

council was the true parliament; and their grave and pregnant debates contrast well with the pedantry, fanaticism, and trifling of the presbyterian orators at Westminster. It is noticeable how little their speeches are larded with biblical tropes and outpourings of spirit. The judicious Clarke may have suppressed some 'common form' of this kind; but, as a rule, the debates turn on very practical arguments, and even the most violent of the 'sectaries' uniformly appeal to common sense and not the light of the spirit. In fact, the studied moderation, guarded utterances, and involved habits of statement make much of the debates obscure and, it must be added, tedious. And of them all Cromwell himself carries caution, qualification of every remark, and general allusiveness to the point where it becomes pain and fatigue to follow his meaning. Ireton stands out as the most vigorous debater and the most pointed orator, as he is also the theorist, the draftsman, the pen of the army. And if this born politician had lived to become the 'leader' of Cromwell's house of commons, it is conceivable that he might have been able to sway it. What is most interesting in the debates is to note the extent and depth to which new social and political theories were already developed. And it will be, no doubt, news to the general reader to find our soldiers of 1647 working out political constitutions on the basis of an original 'social contract,' which he probably imagines was invented by Rousseau in 1762. The English Commonwealth of 1649 was truly the result of a profound social revolution, and this volume serves anew to remind us what genuine public spirit and what practical genius went to the making of it.

FREDERIC HARRISON.

*The Interregnum: Studies of the Commonwealth.* By F. A. Inderwick, Q.C. (London: Sampson Low, Marston, Searle, and Rivington. 1891.)

MR. Inderwick's book is the latest sign of that interest in the English Commonwealth which has been awakened by the discovery that it in many respects anticipated the democratic tendencies of our own day. He abstains, as a rule, from launching out into general political history, and confines himself principally to putting together the evidence which he has gathered from various sources on the social and, above all, the legal development of the nation between the execution of the first Charles and the restoration of the second. It is true that his evidence is often fragmentary, and that it will no doubt be hereafter supplemented by other inquirers, or, best of all, by himself; but he handles that which he has before him in a manner which is distinctly helpful to those who wish to know what England was really like in those troublous days, and not what political partisans on either side represented it to be.

To take an example, the enforcement of morality by law has always played a leading part in the charge against the puritans, the stringency of the puritan system being said to lead inevitably by the law of reaction to the vice of the Restoration. Mr. Inderwick questions, apparently on good grounds, whether the act of 10 May, 1650, which made 'adultery a capital offence' and 'other acts of immorality punishable with three

months' imprisonment' (p. 98), was actually put in execution with sufficient persistence to bring about a strong reaction. He has only been able to find two cases in which the death sentence was certainly inflicted for adultery. Besides these there were three cases in the western circuit in which the charge was brought, but the result is unknown. There were also twelve cases of incontinency, but in none of these was the punishment of imprisonment inflicted; the accused, if convicted, being simply bound over to good behaviour. The records of the county of Middlesex give much the same result.

This is a fair specimen of the value of Mr. Inderwick's researches. When he sallies forth upon the ground of general history he is less conclusive. His sketch of Lilburne's character hardly runs above the level of a caricature, and merely serves to convince the reader that he has no acquaintance with Lilburne's own writings. He supposes that Sir Matthew Hale in his youth has a place in Suckling's 'Session of the Poets' (p. 214, note 1), confusing him with John Hales of Eton; and though he has Clement Walker's authority for saying that the council of war met on Christmas Day, 1648, and, being 'animated by sentiments of peace and good will, voted for a toleration of all religions' (p. 121), it is certain that the statement is untrue. Cromwell, so far from growing more tolerant as he grew older, maintained all through the years of his political influence the same attitude about toleration, namely, that it was excellent in the case of those who did not endanger the state. In 1647 he was ready to tolerate even the Roman Catholics, if he could obtain a peaceful settlement under Charles, and when he talked of doing this towards the end of his life, he was not, as Mr. Inderwick thinks (p. 149), ripening new ideas in his mind, but simply found himself in a position to put in force the doctrine which he had held eleven years before.

Much more of this kind might be said; but it would be unfair as well as ungracious to carry criticism further. An author is to be estimated as he does well that which he professes to do, not as he does badly that which forms but an incidental portion of his task. On one point we may fairly ask for more information. At pp. 174, 175, we have a picture of the state of judicial destitution in which England was before the first circuits of the judges of the Commonwealth. The picture is appalling, and the reader with a turn for investigation naturally wishes to know whether the picture is true. Mr. Inderwick, however, usually profuse in references, gives not a single reference here. Is it true, for instance, that before 1649 juries had for many years been 'seldom summoned'? At all events there were no fewer than twenty-eight persons condemned to death at York on one occasion in 1648, and it is to be presumed that they were only condemned on the verdict of a jury. The pamphlets of 1647 and 1648 rake up every imaginable grievance, but, as far as my memory serves, they make no complaint of any difficulty in collecting juries. The point is of such importance that it is to be hoped that when his book comes to a second edition Mr. Inderwick will tell us more about it.

SAMUEL R. GARDINER.