

tion of railroads. A commission naturally suggested itself, but the Legislature was not willing to intrust the Commissioners with large or general powers. Accordingly, a bill was passed creating a commission, but giving it power to do little more than investigate, report, and recommend. Only under certain conditions was the Attorney-General to lend assistance to the Commissioners when it appeared that a statute of the State was distinctly violated. We believe we are correct in saying that in not more than two or three instances in the course of fifteen years has this reserve power been called into play. At first the Commissioners had small faith that they could accomplish anything. Indeed, the question was, How could they avoid falling into contempt? Nevertheless, they went to work receiving complaints and investigating. Their investigations were of two classes—first, those arising out of specific causes of complaint; and second, those of a general character instituted by themselves. Gradually a system built itself up. It was what might fairly be called an essentially "American system." The only force the Commissioners had to rely upon was an intelligent, educated public opinion. Not having the sheriff's officer at their beck, they were obliged to meet the corporations or their representatives when any subject of complaint presented itself, and to discuss the issue to a result. If the Commissioners were wrong in the conclusions they reached, the fact would surely be made to appear, and they would be unable to press their demands. On the other hand, if they were right, it became a question of the degree of weight which the corporations would attach to their findings. The appeal, therefore, was neither to the constable nor to the court of law. It was to reason and an intelligent public opinion, with the Legislature always in the background. The result perhaps astonished no one so much as the Commissioners themselves. Half the time, at least, they found themselves compelled to take the side of the corporations. The causes of complaint were frivolous, or groundless, or unreasonable. They would not bear statement. The taking the side of the corporations in so large a proportion of cases inspired the latter with confidence. They felt that the Commissioners were fair. Accordingly, the corporations were not wholly indisposed to yield when the decision was against them; and where a decision was thus rendered, and was supported with a sufficiently vigorous presentation before the Legislature, the corporations almost always did yield. Indeed, it is said that the cases on record are few in which they failed in the end to do so.

Such a system is a new departure. It is also essentially, and in the best sense of the word, "American." It was constantly referred to in the hearings before the Cullom Senatorial Committee, and in their report it is spoken of as "the most conspicuous instance of the purely advisory Commission; . . . and by reason of its successful working under a novel plan and of the ability of its membership, it has always made its influence widely felt. . . . Its success is now undisputed." The Committee accordingly recommends that Congress should provide for a national Commission based on the same fundamental idea. Meanwhile, in Massachusetts itself, the Commission seems to be somewhat drifting away from its original moorings. As it has acquired the confidence of the community, powers have gradually been conferred upon it. The constable is more and more placed at its disposal. This seems unfortunate. The more a constable is placed behind a Commissioner, the less the Commissioner will rely upon investigation and the correctness of his findings, and the more he will rely upon force. It is difficult also to persuade the people even of this

country to have faith in reason, discussion, and the ultimate supremacy of what is fair and right. They are continually clamoring for laws which will bring about at once the results they desire. This is especially the case in the West. Whenever a Western railroad commission has been organized upon the Massachusetts principle, it has almost universally been argued either that the Commissioners were bribed by the railroad companies; or else, having no power, that they could accomplish nothing. In point of fact the men who have been appointed Commissioners have, as a rule, been incompetent to perform their duties. They could not meet the representatives of the corporations in discussion. Had they been qualified to do so, the results would probably have been more satisfactory.

In addition to the vast amount of light shed upon the results of European experience, this American phase of the question is elaborately discussed by Prof. Hadley. The course of the Massachusetts Commission is traced from its commencement. It is to be hoped, therefore, that this treatise may find its way into the hands of as many members of Congress as possible. The fact should be recognized that a great system for the regulation of the most important material interests of the day is to be built up. In that work it will be well to make haste slowly. A commission should be provided, not too large, the first duty of which would be to investigate, and formulate the results of its investigations in recommendations of law. The Commissioners should look into every cause of complaint to which their attention is called. From these cases, as they are presented and heard, principles would gradually be evolved. When principles are so evolved, and not until then, can Congressional measures calculated to dispose of the matter find their way into the statute-book.

But it is impatiently asserted that this process takes time. It certainly is open to that objection. Meanwhile, on the other hand, the results thus far reached through that other process by which the Reagan bill was evolved—covering as they do a period of fifty years—are certainly not satisfactory. The number of statesmen who, like Senator Logan, of Illinois, think that the last results of political economy and social science may be mastered by giving to their study the leisure time of a fortnight, is considerable. Probably there are still many members of both branches of Congress who believe that in the course of half an hour they could formulate a few short laws which would settle the whole railroad question. Prof. Hadley's book would be of value to such, if for no other reason than to show how, through half a century, all the countries in Europe have been struggling with this question, and have as yet reached no satisfactory results. It might also show them that the results reached in Europe are hardly applicable to this country, and that whatever results are applicable to this country are in a large degree to be found in the experience and records of a single State. Finally, it is greatly to be hoped that, should a national commission be organized, a man so thoroughly equipped for its work as Prof. Hadley may find a prominent place upon it. His study, habit of mind, and power of patient investigation could hardly fail to affect in a marked degree the results reached by any body of which he might be a member. Probably there is no other available man in the country equally well equipped for this particular work.

THE SCHUYLERS OF NEW YORK.

Colonial New York. Philip Schuyler and his Family. By Geo. W. Schuyler. 2 vols., 8vo. Chas. Scribner's Sons, 1885.

COLONISTS on this continent from both the great

national stocks which mainly produced them were piously mindful of the Scriptural injunction to replenish the earth and subdue it. The first appearance of the sturdy emigrant from Amsterdam, Peter Schuyler, is on the occasion of his marriage in 1650; and of his eleven children the nine who were married (fourteen times, among them) have left nearly 500 descendants whose names find a place in this record, besides the many undiscovered.

The race is remarkable for quality as well as for quantity. Its succession counts many not obscure nor inactive in each generation. A Schuyler of the earliest days spent his life in negotiation and diplomacy. The friend of the Indians, his policy of honesty protected the colony from their attacks and from French invasion more completely than could the weapons of either its mother, Holland, or its stepmother, England. A Schuyler of the later day has given inherited diplomatic ability to the public service in the border lands of Europe among races as fickle as the Five Nations, and only on the surfaceless savage. Before New York first changed its master the Schuylers were familiar with the profession of arms, as indeed the inhabitants of the outpost towns Beaverwyck and Esopus had need to become. A Schuyler held high command at the opening of the Revolution, and devoted skill and sacrificed fortune in preparing the way for Burgoyne's surrender, of which another reaped the honor. In the civil war and in the border contests which now employ our army the Schuylers maintained the family traditions of ability in action, fortitude in reverse, and courage at all times.

The author does not attempt to trace his ancestor's lineage further back than the landing from Amsterdam, merely saying that he came as a free man, not brought over as a patroon's colonist. To be sure; the authentic coat-of-arms is given from which a Burke might easily weave a connecting thread with perhaps imperial Henry the Fowler. But the writer's sensible view, that the best nobility is that of a man's own deeds, expresses itself in amusing criticism upon the efforts of certain other Dutch lines to pierce and dignify the uncertainty of their family origin. He takes pains to show genealogically that the sovereignty of Courland can never have belonged to an emigrating ancestor of the New York family bearing a slightly similar name. He puts a peasant at the head of the race of Buren, instead of the counts who bore that title as kin to the house of Orange. And the blood of the De Lanceys is rather curtly "said to have been derived from a noble family," though in this instance the claim can be clearly made out.

The first Schuylers, like most of the Dutch colonists of note and enterprise, began as traders, and ended as land buyers. Their arts were those of peace, and their possessions fairly purchased. The regulations of the West India Company for the planting of colonies obliged all settlers outside of Manhattan Island "to satisfy the Indians for the lands they shall settle upon." The Dutch faithfully and honestly practised that justice which the planters of other colonies either did not attempt at all or failed to persevere in. They had their reward in the constant friendship of the most powerful of the native tribes.

The wealth gathered in trade by the early Schuylers was prudently invested in houses and lands. Yet they did not aspire to rank among the five or six great landholders of the colony, who afterwards immensely enlarged their possessions through royal grants from provincial governors. We do not read that the boundary lines of their individual purchases ran, as in other instances, for sixteen, twenty, twenty-four miles, including such natural landmarks as mountain chains and rivers. The curious land history of

New York is rather to be traced in the records of the patroon and the manor holder. Patroons were originally members of the West India Company, and, on certain conditions as to colonizing, enjoyed semi-feudal rights over their purchased territory, including the appointment of civil and military officers and the settlement of clergymen. The only patroon at the time of the English conquest was the descendant of the only one ever really recognized, Killian van Rensselaer, and his domain (but not all his dominion) was confirmed to him by royal patent as a manor, in 1685. The next year Robert Livingston obtained from Governor Dongan the erection into a manor of his great possessions; and in 1697, Governor Fletcher granted the same privilege, little else than titular, to the Van Cortlandts. Part of these great estates remains with the descendants of the original patentees, the greater portion being parcelled out among numerous families. The Schuylers do not appear to have kept together the bulk of their landed property, though we read of one descendant in New Jersey, the heiress also of other lines, who in 1765 bestowed herself and her very considerable estate upon Captain Kennedy, afterwards Earl of Cassilis, who thus became "the greatest householder in New York."

Nor was it as politicians, influential with the managers of State affairs at the capital of the province, that the Schuylers shone. The type of the men who pushed their fortunes at that remote time by such means, is Robert Livingston. As an enterprising trader, as a great Government contractor, as an office-holder for fifty years, his Scotch thrift, his Dutch alliance, his friendship with men near the throne, his influence with provincial governors, earned him high consideration. His life was stirring and adventurous. By turns displaced from office and restored, intriguing on both sides of the ocean, the patron of Kidd, now the friend and now the enemy of Bellomont and Burnet, once a Leislerian and again an anti-Leislerian, he is the most notable example of the versatile politician of his day. He left a great estate, and a name as conspicuous as any in colonial annals.

There was, however, a field for action vital to the interest and even the existence of the colony and the province in which the early Schuylers spent life and fortune, and won deserved fame. Along the northern and western frontiers of New York, beyond Albany and Kingston, stretched the territory held by the powerful confederacy of the Five Nations, numbering twelve hundred fighting men of the most warlike Indian tribes. A New England policy of seizure for the saints and persecution to extermination for conscience' sake, would have turned them into relentless enemies. The Dutch spoke them kindly. What lands they wanted they honestly bought. What goods were needed they fairly bartered. Instead of a deadly terror, these savages became close friends, bound with the Dutch in a covenant-chain, and a safeguard to the English against French invasion. One English governor said, "They are a better defence than so many Christians." Another wrote, "They are our only bulwark." These trading Hollanders builded better than they knew. They built with good faith and good will, little dreaming that they were sheltering the young life of a State from the enmity of one empire till it should prosper and strengthen into the might to cast off the oppression of another. In 1686 Peter Schuyler, son of the Amsterdam immigrant, appointed by Governor Dongan Mayor of the newly chartered city of Albany, was officially chairman of the Board of Commissioners for Indian Affairs. Thenceforward for nearly forty years he continued in this service. His bravery, his hospitality, and his self-respect in dealings with the Indians gave him an

unbounded influence over their capricious and suspicious natures. They trusted "Quidor"—the nearest imitation of the name of Peter they could frame—when they would trust no one else. "During this time," says the author, "his prudence in council and his authority among the Five Nations saved the province from serious difficulties." More than once his timely warnings gave protection to the settlements in Massachusetts also.

Before the conversion of the Dutch colony into the English province the Five Nations had usually been hostile to the French, who made more than one inroad with disciplined forces into their territory, and suffered the horrors of savage retaliation. With the near approach of English power, the French changed their policy. If they hoped to succeed in the struggle for empire on this side the ocean, the Indians would be useful allies. If presents, and the promise of trade, and the persuasions of Jesuit missionaries could not win their aid, at least they might be conciliated and held neutral. For the English it was essential to maintain the friendly relations nursed by the Dutch, brightening and strengthening the old covenant-chain. The Five Nations were shrewd enough to profit by the quarrels of kings without pledging allegiance to either Power, or directly aiding either by arms. In this crossing of interests and purposes the tact and experience of Peter Schuyler found ample occasion for their display, and the English governors were content for the most part to borrow his influence and claim at home the credit for its fortunate results. The singular usurpation of Leisler for a time disturbed this condition of affairs, which was further complicated by the declaration of war between England and France. Schuyler wrote that the Indians would side with the strongest. Leisler, gaining possession of Albany, deposed Schuyler, who was, however, restored to office within three months, on Leisler's fall and execution. Thereafter he continued to conduct negotiations with the Indians, to convoke and attend councils, and to command attacks upon Canada, some of them brilliantly successful, till the peace of Utrecht, in 1713, gave repose to the province for thirty years, until long after the death of Schuyler.

The study of Peter Schuyler's public career leads to the conclusion that there was no citizen of the province in his day to whom its safety and prosperity owed so much; and the retrospect of its history teaches us that his repute in England, the other colonies, and France, as the great obstacle to French plans of empire on this continent, was well deserved. His name has outlasted the existence of the tribes he controlled. The State doles out a few thousand dollars yearly to the remnant of the great Indian confederacy, but their public action lingers only in an occasional lease of lands to a corporation or the grant of a railroad pass for their annual meetings; unless, indeed, some trace of their character may be supposed to be adopted and to survive in the treaties and the treacheries of Tammany sachems.

As is the case with all the early Dutch families, the bearers of the name of Schuyler, in the second generation even, by no means represent all the character and influence of the line. Before half a century from his coming the children of the founder had intermarried with almost all the principal settlers of Beaverwyck. In the next generation the complication of inter-alliances thickens, and the genealogical tables and comments that fill many pages of these volumes present a tangle of cross-relationships as entertaining—to those concerned—as a Chinese puzzle. Such intermarriages promoted unity of interest and action at Albany, while in New York the effect upon the intimately allied inhabitants of public changes was very different. At the court

end of the province the caprice of governors lifted families into importance or dropped them out of favor and employment. Leisler, connected by marriage with leading people, divided society into hostile factions whose violence, embittered by his execution, disturbed the town for generations. The presence of Government, of course, fostered a strong Tory party in later times, so that the Revolution found brother arrayed against brother and compelled cruel divisions among kindred. Leading families were broken up, crushed by confiscation or exile, and on the ruins of their fortunes new ones rose, the obscure growing prosperous. Mutations of politics affected Albany less. Its citizens had, of course, their factions, but at no time did Leislerians or Tories control.

The history of Albany, indeed, is the history of the province separate from that of the capital, and is more purely and distinctly colonial than that of New York city. In making this history the work of the Schuylers was direct and constant and on the right side. Albany stood independent from the beginning. Her patroon held his rights firmly against the Dutch Directors. The city yielded to Leisler for a few months only, through force and by persuasion of the other colonies. Self-protection amid constant dangers compelled united action. The war-path from Montreal and from Onondaga led straight to her homes. She stood sentry at the outpost of greatest peril. The fidelity, courage, and sacrifice of her chief citizens entitle them to a record that has been unfairly overshadowed by the more varied and exciting annals of the capital.

Whatever of that history may be gathered from these volumes is full of interesting detail and curious anecdote. They do not aim to present it compactly or continuously. The nature of their subject required tedious repetitions. The incidents of the family record, however, with some pains taken in comparisons, piece out a tolerably connected narrative of public affairs in colonial times. This faithful study of an ancestral line throws a strong light upon the solid virtues of the Dutch founders of our commonwealth, and deserves the praise of all New Yorkers who are proud of the truth that Holland is an equal sharer with England in the building of their State.

SCHLIEHMANN'S TIRYNS.—II.

Tiryns. The Prehistoric Palace of the Kings of Tiryns: The Results of the Latest Excavations. By Dr. Henry Schliemann, Hon. D.C.L., Oxon., etc. The Preface by Prof. F. Adler, and contributions by Dr. Wm. Dörpfeld. With 188 woodcuts, 24 plates in chromo-lithography, 1 map, and 4 plans. Charles Scribner's Sons. 1885. Pp. lxi., 385.

THE *megaron* was the principal room in the palace, in which guests were received and entertained. This *megaron* measures about 38 feet by 31, and was supported by four pillars, of which only the round stone bases remain. The floor was covered with a concrete, chiefly of lime, on which was painted "a bright, simple carpet-pattern" (pp. 225, 226), made by bands of three parallel lines dividing the surface into squares and rectangles. Distinct traces of red color remain in some of the squares, and faint traces of blue in the dividing bands. In the middle of the room is a circle, about 10½ feet in diameter, in which there is no concrete: this is without doubt the hearth of the house, the centre of domestic life. The four pillars of the roof surround it; and we have before us the scene of the 'Odyssey,' when Nausicaa directs Ulysses to her mother. He is to go directly to the *megaron* of the palace, where he will find the Queen "sitting at the hearth in the light of the fire, leaning against a pillar, plying her spindle with sea-purple wool,