equivocal name, is the equivalent to a name with ambiguous compositives.

6<sup>th</sup> Intermediary case - analogically or metaphorically used names. "And one of the commonest forms of fallacious reasoning arising from ambiguity, is that, as if a word is that of arguing from a metaphorical expression as if it were literal; that is, as if a word applied metaphorically, bore the same name as when taken in its original sense: which will be seen more particularly in the plea."

# Of The Things Denoted by Names.

I Feelings, or States of Consciousness.  
 With purpose, avoids the philosophical question  
 as to how feelings or States of Consciousness arise -  
 whether they are all the result of the action of  
 Agent - on the subject - either in the present or in the past,  
 or whether some states of consciousness are  
 produced by spontaneous <sup>a time</sup> <sup>from the modification of the structure through</sup> <sup>perhaps take to subject of</sup> <sup>the mind not usually</sup>  
 He deals with them merely as facts, whatever  
 their origin may be, & divides them into;  
 Sensations, Thoughts, & Emotions adding to  
 them their subdivisions, volitions, a case  
 in which a State of Consciousness is succeeded  
 by an outward manifestation of it, or reflex  
 action of the body in space.

II. Substances divided into bodies & minds  
 Without probing the metaphysical question as  
 to the reality of matter, body may be defined  
 as to external cause, & the unknown <sup>external</sup> cause  
 to which we intuitively refer our external Sensations.  
 Mind unknown percipient - a recipient of  
 Sensations.





II Attributes: Can only mean the state of  
consciousness excited in us by bodies particularise  
one from the other: that is to say, of the series of  
impressions wh. a substance or substances  
make upon us, ~~as select for cognition~~ as a more  
are selected by our consideration.

Attributes are divided into Quality, quantity,  
& Relations. Regarding relations we must  
always remember the distinction between identity  
& exact similitude - or under tangibility.

" For distinction's sake, every fact which is  
solely composed of feelings or states of consciousness  
considered as such, is often called a Psychological  
or Subjective fact: while every fact which is  
composed, either wholly or in part, of something  
different from these, that is, of substances &  
attributes, is called an Objective fact. We may  
say, then, that every objective fact is grounded  
on a corresponding subjective one; & has no  
meaning for us to us, (apart from the subjective  
fact which corresponds to it) except as a name  
for the unknown & inscrutable process by wh.  
that subjective or psychological fact is brought  
pass. 27

## Anglo Saxon Chronicle. (Prose).

"Then at mid winter the king was at Gloucester with his 'witan' - there held his court five days; & afterwards the archbishops & clergy had a synod three days. There were present three bishops of London, William of Normandy & Robert of Cheshire. They were all the king's clerks. After this the king had a great council, & they deep speech with his 'witan' about the land, how it was peopled, or by what men; then sent his men over all England, in every shire & caused to ascertain how many hundred hides were in the shire, or what-land the king himself had, and cattle within the land or what does he ought to have in winter months, from the shire. Also he caused to be written what ~~does~~ how much land his archbishops had, & his suffragan bishops, & his abbots, & his Priors; and - though I may narrate somewhat freely - what or how much each man had who own a holden of land in England, & land, or in cattle, & how much

Among it might be worth. I say narrowly  
he caused it. He knew out. That there was  
not one single hide, nor one cord of land,  
nor even — it is shame to tell, though it  
seemed to him no shame to do — an ox, and a  
cow, nor a sowing, was left. That was not set  
down in his book. And all the writings were  
brought to him afterwards.

"Such a maledy came on men that almost  
every man was a traitor evil, that is with  
fence, & that so strongly that many men died  
of the evil. Afterwards there came, through the  
great tempests wh. came as we have told, a very  
great famine over all England, so that many  
hundred men perished by death through that famine  
Alas! how miserable & how cruel a time was that!  
When the wretched men lay driven almost to death,  
& afterwards came the sharp famine & put destroyed them.

Who could fulfil it in such a time? & that is  
so hard. Surely that cannot be said such misfortune.  
But such things befall for a folk's sin, because  
they will not love God & righteousness: so as it be

in these days, that little reputation was in  
 this land with any man, save with monks alone,  
 where they fared well. The King & his Lord were  
 fous much, & over much, conelourners in grow-  
 schen, & reched not how somfully it might be got  
 provided it came to them. The King gave his land  
 to deary faunt as he possibly coude; then come  
 some other & had more than the other had before  
 given, & the King let it to the man who had bidde  
 him more; then come a third & had yet more  
 & the King gave it up to the man who had  
 bidde most of all. And he reched not how  
 heigh somfully it issues got it from poor men  
 nor how much many illegalities they did; but  
 the more that was said about right law, the more  
 illegalities were done. They lewed unjust till  
 a many other unjust things they did, which  
 are difficult to reckon. Also, in the same year,  
 before Crutche, the chief monastery of St Paul  
 the apostol in London, was burnt, & many  
 other monasteries, & the priories & parishes part  
 of the whole city. So also, at the same time,  
 almost every chief town in all England was burnt.



Men: a useful & deplorable time. We are in that  
year which crumpeth forth so many misfortunes.

King William's Character: "If any one desires to  
know what kind of man he was, or what  
wealth he had, or how many lands he was  
lord, then we will write of him so as we  
understood him who have looked on him and at  
another time, signified in his court. He being  
William, about whom we speak, was a very  
wise man, & very powerful, more dignified  
& strong than any of his predecessors were.

He was made like the good men who loved  
God; & men all measure service to the men  
who gave him his will. On that same  
shard, or wh. God granted him that he  
might subdue England, he ruled a noble  
monastery, & then placed monasteries, with endow  
d.

Met. at C.B.'s office N. York, Secy of C.B.S.  
 Enthusiast - for accurate knowledge of the condition  
 of the poor. Evidently from his account there are  
 many who wd like to devote themselves to  
 statistics. Borrow from C.B., volumes of  
 Statistical Society of the principles & subjects  
 of Modern Science. Statistics defined as the  
 science which treats of the structure of human  
 society, i.e. of society in all its constitutions  
 human mind, & in all its relations, known  
 complex; embracing alike the highest phenomena  
 of education, crime, & commerce, & the so-called  
 "statistics" of population, & to London Statist.  
 Org. Bureau. This is a recent work. Not only  
 does it have a scientific character & economic  
 basis but maintained that the scientific  
 method applied to it was a mistake.

"I have taken observation of aggregates."  
 "In the same way that arithmetic is both  
 the science of numbers & art of numbering  
 so it may be maintained that statistics  
 of a wide scope is a science, in the  
 science of human society, in all its relations

and the art of measuring it & all its  
 component parts on mathematical principles;  
 dealing not with speculations, guesses, &  
 simple observation, or, as they call it,  
 want-observation, but in strict accordance  
 with that sovereign science the basis of geometry  
 & numbers, & of the time can be measured  
 & numbered. . . see vol II pp. 1-24, vol  
 III pp. 57-60 for vol of Statistical Society on  
 Henry & Poin. Newman's inaugural address  
 1869-70. J. Fam. 31-32.

"Statistical inquiry the gathers its facts singly  
 & then considers them & to aggregate them the whole  
 can be evolved to laws that govern them."

Shaw Jeffrey, Newman's Hooper of Statistics as a  
 Science. Moral -

"In all branches of legislation on social subjects  
 in all scientific inquiries to the investigation of  
 which the numerical method can properly be  
 applied - & there are few to which its application  
 is not of great & immediate advantage - in  
 every undertaking in which facts require to be  
 carefully collected & collated, and the figures  
 to compare critically, noting agreement, & discrepancies"

Wh. are exponents of facts the Marshallian  
 with scientific precision; in every branch of  
 what statistics, of biological research, of population  
 movement, & population at rest; in practical  
 medicine generally, & in the consideration of  
 the influence of moral agencies on human conduct.  
 Statistical inquiry has introduced order,  
 method, & precision, in the place of speculation,  
 conjecture, & uncertainty. "

" by the application of statistical inquiry &  
 instead, & the employment of the numerical  
method in marshalling the figures collected  
 with scientific accuracy & precision.

Guy.

and statistics used by his inventor Adhewals  
 present a survey of the customs laws, & form  
 of government of the nation. Differs from  
 an. M. Technical training now "collections  
 of figures of equal or similar units applicable  
 to the condition & prospects of society" — the  
 condition as the result of ~~reference~~ abnormal  
 the prospects in matters of reference.

Gay draws an analogy between Statistics & Physiology: "I may observe in passing that the intricacy of the circulation of the blood was suggested to Harvey's mind by simple facts & figures, & by a subtle process of reasoning (it reduces an absurdness) converted into an argument - with short of demonstration."

Harvey has gaged the left-ventricle of the human heart, & finds that it will hold 2 q of blood etc.

Some Special uses of Statistical Knowledge:

The most general statistics, with which Sir John Lubbock in his paper are least open to criticism & their political deductions are suggestions & verifiable.

2<sup>nd</sup> point "that increase of wealth has benefited all classes, & that the increase of population in the last 100 years, in the leading countries at least, is an increase of a population which is better off in all classes from the highest to the lowest than the smaller population 100 years ago."

Porter's "progress of the Nation"

Summary.

1<sup>st</sup> Different studies wh. have been made as to

The earnings & wages of the masses: see Giffen's  
 inaugural address in 1883 on the "Earnings of the  
 Working Classes"; papers published by the Manchester  
 Chronicle of Commerce, President of the Manchester  
 Statistical Society; the year books, both cont. 2 vols  
 in Eng. France, United States. The year's paper before  
 which last year. All this evidence points to a rise  
 of 100 per cent. in wages. By the side of this  
 increase the cheapness of food.

x) Whether wages rising per day or per hour are  
 the best of the earnings of the individual or  
 of the class to which he belongs. Defend them wages  
 might be kept up artificially by trade unions  
 etc. The cheapness of a lot of life allows the  
 artisan or labourer to take intermittent work  
 as the competition forces him down the amount  
 of time employed of each individual).

2<sup>o</sup> Deduction from the proposition "Not a least  
 & rapid increase of population implies an increase  
 of the means of subsistence among the masses  
 the increase"

3<sup>o</sup> As the increase has been largely in the  
 United States & the English colonies

x) The only best of increased wages is the amount of wages  
 paid out divided by the number of the "dependent on employed".

Should have attracted the wealthy & poor - below  
 from the countries of Europe, and as the labouring  
 population are unduly left off from in the  
 country here - ...

(The my hypothesis I have to the argument - is the  
 same whether it is the wealthy labour that is  
 attracted; whether it is in the country the better  
 constitutions physically & mentally that have to do  
 country.)

4<sup>th</sup> Increase of population in towns compared  
 to the country. This I give to you not an argument -  
 & form of the increase of prosperity, because

- "we may be sure there is a common & powerful  
 cause, which cannot but be the superior remuneration  
 of labour in the town, or labour, like water, goes  
 where it is best paid" This is a very doubtful

explanation of the attractions of towns, & will be  
 a still more doubtful explanation of the progress  
 of the educational effect. Town labour may be better  
 paid - but it is more intermittent

And labour & intermittent <sup>labour</sup> are two different things.

"In this enormous growth of town ~~town~~  
 population there, that is of a higher class of labour

To see another proof of the magnitude of the advance of the mass of the world's labour so much better off, as we see by the growth of the United States, but the proportion of that world labour to the total is diminishing, & that of the higher classes of labour.

|                                 | 1871.    | 1881    |
|---------------------------------|----------|---------|
| Agricultural labourers          | 962 348  | 870 798 |
| Skilled labourers               | 1506 273 | 5547 69 |
| Domestic service & householders | 442 04   | 568 47  |
| Unskilled labourers             | 813 6    | 1094 7  |

Along with a general increase of population therefore, between 1871 & 1881 in England & Wales there has been no increase of labourers so called. // How again I think that a lack of personal observation is to the real facts constituting low-class labour which the deduction I think it would be found that there were wonderful small trades, shuffly distribution, and of the employment given had the fact characteristic of intermittency. That this class was increasing in large living the construction employment was becoming more & more intermittent in it work the firm.



What does it -

Productive employment is the only regular employment.

Distributive employment is irregular, & contract employment is becoming more & more irregular. Trade Unions & Co-operatives & etc. etc., have grown because life is so torn apart - from rent, is made easy by bonuses & etc. etc.

House Duty - '71-'81. That increase of houses 85-90 per cent - as compared with an increase of population & it increased 80 per cent - but the increase of houses under £10 annual value is less than 40 per cent - & about 800,000 in number altogether - On the other hand the increase in houses between £10 & £20 is 20 less than 952,000 in number - more than the increase of houses under £10 - was the percentage of increase is now 300 per cent - & the increase of houses above £20 annual value is about 500,000 & the percentage of increase is about 200 per cent.

In other words, the population living in houses above £20 rent, is only nearly half the population living in the country a century ago.

The conclusion of D. Pitt's paper on the value of production grows by income is that

Jones: "But it proposes a regular, comparative &  
 relation of the industrial classes of a community,  
 or any important section thereof, can only be fairly  
 & satisfactorily measured by comparing precisely  
 the same kind of facts for the same district  
 & the same circumstances, or between one period  
 & another; & of this kind of uniformity  
 & parallelism is disturbed & interrupted with  
 any way — either by changing the number, or  
 varying the character of the employment, or  
 introducing some minor differences — the value of  
 the comparison becomes correspondingly vitiated",  
 "I believe has described the function  
 of statistics as being that of representing the  
 condition of a State at a given point of  
 time; which although a much wider  
 definition than that of Achenwall, who spoke  
 of statistics as being only a "collection of  
 remarkable facts concerning a State" is  
 yet far from approaching the breadth &  
 scope of that of Mays who has described  
 Statistical Science as the "systematic relation  
 & explanation of actual events, & of the laws

of man's social life that may be deduced from them on the basis of the quantitative observation of agencies."

The last named author further sets forth that "the collection whole of the operations which make up the conduct of statistical inquiry may be divided into the following groups, viz.:

- "1. The appropriate observation of the social facts."
- "2. The grouping, commercial treatment of the original statistical material obtained by the appropriate observation."

3. The further scientific employment of the commercial materials of statistics especially with a view to the establishment of the existence of regularities in social life."

James laid his paper by the enumeration of the desiderata required.

1. An agreement as to major facts necessary to be collected for each special department of statistics.
2. Uniformity in the process by which these materials are collected & systematized then facts set forth together.
3. Co-ordination of the methods whereby the material thus collected are systematized & made use of.

4. The adoption as far as possible, of the calendar year as the financial period, so that when comparisons are made the two always refer to the same date.

The general adoption of the metric system of length, measure, & currency.

Suffer to the Progress of the Working Classes.

"The great rise of money wages among laborers of every class, coupled with stationary or even falling prices of commodities, on the average, the all but universal shortening of the hours of labor, the decline of pauperism, the enormous increase of consumption of the luxuries of the masses, the improvement in the rate of mortality - these & their facts combined to prove that there has been a great general advance in the well being of the community." - D.

Porter "Progress of the Nation"

Miscellaneous Statistics

Argument based on supposition that agricultural laborer at worst paid 1836 is at worst paid now; D. Suffer insisting that

The artificial wages are 50 percent  
 higher than the agricultural wages at present-  
 time.

He takes the man of labour in 1830 as constant  
 as follows. Non agricultural  $\frac{1}{3}$  w agricultural  $\frac{1}{3}$  =  
 200  $\frac{1}{3}$  = 2 he takes mean as 260, 240, 220, including  
 6 each man. In 1886  $\frac{3}{4}$   $\frac{1}{8}$   $\frac{1}{8}$  of an state, mean  
 as 260, 240, 220.

Thus without any increase of wages  
 at all, there is an enormous improvement  
 simply because the population at the higher rate  
 of wages has increased disproportionately to the  
 others. If now we allow for an improvement  
 of 50 percent, only in the unit of each man,  
 we get the following result.

| Labourers | Fifty years ago |      |        | Wages | Rate          | Total | Value  |
|-----------|-----------------|------|--------|-------|---------------|-------|--------|
|           | Proportion      | Wage | Value  |       |               |       |        |
| 260       | $\frac{1}{3}$   | 60   | 12,000 | 250   | $\frac{3}{4}$ | 90    | 40,500 |
| 200       | $\frac{1}{3}$   | 40   | 8,000  | 75    | $\frac{1}{8}$ | 60    | 4,500  |
| 200       | $\frac{1}{3}$   | 20   | 4,000  | 58    | $\frac{1}{8}$ | 30    | 2,250  |

Now the average improvement is only nearly 100  
 per cent, with a rise of only 50 percent. The low

in the wages of each class.

It is this element in the question, viz, the change in the composition of the mass of labourers, which appears to be altogether overlooked in a mere comparison of the wages of a given employment. 50 years ago & at the present time.

When such comparisons have been made at any length which may be thought expedient a still broader survey of the facts must be made.

What kinds of labour have increased & what kinds have diminished become most important considerations. In this survey among others I attempted to exact statements of averages in using the table of money wages which I gave in my former paper.

The general sum of facts appeared to be more interesting & instructive than any attempt at exact percentages of increase or decrease which are in truth impossible in such an inquiry, though the general conclusions may themselves be beyond doubt. What I have said may show that even the improvement of only 50 percent in wages, Mr. Robert's sum to put in

with since employment -

Comparing since employment, supplies goods  
to actual circumstances of a change in the  
composition of the working population a much  
greater improvement - on the average than 5%  
per cent. . . .)

"There has been equalization in since  
employment throughout the country"

"That the number of income tax payers has  
increased in the last 50 years at a much  
greater rate than the increase of population"

"Mary Barton"

Here is the great concern to my suggestion that work  
has become more intermittent

"The point of all this is that whatever may  
have been the normal wage in good times of  
manufacturing operations who constitutes no doubt  
with the workmen of the clothing trades the most  
comfortable portion of the working population  
of the United Kingdom though after all only a  
small part of that population yet the liability  
to extreme privation that has been described  
has to be taken into account in comparing the  
such a population with a similar population at  
the present time

The complete or almost complete suspension of the ordinary wage for long intervals not only reduces the average wage, but shows a general condition of things which makes it impossible to compare at all the operation of superior workmen of fifty years ago with similar classes at the present time, who have not for many years - in fact nearly 30 years - been subject to any such general suspension of wages.

Indy Baskin, & Leon Levy, estimates of the national income. How justified?

"The main differences between the two estimates of the income of the working class are apparently accounted for in 3 ways: Different averages of wages, with time in years deducted

(W. Levy: Levy shows 4 weeks, W. Baskin 10).

What is the track system?

Aug 14<sup>th</sup> An afternoon walk home. Thomson Street, listening to speeches. Chamberlain looks of iron, Gladstone has injured his hand - the succession problem by affecting from him to the uneducated. Altogether everything looks black.



for Chamberlain. His own career -  
 the support of his most intimate friends.  
 his personal popularity, coming out - now that  
 the tide seems to have turned. If he will only  
 take this darker time as a lesson. Tempted him  
 by adversity against his abstract & cruel temper.  
 My interest in him now, tho' coloured by  
 personal feeling, is no longer based on it, & will  
 become less so every year. He has believed to me  
 with courtesy & consideration than I ever - tho'  
 my determination is grown, stronger every day not  
 again to see him. Still he will always be 't me;  
 the man <sup>to whom</sup> I gave the first strong feeling of my  
 nation. That he inspired this feeling will not  
 lessen my anxiety for his success, in the attainment  
 of the good - my earnest desire he may gain  
 the power that comes with high position &  
 persistent virtue to make his true convictions.

Economic Science & Statistics. (Sw/ord)

Dr. Dainton's report on the subject.

"Personal observation & statistics"

"By own connection with economic science has been in way of studying, criticizing & developing theories rather than collecting & systematizing facts."

Apart from questions on which economic considerations must yield to political, moral & social reasons of greater importance, it is an acknowledgment not to be acquired fully & frankly. The evidence of cases in which the industrial intervention of government is desirable even with a view to the most economical production of wealth. Hence I conceive, the present business of economic theory in this department is to give a systematic & carefully reasoned exposition of these cases, which, until the constitution of human nature & society are fundamentally altered, must always be regarded as exceptions to a general rule of non-interference. The St. German's decision on any particular case, it does

not belong to abstract theory to give; the law may be rationally arrived at after a careful examination of the special conditions of each practical problem at a particular time & place at which it presents itself. But abstract reasoning may supply a systematic view of the general occasions for governmental interference, the different forms of such interference, & the general reasons for & against each of them. It may also predict men both in judging & estimating the various considerations in particular cases.

"The maxim of laissez-faire (Laissez) has no scientific basis whatever; it is a mere handy rule of practice, though "a rule is its main source".

According to this view, the laws which govern economic science in particular concerned are the laws that do determine economic quantities - the amount of the supply of wealth, the amount of money, the relative values of different elements of it, & the shares of the economic classes that have combined to produce it - as they would be apart from special governmental interference, & not the

rules for deciding when & how far such interference is justifiable "

" Hence; <sup>part</sup> the recent German school of economic  
 narrowly known as the "historical", "ethical"  
 or "social" school - carries these maxims  
 of political economy by deriving from the assumption  
 of egoism, wh. they regard as characteristic of  
 "Smithianism". They usually appear to be  
 English economists. I confirmed that is with  
 what ought to be. The assumption that egoism  
 ought to be universal - that the universal  
 preservation of self-interest leads necessarily  
 to the best possible economic order - has never  
 been made by leading English writers; & it is  
 an assumption with wh. they generally concern  
 themselves in no way concerned - in that  
 part at least, of the science wh. deals with  
 distribution. It is the actual preservation of  
 self interest in ordinary exchanges of products  
 & services wh. constitutes their fundamental  
 assumption. "

But further, even as regards the present condition of industry in the more advanced countries, the theory of modern economic science primarily relates, there is no doubt, to the need of what is called a "scientific" or "inductive" method — i.e. as to the need of ascertaining particular facts, as to the nature of particular economic classes at any given place & time.

As to the deductive reasoning of perfect economic supply is a method of analyzing the phenomena & a statement of the general causes that govern them, & the measure of their operation. In this analysis, no doubt, the assumption is fundamental that the individuals concerned in the actual determination of the economic presentation resulting from free exchange will soon, when free to do so, get things to want — they care for what they sell & give the least they care for what they buy. I suppose every one allows this.

"In all abstract economic reasoning the aim is presentation precision, there is no measure of

a hypothetical element; it fails to do. It  
 reasoning which are not contemplated in the  
 actual complexity, but in an artificial  
 simplicity form; therefore it is wrong  
 is not accompanied & checked by a careful study  
 of facts. It requires simplification. It may seem  
 so far as to be misapprehended & blind to this  
 the hypothetical element - of reasoning is indeed  
 to be about 20 percent of from having  
 practical value . . . .

The general study of economic history  
 is important in calling attention to the  
 source of error; but for effective protection  
 against it we must look to that patient  
 & systematic development of historical  
 inquiry, which it is one of the main functions  
 of the here to make & to foster.

Schäffle: "Prinzipien und Leben des Socialen Körpers"  
 Swpeidlin found out that it is great sociological  
 Do not - Schutz & Kei doctrines, the best method  
 of course on the establishment of a science.

- (1) Consensus & Continuum & (2) Revision.
- "When we find that recent works, instead

of being the result & development of what has gone before, have a character as personal as that of the author, & bring to front fundamental ideas into question" — The sage Comte we may be sure is all <sup>2d.</sup> dealing with any doctrine involving the name of positive sciences. . . .

"With great confidence, history is represented as leading us, now to the name & unqualified introduction of Spencer, now to the carefully guarded & elaborate sociology of Schaffle, now to Comte's Dream of Soc. of 2000 years for all working men — with the comfort & comfort — solely by the influence moral precepts of his philosophic precepts."

Here is an abstract of Schaffle's theory

"The tendency of free competition to annihilate itself, & give birth to monopolies exercises against the common interest for the present & advantage of the monopolists; the crushing inequality of industrial opportunities, which the legal equality & freedom of modern society has no apparent tendency to correct; the impossibility of remunerating by present sale of commodities some most important

review to the community; the imposition  
 fluctuations of supply & demand sh. a work-  
 ing organization of industry brings with it:  
 health & impact; to an increasing extent  
 modern economic ideas upon large groups  
 of industrial workers; the inevitable to a  
 competitive system through progress & orientation  
 advertisements need multiplication of  
 middle-men inevitable non employment  
 & half employment of many competitors;  
 & ~~transubstantiation~~ transubstantiation transubstantiation even this  
 back. Due to the reckless & fraudulent  
 promotion of joint stock companies, & to  
 the gambling rise & fall of great markets & lending  
 more & more to spread over the whole area of  
 production — such periods as these are  
 mentioned in the broad view sh. on English  
 history — like of a modern industrial society.  
 Gradually occupations shift from agriculture;  
 it never enters his head that they can have  
 anything to do with causing the movement towards  
 socialism & it has German empire has perished //



Seward and his address

of the method of statistical investigation I have not presumed to speak, as I have not myself done any work of the kind, but have merely availed myself profusely of the labor of others.

But even so, it has been impossible for me not to learn that to do this work is to enter on a task to be done, requiring faculties of high order. For only concerning the various sources of error that impede the quantitative ascertainment of social facts, chromatin, such error as far as possible, allowing for it, there it cannot be chromatin — still more for only analyzing differences & fluctuations in the social quantities ascertained, & distinguishing cause from accidental variation & correspondence — there is needed not only industry, patience, accuracy, but a perpetually alert & ever-vigilant school of the reasoning process; nor is the statistician completely equipped for his task for discussing empirical laws unless he can effectively use the notation of the abstract & difficult-calculus of probability.

Who is he that says always, "There is a Lion  
in the way?" Sluggards then must slay the Lion  
then; the way has to be travelled

"Importation, acted contradictorily"

May 10<sup>th</sup> Spent yesterday afternoon with Benjamin  
Jervis. Arrived early of the working-class &  
have shared to them over class.

Benjamin will be found in some north  
country towns. Benjamin married early,  
not only from principle (thinking that it  
was better for a man to marry "with the blood  
& innocence on him") but also because  
there was the great practical difficulty  
of keeping his earnings from the grasp  
of his parents - they would even pawn his  
clothes. He spoke strongly against Siffers  
article as "special pleading" - agreed  
with me that piece-work meant for more  
work for a given time & probably a further  
selection of workers as in that way vitiated  
Siffers' calculation of the number of the working  
classes from the number of men at work  
He doubts the correctness of Siffers' figures

about - It is a point - fifty years ago  
 taken in some way to presumption that the  
 7 million Britons were all working for  
 the lowest minimum work. He made a new  
 point - that part of the skilled class of  
 artisans - came from the lower middle class  
 whose section of whom had been swept  
 away by the competition of - wholesale firms.

I do like to know more of their  
 intellectual - working men. They have their own  
 side of the junction - & it is quite a different  
 side from the one - almost vision of the  
 capital - & it is not the so-called  
 view... But the point I do like to get  
 clear is whether there is actually more  
 selection of workers of a given trade - whether  
 work has become harder & more strenuous &  
 than who are fully employed - & more -

more intermittent & than who are constantly  
 unemployed. The one argument of W. Giffen's  
 that it seems difficult to find is the  
 increased consumption of necessities including  
 tea, sugar, etc - meaning with an increased  
 amount of wealth & a transformation in the  
 habits of a people

Russell B. Sproston of Med. Men

(150)

Called "spiritual vitalism" principle of  
entirety. Hippocrates' description of  
symptoms are true & exact.

"For the wit & mind of man, if it work  
upon matter which is the contemplation of the  
existence of God, worketh as to the stuff as in  
limited things; but if it work upon itself, as  
it speaks worketh his will, then it is evident  
& brings forth, indeed objects of learning, wisdom  
for the furtherance of the world, but if no  
substance or profit." Bacon)

but when he speculates "He imagines  
the existence of certain humours — black bile  
yellow bile etc. Barley-water imagined to be  
good for acute diseases.

"Philosophy has taken much from a few  
things, & a little from a great many."

Such is the succinct description of the method  
adopted by the two great classes who had  
hitherto managed the scientific stage —

Aristotles who from a few facts  
fabricated the entire system of the universe  
& produced it before the credulous multitude

& the Empirical, she made no end of  
experiment & out of a messy & undigested  
mass of facts, drew a phantom system to  
occupy the stage for a time in Paracelsus.

Doctrine of Hippocrates & Galen, Doctrine of humors,  
Doctrine of specifics taught by Galen, & the Doctrine  
of the Elements.

but of Stahl's theory we naturally glide into the  
Doctrine of regarding entailed action of the nervous  
system as the great source of disease & the administration  
of stimulants as the great corresponding remedy.

All medicines acc. to Hoffmann may be classed  
into 4 divisions; viz: tonics, sudorifics, evacuants,  
& alteratives.

Conduct Description of Haller, "Haller was  
aware that the science of physiology, long abandoned  
to the spirit of spleen had become an object of  
distaste to natural philosophers, & it was with  
him a principal object to remove this prejudice.

He hoped to render physiology a science as  
certain as any other physical science, & a science  
by means of which philosophers might acquire  
a knowledge of the constitution of man,

and Physicians find a basis upon which to  
 found their practice. For this purpose it  
 was necessary to establish the foundation of  
 physiology upon the correct anatomy of man,  
 as well as upon comparative anatomy, which  
 has so frequently revealed to us secrets respecting  
 the animal economy that the study of man himself  
 had failed to discover. It was necessary  
 to banish from physiology both that kind of  
 metaphysics which in all the sciences has long  
 concealed real ignorance under scientific terms,  
 & those mathematical & chemical theories  
 rejected by mathematicians & chemists, &  
 always employed with the greatest confidence,  
 & adopted with the greatest respect, in proportion  
 as teachers or their disciples have been ignorant  
 of mathematics & chemistry. It was necessary,  
 to substitute, in place of all these systems, general  
 facts ascertained by observation & experience &  
 have <sup>the</sup> province to be satisfied <sup>with</sup> these facts, &  
 to submit to remain ignorant of their causes,  
 & to know that in all the sciences there are  
 limits beyond which it is doubtful whether

The human mind can never penetrate, & the u-  
certainly can only pass by the aid of time & a  
long series of labours. ))

" What I am concerned to point-out is  
the interest is that, admitting all, or  
almost-all, the say, the main conclusion of my  
paper is not affected. I show in my last-  
paper that, even without any ~~decrease~~ increase  
in the rate of wages for the same employment;  
yet because of the change of employment's  
wh. has occurred among the masses of the  
people the increase of the number of artisans  
& skilled labourers while agricultural labourers  
& unskilled labourers of every kind have in-  
creased, the increase of the town population  
& the position that the masses of the  
half-starved peasants & Ireland have diminished  
the average condition of the masses of workmen  
& the United Kingdom must have enormously  
improved. )) Giffen

Inquiry into the condition of Church Street  
St. John's verified & attested by 3 members of the  
Committee of the Statistical Society.

My 22<sup>o</sup> I have seen Beattie Chamberlain  
man a time this season. She is depressed  
with the condition of things - is interested  
to me because she reflects her father's  
state of mind. W. Chamberlain has  
been a high-minded patriotic man,  
but in his misfortune he is using  
the "fruits" of his high-handed  
arbitrariness, as a day of his glory.

He has offended so many persons  
& many names by the injustice of his  
imputations. I had had some from  
a batch of letters <sup>in morning correspondence</sup> before he (Chamberlain)  
decided to leave the ~~country~~ <sup>parliament</sup> on Home Rule  
to show him the feeling of the country so  
that he should not take the step without  
due consideration - to which Chamberlain  
answers that he has "selected the letters  
unfairly" - charging him practically with



Dishonesty - since Bradhurst had told  
 him that it was a "morning's correspondence"  
 and then wrote from that Bradhurst  
 is right - Chamberlain reports the mistake  
 instead of making an apology.

He has so many great qualities  
 it is a pity that his career should be damaged  
 by this small petulance & vituperation from  
 the views of others a desire to promote <sup>them</sup>  
 for improvement - <sup>with him</sup> it is a pity that he should  
 be forced to share <sup>the blame</sup> by the 'personal imperfections'  
 brought upon him by his bad temper between a  
 less high-minded & honest man & the <sup>inherent</sup>  
 injury of his career <sup>to be feared & feared</sup> & all the pains that will  
 bring him. This time last year - all through  
 the storm he was preparing for a great  
 triumph - thought the Democracy true  
 intellectual work show itself in true followers.

He was not interested in any opposition  
 from General Country, but from his independent  
 thought had apparently been shrewd in political  
 life - & the more matter worse by  
 being required. A medical relief bill was  
 the bill to Chamberlain's contemplation suggests

That evening in July, the Great Man I met  
 with us. He said, <sup>the</sup> looking at me intently  
 to see how I took it. "You brother - he is an  
 av. A spiritual representation. Not - him has  
 chance of Distinction in political life, this  
 has lost him his seat." A week after, 4-  
 Christmas Eve, a picnic on purpose  
 for the next. They had asked V. Chamberlain  
 for a day, the week before, but he had begged  
 them to change it - so that he might come  
 and he come. That day will always remain  
 engrained on my memory as the most painful  
 one of my life. The scene under the Berkshire  
 beeches, facing me to tell his fortune -  
 afterwards, behaving with the most rudeness  
 & indifference. The great deception given to  
 him at the station, returning back in the  
 evening, for all evening after from like  
 so many little dogs - his mysterious  
~~kind~~ <sup>kind</sup> that he would consider it his duty  
 to prevent the return of men like Louis  
 Courtney - and then the final scene  
 of that day, afterwards told me.

Lionel & Peter returned home, disappointed  
 latter formed by my evident misery,  
 having spent time & also money they w  
 all spent on this meaningless party -  
 Open their letter - the from Lionel's  
 agent forwarding to local paper - & at  
 calling to his attention a virulent letter  
 from your friend Chamberlain's henchman  
 begins, all true libels & etc against  
 the regard radical - Lionel writes  
 me do friend, no fellow radical, a colleague  
 of some years' standing, dependent on  
 his livelihood on political life already  
 down in the world & seemingly not likely  
 to rise again. Has never offended Chamberlain  
 by word or deed except by disagreement  
 to go from a hat at his friend when he  
 has down, in his own constituency!

Still now that the great man  
 himself is down - I would like to give  
 him one word of sympathy. Perhaps he  
 has think my sympathy impertinent!  
 Since that day among the Burnham books  
 I have not seen him - neither do I intend  
 to, the correspondence

When Spenser has made it impossible, he' apparently he  
thinks not.

(158)

I met Mrs O Hill to the right of St Bernards  
She is a small woman with large head  
fringe set on her shoulders. The face  
or the form of her head & features, & the  
expression of the eyes & mouth show  
the attraction of mental power. A pleasant  
attraction <sup>in her smile</sup>. We talked on  
Artistic & literary. I asked her whether  
she thought it necessary to keep accurate  
descriptions of the tenants. No. She did not  
see the use of it. Surely it was worth  
to write down observations so as to  
be able to give <sup>me</sup> information. She objected  
that there was already too much "windy  
talk". What you wanted was action; for  
men & women to go & work day by day  
among the less fortunate. And so there  
was a slight clash between us - & I  
felt penitent for my presumption,  
but not convinced.

May 24<sup>th</sup> Do not sit on mind with  
the "accumulation of useful knowledge" for my  
article. It is absolutely necessary that I should  
get at proof from history that we are ~~from~~  
lead from the thoughts & sentiment formed by  
Descriptions of social facts - to a large extent -  
for as C. Booth remarked to the day in  
some legislation is founded on class-faking,  
Whiggism or anti-religion faking, & we  
just to prove it's points - some facts &  
data when they are really illustrations

There are 4 points I must make  
~~with~~ too only have I in any way thought out:  
1. The method of Statistical inquiry:  
illustration of it - is Siffers paper of the  
working classes. The data used. I talk of -  
the "equal or similar nature of the units"  
& the illustration of this falling in with Siffers  
article & is the various estimates made of  
of the income of the working classes.

Here I do most description of Demographic  
labour in big towns. I talk of the law  
that "labour like water goes to where it is best  
paid" Statement of the the attractions

of town life. These Trades & Factory  
 underlying the doctrine of averages in applying  
 to wages. The modern tendency of keeping  
 up wages, in spite of increased supply  
 of labourers, the result of trade unionism,  
 the system of contractors also engender the  
 men from home to home, & in doing so the  
 men from the do not get the full work  
 out of them, also find work, this is the  
 the reaction answer to the Trades union  
 attempt to keep up wages & is practically  
 "Be work you go to some a higher wage,  
 but you shall work double time for it."

Trade union system to this.  
 So that the present tendency is measured  
 as well as train work is to some a high  
 pay with increased selection of the workers  
 having a large population who are over  
 employed casually. Then there is a piece  
 of work & the flock to the large towns.

~~Distribution & construction work~~  
 Grant, Distribution & construction, all  
 provide for a large amount of casual work  
 Cheaper of living encourage to work of  
 the population.

Production &  
 Production Manufactures keep on increasing  
 amount of hands - I presume they do -  
 come evenly distributed over the whole  
 like the fact that the more or less  
 time would influence U.S. fair calculation  
 but they do not - could not appear in his  
 data.

Personal Observation - the reliability of  
 your other works checked by the statistical  
 methods. Bias & the selection of facts -  
 The superior attraction of certain facts to  
 certain natures. Inst. on American work.  
 Tendency of personal observation to take  
 the one specimen of a class as a sample  
 of the whole. This tendency marked in Philanthropy  
 & in the Press politician who draw the  
 inspiration from Philanthropy: "Petroleum  
 government" from the hands of our cabinet  
 or the mistaken notion of the working class.

Instances of the curious contradictory  
 nature of the evidence drawn from personal  
 observation before the Committee of 81-82 on  
 'Whisky' drinking. Decision of Committee  
 leaving the whole question to be decided by the  
 Home Society

She will be personally without evidence  
without special knowledge.  
So Personal Observation and Consciousness  
as a material for Statistical Abstracts,  
or rather used as for fiction.

The fallacies of the Statistical method  
to result of an absence of qualitative  
analysis; to fallacy of personal  
observation (and observation) the absence  
of qualitative analysis. Illustrations  
from Chemistry.

Methods of verification in social science  
Use of personal observation to verify the  
Data of the Statistical method, to verify  
the conclusions. Multiplicity of observers  
instead of multiplicity of subjects (as in  
Physiological experiments) is not a strain  
at general conclusion. Great difficulties  
in the way of the observation of social  
facts is the absence of certain qualities  
in the observer's mind present in the  
subject of observation. Religion -  
Dilemma. Medical Emergencies







autre <sup>le</sup> <sup>la</sup> <sup>sur</sup> <sup>le</sup> <sup>point</sup> <sup>de</sup> <sup>vue</sup> <sup>de</sup> <sup>la</sup> <sup>maladie</sup> <sup>qu'il</sup> <sup>faudrait</sup> <sup>combattre</sup> <sup>tel</sup> <sup>est</sup> <sup>le</sup> <sup>premier</sup> <sup>problème</sup> <sup>donc</sup> <sup>la</sup> <sup>solution</sup> <sup>s'impose</sup> <sup>au</sup> <sup>médecin</sup> :  
 sans diagnostic exact et précis, pas de  
 pronostic légitime, pas de traitement rationnel  
 ni efficace. Au lit du malade, le devoir  
 du médecin est de rendre à portée  
 son diagnostic complet. Pour mériter  
 ce nom, le diagnostic doit porter sur un  
 certain nombre de points; résoudre une  
 série de problèmes qui se divisent en  
 deux groupes: le premier se rapporte au  
 diagnostic de la maladie, le second au  
 diagnostic de ~~l'origine~~ l'origine malade.

D'autres fois, bien que l'examen du  
 malade ait été complet, l'erreur de  
 diagnostic provient d'un défaut de logique  
 dans l'interprétation des faits constatés,

D'une appréciation erronée de la valeur  
 relation ou de la cause du manifeste  
 morbide, or encore il nous faut bien  
 l'avouer d'une connaissance imparfaite  
 de la forme morbide. L. Hecker.  
 Enc. In Scien Med. vol.

Hippocratic. Doctrine of humours.

Empiric: "The most striking peculiarity of  
 the empiric was that they rejected anatomy  
 regarding it useless to enquire into the causes  
 of things & them as they contended being  
 more minute & than actual observation of  
 disease. They proposed that the whole  
 practice be based on experience.

Three sources for the empiric: Observation  
 History records observation, & judgment by  
 analogy. They were closely connected with the  
 Sceptics.

Methodic. Main principle: methodical  
 analysis of disease. They recognized  
 certain common characteristics of diseases  
 (1) Relaxation, (2) Contractio, (3) Inflatio etc

partly lax, partly constricts. Treatment to produce  
the contrary.  
Evacuans.

Galien. Doctor & anatomical research with a  
teleological as well as practical aim. Principle  
of curing by contraries. General Physiology  
founded on Hippocrates from elements with  
the addition of pneuma a spirit.

Paracelsus. Chemical Medicine.  
"The human body, seen a microscope  
contains all parts of earth's nature, even  
iron & steel. To know the nature of disease &  
how to deal with it the physician should study  
not anatomy but all parts of the external nature  
he introduces through his knowledge of elements  
Chemical Drugs.

Harvey. Physiological research of the heart.  
Complex, perfect brain. (See works.)  
The later-physical school of medicine grew out  
of Physiological theories.  
The tendency of this school was to explain the  
action & functions of the body on physical

especially mechanical principles. The  
 movement of bones & bones were referred  
 to the Theory of levers etc.

They were excellent - the 'Journale de Chimie  
 & la Science de la Vie'.

1840s - Chemical school. An attempt to  
 to construct medicine on the basis of the doctrine  
 of the circulation of the blood & the new view  
 of chemistry.

S; J. Berthollet. Specific Diseases, specific  
 to medicine.

The characteristics of the modern school.  
 The adoption of the methods of records of Physics  
 Science & the gradually declining importance  
 attached to theory & abstract reasoning -  
 Hypotheses, the 'not-<sup>regulation</sup> decisions' being used as  
 means of records gathered from its symptoms  
 Conclusions. "It" method may therefore  
 be called the positive method or that of rational  
 experience. Louis 1789. 1872.

In another respect Louis aided in establishing  
 the exact Science of medicine by the introduction  
 of the numerical & statistical method.

By the method alone can it fallacies  
which are attendant on drawing conclusions  
from isolated cases be avoided. See Buchart's  
"Histoire de la Medecine".

Aug 28<sup>th</sup> ~~Wed~~ 2. Dined out, night before last,  
for the first time since I have been in London.  
Frederick Habington, with whom for some mysterious  
reason I am always being invited at London dinners,  
whom I enjoy talking to very much. The constant view  
of public & private ~~affairs~~ <sup>affairs</sup> attracts  
me; the 1<sup>st</sup> I disagree with most of their conclusions.  
But I conversed 2 or 3 months personal.  
First he said he had heard that "I had taken an  
unprofessional step" & was about to take it."  
The step turned out to be my "conversion to  
eclecticisms". Then we fell into politics.  
He had seen lately a great deal of  
Chamberlain & Morley & deeply regretted  
the personal quarrel between them.  
He knew it had originated in an angry letter  
from Chamberlain to Morley.  
He thought a little discipline of authority

would improve Chamberlain & lessen  
the probability of a revolution to him.

That seems to be the general feeling of those  
who work with him well. Frederick Harrison's  
own own doubtful about him, doubtful  
as to whether he really was an 'honest man'.

It is curious to watch the wind of  
opinion turning against Chamberlain  
for now he has lost favour with the 'quality'  
from the Democracy - makes one long  
to offer him humbly anything in his  
possession that would please him.

But it is impossible for me to see him  
again: tho' sometimes my desire to offer  
him sympathy, tho' no doubt he would  
despise <sup>me</sup> I have resisted the temptation!

Then we talk of unmarried life,  
especially for women; agreed it could  
not be happy in the sense of the word -  
it is degraded as to ~~the~~ the  
importance of it - Frederick Harrison  
taking the extreme content view that  
marriage was absolutely essential to



The development of character - that it alone  
gives the restfulness necessary for true work.  
I maintain that of unmarried women  
kept their feelings alive, do not get  
choke them with routine interests, practical  
work, or with intellectualism. Tho' they  
must suffer pain, yet they are often  
for that very reason more sympathetic than  
married women.

After the dinner I went on with  
Othello - Holt & Lady D. Manning's grand  
reception - just at first assumed to hold  
the boards sitting about, until the room became  
so crowded that they had to squeeze through;  
a less dignified form of motion.

But some bray of the standing, & the disjointed  
talk with the one or two one knew.

Saw Hamilton & other governmental radicals.  
The General Courtship looking very prosperous;  
He is especially blooming. Thoroughly enjoys  
her position - for <sup>his marriage</sup> he realizes her ambition as  
well as satisfies his affections.

His heart was never in his work

The action benevolence requires some heat -  
 some life with younger sisters was supremely  
 wholesome to her - but she had no one  
 upon whom she was bent - for which she  
 was ready to give a "living sacrifice"  
 A "living sacrifice" would be a great  
 blessing to those who have their eyes fixed  
 on one point in life - to gain which they  
 will live or die.

Herbert Spencer gave me his Autobiography  
 to read, that part of it treating with the  
 growth of his ideas. There, indeed is  
 an unconscious sacrifice of the whole nature  
 of the man to the one aim. His mind  
 from the first intended, theoretical labors  
 is the hypothesis of positive science  
 dwelling on them till he had found the  
 formulae which would include all.

I feel in reading his life what I have  
 often felt about him in the flesh, that there  
 there has been a grand struggle with  
 outside circumstances, grandly born; yet  
 there has been no sign of a

struggle struggle with his own nature.

It was all plain - sailing - An aim clear & definite - no other qualities in his nature crying out - sometimes with a yearning for fulfillment. Except for one intellectual passion - he was supremely rational - almost to <sup>shallow</sup> shallowness so - Three hours intense work - & then he went for the day patiently occupied in killing time.

July 28<sup>th</sup>

A quiet white dinner. W. Barnett, A. Cripps, Beatrice Chamberlain, Jean de La Motte, who thoroughly enjoyed it & myself. W. Barnett told me much about Octavia Hill. How when he had met her, as a young curate just come to London, she had given him the whole work to learn.

A cultivated mind, susceptible to art, with deep enthusiasm & faith, and a love of power. This she undoubtedly has & shows it in her eye as a despotic power temper. She rose from these great qualities & took to her heart of the rationally philanthropic.

books. I remember her well in the youth  
of her time; some 14 years ago.

I ~~also~~ remember her dining with us in Miss  
Sardens. I remember thinking her a sort-  
of ideal of the attraction of a woman's <sup>mental</sup>  
power. At that time she was constantly  
attended by Edward Dow. Miss' for  
to her women! Even on strong minds  
do not save us from tender feelings.

Companionship, which meant to him  
intellectual & moral enlightenment meant  
to her "Love". This, one fatal day  
she took him. Let us draw the curtain  
tenderly before that fatal scene & express  
no further. She left England for two  
years ill health. She came back a changed  
woman. Not widowed by her pain;  
her thought & feeling crystallized by  
her sorrows leaving no chance for  
new growth. Come back to a world  
that had grown & work grow

Then she sought retirement from  
the world's stare & the world's striving,

Supt. of the detail of custom practices  
~~detail~~ work in the salaried ranks of other  
 & inferior workers. She is still a part-  
 time in the work of Philanthropic action  
 & an active leader of women's work.  
 She accordingly takes the first place.  
 But she might have been more, if  
 she had lived with her peers & accepted  
 her sorrow as a great discipline.

After dinner I talked to Beatrix Chamberlain.  
 Of course we talked of her father.  
 She has a beautiful picture - it is touching  
 to see her absolute devotion body & soul  
 to that man. She told me he was much  
 changed. ~~Had been~~ ~~After~~ ~~then~~ ~~last~~ ~~month~~  
 had eyes that were more than a part ten years.  
 The disagreement of his friends, he had  
 looked upon as disloyalty to him. Of the body  
 was a traitor. Beatrix bitterly said that he  
~~had~~ taken some so-called friends had taken  
 the opportunity of his temporary downfall  
 to turn upon a new man.

She naturally could not understand  
 that when a man has enforced opinions,  
 and the power to enforce it belongs to him,  
 when circumstances take that <sup>away</sup> from him,  
 falls completely under the blow of his  
 old slaves. However the humiliation  
 is temporary. The Democracy cannot walk  
 their way without him; & unless he  
 loses all his law-temper will sooner or later  
 re-instate him. Then will be tested  
 the work of his character. If the balance  
 of that he great & good as I believe, his  
 adversary will tempt him. Tolerance is a  
 patient hearing & due measuring of the  
 convictions of others. If the balance be evil  
 he will revenge on others what he himself  
 has borne. ~~What is the great fact that~~  
~~the great fact that the great fact that~~  
~~the great fact that the great fact that~~  
 the great fact that

Dr. Barnett a queer ugly little man,  
 with no attraction of body or manner -  
 but with a certain power.

Filled with enthusiasm for righteousness & with faith in religion. He & I had long discussed as to possibility of faith without dogma & without authority. I contending that reason, under its present forms leads to an agnosticism with which even Herbert Spencer's vague worship of the Unknown is inconsistent, he believing in the rational acceptance of religion as part of the "order of things" not only as a subjective necessity. There, I fear, I cannot follow him. But necessarily his religious view of life influences me, to harmonize with the highest part of my own struggle. His view that this age is one of trial in the thinking part of society is convincing to the fullest good of all. His faith is woman's work: in woman's life, in the worthfulness of sacrifice, clear of all seemingly barren of result.

His encouragement of my effort is my own. It is his all-sidedness that has his power; he has not one way, or many ways, leading to the salvation of true work.





March 29<sup>th</sup> 1886.

(179)

181

|                                     |   |         |
|-------------------------------------|---|---------|
| St Augustine                        | " Confession - Echo of God "                                  |         |
| <del>Confession</del> <sup>30</sup> | Development of S. H. mind & his development of thought.       | 41      |
| 18.                                 | (" Sons of Strife - Father's Act ")                           | (23 28) |
| 18.                                 | Debate on April 12 <sup>th</sup> 1886 - 1 <sup>st</sup> House | 49.     |
| S. Mon.                             | Roman law - Development -                                     | 58.     |
| Carlyle                             | " Statutes "  | 62      |
| 18.                                 | 2 <sup>nd</sup> part of journal.                              | 64.     |
| Maine.                              | Ancient Law.  | 109     |
| 18                                  | (1 <sup>st</sup> part of diary) - (Bookkeeping.               | 77      |
| 18                                  | ditto John Ruskin & Turner.                                   | 83.     |
| 18                                  | ditto W. Barrett (land.)                                      | 87.)    |
| H. Spencer.                         | Somerset & Wiltshire by 18.                                   | 114.    |
| S. Mill                             | Logic   | 121     |
| Thorpe                              | Anglo Saxon Chronicle.  | 125     |
| Statistical Ind.                    | including Annual "Biographies of                              | 155     |
|                                     | Medical Men "   | (153)   |

Dr. H. Barnett & I agree in our views of life in general - & his tone is so superior to mine that I feel the tonic effect of it. He has a wide knowledge & deeper faith & the constant devotion of his life to his own selfish purpose, <sup>the ~~the~~ ~~in~~ ~~it~~ ~~is~~ ~~not~~</sup> "to see & do otherwise".

This is a fit ending to this fresh volume of my hieroglyphics!

Page 175. Saw Herbert Spencer yesterday. Had been ill for a week, poor man. He told me there had been no feeling of sacrifice in pursuing his work & giving up all things to it. "I have never been in love & my only conception of life was an existence devoted to working out my ideas. There were no other qualities to satisfy!" This was in answer to my question in the letter I wrote to him after reading his Autobiography.

|   |                   |         |
|---|-------------------|---------|
| South Water Collyer                                 | <del>£ 7000</del> | £ 7000  |
| Crown Point 940 \$100 share full stock.             |                   | 18,500? |
| Chalmers or Iron 400 shares \$100.                  |                   | 8000?   |
| St Louis or St. Louis Co. 100 ordinary shares \$100 |                   | 10000?  |
| " " 6 percent bonds " "                             |                   | 7000?   |
| Northern Pacific                                    |                   |         |
| 2000 ordinary shares                                |                   | 12,000  |
| 2000 Preferred                                      |                   | 22,000  |
| Realty Special Co. 6 shares \$250                   |                   | 1,500   |
| S. W. Co.   |                   | 15,000  |
| Bay Dodge   |                   | 13,000  |
| Hudson Bay  |                   | 13,000  |
| St. Louis & North Western Canal & Paper             |                   | 9,950   |
| Preferred   |                   | 5,200   |
| The Oregon  |                   | 12,000? |
| York & Van Hook Co.                                 |                   | 1,000   |
| Bismarck?   |                   |         |





