

and they had recourse to the bribery of voters as the only means of saving themselves. Party spirit ran high, and men were easily persuaded that any device needed to beat "the wicked Democrats" was justifiable. The same feeling which made men ready to support any rascal who got the regular nomination if he was "sound on the main question," disposed them to wink at corruption to secure his election. A man who would scorn to buy another man's vote himself, would contribute generously, to a campaign fund which he could not help knowing was to be largely devoted to vote-buying. The Democrats naturally tried to fight fire with fire, and the political ambition of several rich men in their party enabled them to run the prices of votes very high in many elections. Thus matters finally reached that stage where it was well known to the managers of both parties that thousands of voters were open to bids for their suffrages.

It is one of the great blessings of the present dearth of political issues and decadence of party spirit that it offers a hope of reforming this disgraceful state of things. Even in New Hampshire, Republicans no longer believe that the country is going to be ruined by the "rebels." Men who were inclined to shut their eyes to corruption ten years ago, when it appeared to them a disagreeable necessity, are now open to reason. There are at last signs that the long-dormant political conscience is becoming aroused. The New Hampshire Prohibitionists are, therefore, to be heartily commended for their emphatic language about this disgrace, and especially for their practicality in declaring for disfranchisement as the penalty for the crime. A rigorous law with severe penalties is the only cure. England has applied this remedy during the last few years with wonderful success, and this country should no longer hesitate about following her example.

FEDERAL CRIMINAL PROCEDURE AND THE FEE SYSTEM.

THE principle of paying public officers by fees, which was established in the early days of the Government, is especially pernicious when applied to criminal procedure. If we were to read of a country which made it for the pecuniary interest of its police to make as many arrests as possible, for the pecuniary interest of its magistrates to issue as many warrants as possible, and to make the hearings extend over as many days as possible; and for the pecuniary interest of its prosecuting officers to have as many criminal complaints made as possible, and to have as many convictions as possible, it would perhaps meet our idea of the way things are done in Turkey. Yet this is the case under the Federal laws, and that no more mischief is done is due to the usual high character of officers rather than to the system.

Prosecutions for offences against the laws of the United States are begun by sworn complaint before a United States commissioner whose compensation depends upon the number of warrants issued, the number of days over which the hearings extend, and the number of witnesses recognized. He and the marshal can readily play into each other's hands; the marshal by finding cases and the com-

missioner, by giving the marshal processes to serve. It is no exaggeration to say that there are few commissioners who do not issue subpoenas for witnesses unnecessarily, for the sake of allowing the marshal to make his fees for serving them. Usually, either by arrangement with the United States attorney or by usage, one commissioner does all the criminal business for a district, although there may be several competent to act, and offenders may be taken before this one from the most remote parts of the district, at great expense to the United States and hardship to themselves, as they are called on to find bail and counsel where they are strangers. If on the hearing the commissioner finds that there is probable cause to believe the prisoner guilty (as is usually the case, for he has heard the evidence on the application for the warrant and to some extent has prejudged the case), the prisoner must find bail for his appearance at the next term of the court, which in most of the districts may be two or three months distant. Even if he admits his guilt, there is no chance for him to plead guilty and take his sentence until an indictment has been found. He may be kept in jail weeks for want of bail, for an offence the punishment for which could be merely a fine or a small term of imprisonment. If the Grand Jury find an indictment, the case is fairly in court, and the United States attorney takes charge of it. This officer, again, is paid almost entirely by fees which depend upon the disposition of the case. If the prisoner stands trial and is acquitted, the attorney gets twice as much as if he pleads guilty, and, if convicted, he is entitled to an additional fee. In other words, an inducement is held out to an officer whose duties should be performed in a judicial spirit, to take the uncertainty of a jury trial rather than a plea of guilty, and, when once engaged in a trial, to convict at all hazards. It surely is not in accordance with the spirit of our criminal laws that the compensation of a prosecuting officer who has full discretion to dispose of a case as he sees fit, should depend on his success in sending a man to jail.

Two remedies should be at once applied. In the first place, a reasonable number of United States commissioners in different parts of each State should be designated to do all the criminal business, and any person arrested should be taken before the nearest one. These commissioners should be paid salaries, and should have power to decide and sentence in case of minor offences, especially in case of violation of revenue laws, subject, of course, to a right of appeal to the court. This would very largely decrease the expense to the Government, prevent the time of courts and juries from being occupied with trivial cases which could better be settled elsewhere, and with much less hardship to prisoners whose offences in many cases involve no moral turpitude. In the next place, United States attorneys should be paid by fixed salaries, commensurate with the dignity and importance of the position, instead of by fees. Men who cannot be trusted to perform their duties faithfully without the stimulus of contingent fees, cannot be trusted not to abuse their opportunities to increase their fees. Both commissioners

and attorneys would undoubtedly prefer to receive salaries, and be relieved from the task of making up a fee bill of small items, the examination and auditing of which is a source of no small trouble and annoyance to them as well as to the accounting officers at Washington.

"SUMMER RESORTS."

THE English newspapers are, in their hot-weather articles, deploring the rapid disappearance of all solitude at the summer resorts. They say there is almost no place within any reasonable distance of a great city in which a tired man or woman can find relief from crowds and noises. All parts of the seashore in England, all parts of the mountains in Wales and Scotland, in which decent accommodation can be found, are already overrun with tourists and holiday-seekers. In Scotland the areas over which the tourist can enjoy himself have been greatly restricted by the immense extension of the deer forests, some of which, like that now rented by Winans, are as large as a German principality; and as many of them cover the only road to considerable mountains, and trespassing is rigidly forbidden, access to some of the most popular peaks is completely cut off. To meet this gross abuse of the landholder's power, Mr. James Bryce introduced into the last Parliament a bill bestowing on the public a right of way to the leading mountain tops; but what fate it met with we do not know. Switzerland is now in good weather literally thronged, and Norway will soon have no solitary nooks. Narrow-gauge and mountain railroads are just penetrating into the most secluded corners of the civilized world, and carrying families in pursuit of cheap board, and bands of tourists "personally conducted" by the great contractors like Cook.

What does more than anything else to ruin the quiet places, both in this country and in Europe, is the enthusiasm of the first discoverers. A man no sooner lights on a "delightful retreat," or "cozy little inn," in the mountains or on the seacoast, and enjoys himself there for a week or two, than he becomes immensely inflated with pride over his discovery, and cannot refrain from announcing it in the newspapers. This is done partly out of gratitude to his host, and partly in self-glorification, but it has the usual effect of publicity. The following year the quiet nook is gone, and the year after probably a large hotel is started, with all the accompaniments.

In Europe, however, great progress has been made in the art of summer-hotel keeping. There is increased adaptation of the buildings to the scenery, and increased provision, in spite of the crowding, for the gratification of individual tastes. With us it is difficult to see a sign of real advance anywhere. In the places, such as Bar Harbor and the Catskills, which have gained greatly in popularity within a few years, there is not, in the accommodation provided for the great public, a sign of novelty. The hotels are the old hotels of the last fifty years, only bigger. The electric light has been added in some of them, but nothing else. The erection of the Hotel Kaaterskill in the Catskills offered a grand chance

for a new departure in architecture, but nothing of the kind took place. On one of the finest mountain-sites in the world a large city hotel was erected and filled with city furniture, and crowded with people who live just as they live at the New York Hotel or the Metropolitan. The unutterable drariness of such places in the evening or on a rainy day, owing to the vast expenditure of money on useless or superfluous things, is well known to all who travel in summer for any other purpose than to show their clothes and their diamonds, and cannot listen eternally to a poor brass band.

There are two mountain hotels in the country, and only two, within our knowledge, which really try to make people comfortable indoors in the evenings or during bad weather, and give the house some slight semblance of a home, by the provision of reading-rooms, with comfortable chairs, good open fires, lamps, and plenty of books. All the hotels have "reading-rooms," which contain a few ragged and stained newspapers, a few dirty spittoons, and a few cane-bottomed chairs. But one look into them is usually enough for anybody who cares to read. What we are speaking of is a really cosy room, like that of a good club, with the best American and foreign periodicals, plenty of new books, and decent and orderly writing arrangements, and a wood fire in an old-fashioned fire-place, a clean floor, and deliverance from the brass band. Such a room in a summer hotel is really a civilizing agency, but, as we have remarked, we only know of two which have such a thing, or in which it was probably ever thought of.

ARCHÆOLOGICAL CHRONOLOGY.

ROME, July 4.

THE Note in the *Nation* (No. 1092), on the difficulty in chronological attribution in archaeological research, refers to a matter in which the greatest obstacles in the whole range of prehistoric archaeology are to be met. When we reach the epoch of inscription, we have at once an almost unerring test of priority within a given sphere or national communion; but in implements, in methods of structure, in pottery, etc., survivals are so common and so strange in their persistency, that there is almost no reliance to be placed on them alone. I remember, while living in Crete, that we used to get from one of the islands water-jars of precisely the form of those which are borne by the water-bearers in the Parthenon procession; and when investigating in Crete for the Institute of Archaeology, I came across some archaic oil-jars, which had been found at Cnossos, so closely resembling in general form, as well as in the manner of decoration, those which are made to-day for the same purpose, that the people of Cania ridiculed the finder for bringing them to the city as antiques. I saw some of them *in situ*, and the resemblance was so close that I do not think that an archaeologist could have distinguished one from the other by the photographs. Quite recently I saw some bronze axes and chisels found at Frosinone, in company with a quantity of coins of the late Roman republic, and an iron axe of the same shape as one of bronze accompanied them; and only yesterday I saw in the necropolis of Orvieto inscribed tombs which were vaulted with that form of the voussoir arch which is described in one of the reports of the American Institute of Archaeology as having been found in Mexico; the courses of stone

projecting each beyond the one beneath it, and closed at the top by a parallelopipedal keystone—the step between the Pelasgic vault and the Etruscan as found at Volterra and in the Cloaca Maxima. The occurrence of flint implements with much later forms of art is not uncommon, and was, no doubt, due to the fact that until the tempering of steel was understood as well as the manufacturing of it (which must have been long after iron was discovered) no metal tool would give so keen a cutting edge as flint or obsidian. The use of flint knives for circumcision is of very late record, probably for sanitary reasons as well as surgical, and may be for hieratical also.

For weapons in general, bronze was better than iron, though inferior to steel; and in archaeological comparison we are too likely to confound iron with steel, and the chilling of the former (which may be what was described by some of the ancient writers) with the tempering of steel. For ornamented weapons like those swords found in the graves at Mykenæ by Dr. Schliemann, it is clear that bronze was far more desirable than iron, as being free from corrosion, and in itself more decorative, besides giving the advantage of both casting and hammering as well as engraving—facilities not combined by iron. This I believe to be the real reason why these particular bronze swords were found where they were, with articles of unmistakably later date. But the articles found in these graves offer numerous surprises, and unfortunately Dr. Schliemann's method of excavating did not give any certainty as to where a particular object might have been found, while the Greek official who watched the excavations on behalf of the Archaeological Society was not a trained archaeologist, but simply a guardian of what should be found. It is therefore quite uncertain now where the Corinthian coins of the third or fourth century, and the Roman pottery and other fragments of late date, were found in the diggings. Then, most of the gold vessels are of the most ancient form of workmanship, *beaten and riveted*, but in the midst of them comes one which is soldered; numerous gold ornaments are struck up between dies, possibly of stone (and a broken sample of such a die was found, though not in contact with the bodies or of the same design), and some of them are decorated with patterns closely resembling archaic decorations, though clearly of long traditional transmission and not of archaic workmanship, while with them was found a lion's head mask of gold, *repoussé* and engraved, of the period, apparently, of good archaic Greek work.

Again, in another of the graves is found an almost unmistakable Byzantine cross, and several ornaments which are by no kind of hypothesis to be relegated to a classic epoch, though found, as catalogued at least, with the bodies. There are some engraved stones of what we must accept as early work, from the same sources as many that we find in the Greek islands, lentoid and perforated, with engraved signet rings which seem to be Asiatic work, but as the engraving is in gold, it is impossible to say that it is archaic. That can only be determined by the method of cutting, which here indicates late rather than early work, though not conclusively; but there is also an alabaster vase of a pronounced rococo design, so extremely florid and so elaborately ornate that it can only be the work of a period of the decline of art subsequent to the good Greek epoch. It resembles sixteenth century A. D. more than anything else.

Just before leaving Athens, I was told of a grave which had been freshly opened at Corinth, having the usual appearance of Greek graves, but in which was found a medal of Galileo! The hypothesis to explain that case was that a Renaissance admirer and collector of Greek pottery had gone so far in his æsthetic paganism as to

have his collection of vases buried with him, and a contemporary medal, by design or accident, had slipped in with them.

There are often found, in connection with what appear comparatively recent deposits, fragments of flint of a form so unlike the implements known for any purpose, that they are considered as only the chips of the flint thrown off in working it. The battle-field of Marathon is strewn with them, and they have most distinctly no relation to arrows, for they have invariably a slight curve and are of nearly equal width throughout. They are common in many localities where there can be no suspicion, any more than at Marathon, that they are the refuse of a flint workshop. I take them to have been used for razors, or some analogous purpose, and I have found them sometimes minutely notched along the entire edge, as if by use, which must have been of some very light nature, for they are too slight for heavy cutting. The keen edge which was given them by the vitreous fracture was, for such a delicate operation as shaving, far more effective than anything that could be got on bronze tools as we know them.

The recurrence in present use of earthenware resembling that of antique production is not uncommon, as almost any Oriental traveller can testify. Traditional forms of implements, as well, are to be found to-day in actual use in many parts of the East, e. g., the saw which we see in the pyramids, the axe of the form of the classic epoch, and very little differing from some bronze forms; while Castellani's success in imitating Etruscan jewelry through processes still in use in remote mountain districts of Italy must be in the minds of many admirers of antique art. In the Greek islands the most delicate stuffs are woven with the loom of Penelope—a machine which the village craftsman makes with his axe in the nearest wood, or finishes at home with his sheath-knife. The "plough of Hesiod" is the standing joke of critics of the East, and there is no reason needed to account for all these survivals except the innate aversion for change in any part of the Old World—the dislike to learn the use of a new implement when the workman knows so well how to use the old one. The Albanian, born fighter, always armed, and of reckless courage, holds his old-fashioned flint-lock pistols and long-barrelled smooth-bore as better than revolvers or Remingtons. He retorts on our joke at his old shooting-irons by confiscating us and holding us to ransom when we enter his province: his arms are good enough for his purposes. I don't think it is necessary to go to the distinction of rich and poor to account for this clinging to old forms: most of it is simple human conservatism.

W. J. STILLMAN.

THE DUC DE BROGLIE'S RECOLLECTIONS.—III.

PARIS, July 1, 1886.

THE third and fourth volumes of the 'Souvenirs' of the Duc de Broglie have just made their appearance. They embrace the period which elapsed from 1818 to 1830. These twelve years are subdivided as follows by the author: From 1818 to 1822, all the efforts of the best people and the most sensible citizens tended to reconcile the Restoration and the Revolution, the old régime and the new régime. Their efforts were unsuccessful, and from 1822 to 1827 there was a growing reaction, and from 1827 to 1830 the struggle began between the liberal school and the blind royalists—a struggle which became so fierce that it ended in a revolution.

The Duc de Broglie was well placed for judging the events of this period. He belonged to the liberal school by his personal sentiments, the generosity of his character, the philosophical