A VISIT TO POMPEII.

An Ex-Mayor of Richmond Describes the Excavated City.

GLIMPSES OF A LONG-BURIED PAST.

The Religion, Politics, Domestic Life, Art Culture, Trades, and Guilds of the Roman People of A. D. 79.

[Written for the Dispatch.]

In the year of Grace 79 and on the morning of the 23d day of November quite a commotion was visible on the triremes of that portion of the Misenum squadron of the Roman navy which chanced to be anchored in the beautiful bay of Neapolis. The commander of the fleet, Caius Plinius Secundus, "ample of girth and short of breath," as his nephew somewhat irreverently describes him, had ordered out his gig and was soon rapidly nearing the eastern shore. But soldier, sailor, and lawyer as he was, or had been, no claim of his former or present pursuit could account for his excitement and haste or explain the vigor with which the stout seamen began the ascent of the long and gentle slope of the neighboring mountain. That explanation had nothing to do with his gallant career as a cavalry leader in Spain, his summonses "obtorto collo" at Rome, or his cruises in the Mediterranean—it was to be found in the fact that the Commodore was not only all we have described him, but was, besides, the greatest naturalist of his time, or of any time, until the very latest centuries; and right before him a drama of natural energy was opening the like of which he had never seen or even heard of—drama which was to prove that day a tragedy for him and for many another of his compatriots.

The still mountain, covered to its head with vines, and figs, and mulberries, had startled the people of a dozen villages and a hundred villas that morning by sending forth from its summit, the first time in its recorded career, a thin column of dense white smoke—smoke that from that good hour to this has never failed to pour from the blasted crest of Vesuvius.

A HAIL OF POISON.

As Pliny ascended the slope he noticed a huge grayish flood bubble over from the summit at his left, which, following the natural depressions of the earth, sped onward towards the little town founded by Hercules—according to an ancient legend—and bearing his name. In a short time this molten mass enveloped the fated town and buried Herculaneum in a grave which still holds its secrets unrevealed, for in a few hours this lake cooled and hardened into a mass so firm that it has now to be quarried like stone, fusing all perishable things it touched mean while. This explains the trifling additions which Herculaneum has made to our knowledge of the customs of the first century. And now the wind, which had been blowing from the east, began to rise in a gale from the south-east, and at the same moment an avalanche of gray ashes and cinders charged with sulphurous exhalation poured from the volcano and deluged the western slopes. In this hail of poison Pliny was lost—his body inurned doubtless in this fiery downpour; certainly never afterwards seen of men.

THE RUSH TO THE SEA.

At this moment the gay citizens of Pompeii were for a large part sitting in their amphitheatre—that odd structure quite perfect to-day, not erected upon, but *dug into*, the ground—witnessing the games which so delighted the Romans of the Empire. The smoke from Vesuvius was easily visible to many of them, for the amphitheatres had no roof, but the fate of Herculaneum was not yet known. Doubtless they watched the phenomenon with a deeper interest in view of the fact that only sixteen years before an earthquake had upheaved the mighty sides of Vesuvius with so fierce a shock that hardly a building was left standing in the little city, but on that occasion the great mountain had given no other sign of activity, and whatever dangers belonged to volcanic eruption they were all unknown to the Pompeiians. But soon the sky became black, and ashes and cinders, first in sparse drops and then in torrents, began to fall in the theatre itself, and the roar of constant explosion turned curiosity into terror, no little enhanced by the flying people of the neighboring town, who came thronging through the Herculaneum Gate of Pompeii, as we call it now, reporting with pale lips that their little home was already a tomb. Out then from the four great portals of the city, along its stone-paved but narrow streets, the people thronged, chiefly rushing to the sea, and bearing with them their more precious and easily carried possessions, the Christians among them doubtless believing (in conformity to a very general notion that the generation that had seen their Master would not completely pass away until the end of all things should come) that the day of judgment had sounded.

THE RESTORED—SINCE.

All day and all night the downpour of cinders and ashes went on, until a pall twenty feet in thickness covered the doomed city. The survivors found other homes; gradually the dread story was forgotten; other irruptions and eruptions of human origin overpassed this in desolation, and at last, by that wonderful process whereby Mother Earth, if time be given her, fails not to furnish as well a grave as a home for all the works as for all the bodies of men, the encroaching mould overspread the desolation, vines and figs and mulberries sprang up, and peasants danced and gathered the purple grapes and pressed out therefrom the richest wine of Italy over the tomb of lost Pompeii.

RESURRECTION.

Nearly 1,700 years passed, when one day an engineer, running a cutting for a conduit to supply water to a little town nearer the sea—Pompeii is two miles away now—found himself stopped by a stone wall, and the buried city was revealed.

Since then, irregularly and at long intervals heretofore, but of late years methodically and quite continuously, excavation has gone on, until now over half of Pompeii is open to easy inspection; and this includes probably all the portion of most interest in an archæological view.

THE RICHMONDER'S VISIT TO POMPEII.

Happening to be in Rome at the time of the visit of the Emperor William, and experiencing what an obstruction and nuisance imperial visitors are to the rest of mankind, since all galleries and palaces must be closed that no plebeians may come between the wind and their nobility, I waited until William II. had seen the Re Umberta launched and witnessed the naval review at Naples before I went thither. And so it came to pass that it was the morning of Wednesday the 24th of October that I left Naples by the 10:15 train to spend a day in the silent streets of Pompeii.

An hour's ride along the shore, with the incomparable Bay of Naples on the right, lovely Capri standing guard twenty miles away at its mouth, and a long succession of villas and villages on your left; through more than one cutting showing the chocolate-hued lava over a score of feet thick; by Portici, where the kings of Naples, when Naples had kings, were fond of passing the summer, where the frail Lady Hamilton even more successfully than "Orders in Council," so scandal says, governed the English fleet that Nelson commanded; by "La Favorita," where until last year Egypt's ex-Khedive kept home and harem, until in a moment evil for him, as rumor says, his request to change it for Constantinople was granted by the Sultan—at last brought us to a pretty station on our left, on which, painted in large black letters, was the name "POMPEII."

ENTERING THE CITY.

We leisurely left the train—they do all things leisurely in Italy, and the railroad trains are always an hour behind time, except when they are two hours—we passed out through the station, delivering our tickets at the further door, as is the almost universal rule on the Continent, and a walk of three or four minutes brought us to the ancient city.

There we paid two liri (forty cents) and for this received a ticket of admission and the services of a Government guide, who, on a salary of fifty cents a day, spoke four languages and knew everything about Pompeii. A notice in the ticket office, reduplicated in many places throughout the city, forbid the guides to receive any gratuity from visitors, but that notice, when no official is looking on, is usually treated as Pat treated the measles—"with contimpt."

You enter Pompeii by the Porta Marina—the gate facing the sea—a modern name, as there is no record of the ancient names of this or any of the gates by which the walls were pierced—passing over a street paved with large irregular slabs, as are all Pompeii's streets. This roadway rises at an extremely sharp grade, and passes under a well-preserved arch, the only portion standing of the sea-wall of Pompeii. The remarkable thing about this is that while the walls on the other sides are in excellent order there is not the slightest trace of a wall here. Probably the Romans, to facilitate entrance to Pompeii, destroyed this wall when Sylla conquered it at the end of the "Social War," eighty-nine years B. C.—a time-honored punishment for conquered cities.

NATURAL CASTS.

A few steps from the gate, and still within the archway, a door and a flight of three or four steps lead to the local museum. Most of the valuable "trouvailles" of Pompeii are to be found at the national museum in Naples, and they are, in my opinion, more interesting than all the other antiquities in the world; but this little museum contains some exceedingly touching memorials of the fatal day. When the fall of cinders and ashes enveloped the town many persons seem to have been either so terror-stricken that they could not fly or so eager to gather their treasures that they postponed flight until they were suffocated in the terrible hail of sulphurous cinders. Their bodies enveloped in the warm ashes, hermetically sealed from the air, were preserved from corruption long enough to enable the surrounding mass, constantly pressed by the weight above and around, to solidify into a perfect cast. And when, after centuries, the bodies wasted and shrank from their covering a complete copy of the form remained. In the clearing out of the city many of these natural casts remained, and with careful treatment they served as moulds, which, when filled in the usual manner with liquid plaster, gave a faithful reproduction of the forms that were once enveloped by them. Some eight or ten of these are preserved here in glass cases, and they tell the story of the city's loss with a ghastly fidelity that nothing else approaches. With one exception there is little in the position of these forms to indicate that death was other than peaceful; but this exception is a striking one. It is that of a dog. He was doubtless tied or chained, and was stifled in the midst of frantic efforts to burst his bonds. His head is between his fore-knees and his body is contorted in the most unnatural fashion, as though his fate befell him in the very agony of his final struggle for liberty.

DOMESTIC AND TRADE UTENSILS.

In this same room is a Roman safe—a strong box studded with iron bolts and bound with strips of the same metal—of extraordinary thickness. It was the work of some Pompeiian Herring, made for one Cecelius Jucundus, a money-lender, and when broken open contained a number of promissory notes which matured 1800 years ago and were protested by Vesuvius. The old skinflint was a heartless usurer, for all his loans carried interest at the modest tax of 24 per cent. per annum, and if any of your readers desire to bring suit upon them they are still in existence. There was found in his house a bronze portrait of him, presented to him, as its inscription states, by one of his slaves; so that the plaintiff may supplement his genealogical tree when he comes to prove his title by showing, perhaps, a family likeness. The bones of several domestic animals—usually complete skeletons—are preserved here; and there is a bronze frying-pan with the mortal remains of a rabbit in it, which some Pompeiian failed to get for breakfast that sad morning in the first century. The most interesting discoveries in Pompeii were the domestic and trade utensils. These are preserved in hundreds in the Naples Museum, and bear high testimony to the completeness of the skill of the artificers of that day. The most complete kitchen of the largest hotel now in the world would fail to duplicate many of the contrivances of these old Latins. One is often struck also with the highly ornamental character of common things. For example, there are many scales with balance-levers like those of Fairbank's famous scales of to-day, and graduated with equal exactitude; but the sliding piece of metal by which the weight was ascertained is rarely or never a mere block of metal. It is always a head—usually of mercury, the merchant's deity—and is as well executed as though designed for ornament, not use. I counted in the Pompeiian rooms in the Naples Museum nineteen different varieties of scales, from the finest balances of the diamond-sellers to the gross machines which weighed wood or hay.

HOW NARROW THIER STREETS WERE.

Leaving the museum I entered at once upon the streets of Pompeii. These are are rarely above 12 or 14 feet in width, all paved with slabs of stone, and many of them not over five feet from curb to curb. I say curb because, unlike many cities of far more modern date in Europe, Pompeii furnished its citzens in all the wider streets with a raised walkway. This is usually fully 12 inches above the road-bed, and I conclude that torrents from the mountains often coursed through the streets of Pompeii, demanding a high walkway for the comfort of pedestrians, as well as to prevent overflow into the houses. This is further shown by the stepping-stones, which at many corners give access from side to side. These are invariably oval in form, and about 2½ feet long by 18 inches wide. How carriages and wagons got along in streets thus obstructed it is not easy to see: but it is quite certain they did, for every street is marked by two ruts worn deep into the paving-blocks, and on some of these large stepping-stones are marks which look like the trace of horses' shoes.

THE IMPRISONED SKELETONS.

On the right-hand side of the main street by which I entered, and a few paces beyond the local museum I have mentioned, commences a series of the most important of the public buildings of Pompeii. First in order is the public court-house—a large open court-yard, within which, a few feet from the wall, was a row of columns supporting probably a gallery for spectators. At the western end the judges sat, and beneath their seat is a cell in which two skeletons were found—those doubtless of prisoners.

The next building is the Temple of Apollo—generally called the Temple of Venus—but an inscription quite plainly indicates that the shrine of the gay deity was not here. And thus in succession we pass the remains of structures which, either from their shape or from inscriptions plainly legible, have been identified as the Forum; the Arch of Nero, once adorned by an equestrian statue, still preserved; the Augusteum or Temple of Augustus, in whose shrine were five statues of members of this great family, still to be seen in the Naples Museum; the Senate Hall; the Temple of Mercury, whose altar in the centre is still in almost complete preservation; temples to many gods, theatres, baths, and many sumptuous mansions.

A POLITICAL CAMPAIGN OF OLD.

As I strolled through the streets I was amused to see on several street-corners painted notices inviting the citizens to vote for such and such a one for decurion; so I presume an election must have been going on about the time of the destruction, when an incident more potential than Burchard or Murchison put an end then and forever to Pompiian decurions.

The general aspect of Pompeii is that of a rich town totally unroofed, and with the upper portion of every building completely destroyed, from which all the inhabitants fled, and where time and the elements have done some destruction; but your surprise is that they have done so little.

HOUSES AND MONUMENTS.

The fact that all of the houses were either of stone or brick, and that few were of over two stories in height, even if any were, but more than all the character of the catastrophe explains this. The ashes of Vesuvius, like the sand of Libyan desert, is a wonderful preserver. But one thing is very remarkable—the permanence of color. The Pompeiian remains differ from all we know in the excessive lightness and gayety of their domestic architecture. When they erected a column it was rarely of stone—monolithic or other. They built up a brick pillar, coated it with plaster, fluted the plastering for six feet, and left the rest plain, and then they painted it some brilliant color. The most common was that deep blood hue, which is known to-day as Pompeiian Red, but their blues, yellows, and greens are as beautiful and as permanent.

DANCING GIRLS.

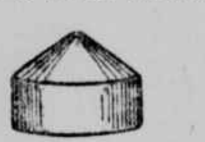
When one bemoans the almost total obliteration of De Vinci's "Last Supper," and the melancholy discoloration of the master-piece of all frescos—the Last Judgment in the Sistine chapel, a true fresco, not an oil-painting or plaster as the former—these things of yesterday, he wonders to see on the walls of every respectable house in Pompeii figures as fresh as if six months had not passed instead of the entire Christian era since their execution. Bronze and iron have rusted out their beauty, the polish and sharp outline of marble have perished, but the dancing-girls and hunting scenes that forgotten artists spread on the chamber walls of the well-to-do Pompeiians twenty, maybe twenty-five centuries ago, for the city was already 700 years old at its destruction, survive absolutely undimmed.

A DWELLING-HOUSE DESCRIBED.

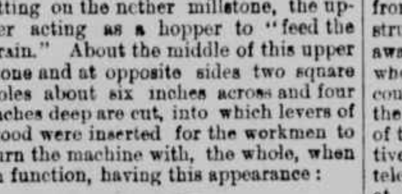
And now that I have spoken of private houses let me describe one of them. A large portal opening directly on the sidewalk paved with Mosaic stones and having as its ornament a very spirited picture of a wild boar in Mosaic in the floor, gives entrance to the inner court. This is an open square of about 40 feet each way, paved with stone slabs or with Mosaic, and having in its centre a square or a tank of marble about 10 feet in length and a foot in depth, in which a fountain played. The court-yard is surrounded interiorly by pillars, upon which the second story was partly built, thus forming a covered arcade completely around the court, and from this arcade to the right and left chambers open. One, two, or three of these were bathrooms, and the pipes still exist, made of bronze and soldered at the joints with lead, which conveyed the water from the kitchen. The bathing-rooms included not only the ordinary plunge-bath of our houses, but a complete arrangement for hot air or steam-bathing. One of the rooms is surrounded by a double wall, and was obviously heated by conducting hot air around the interior wall, or steam. At the extremity of the court-yard opposite the entrance a hall-way opens, having on one side the dining-room—a spacious room—and on the opposite the kitchen, laundry, and servant rooms.

A POMPEIIAN MILL.

From one of the corner chambers of the court a stairway leads to the second and only other story, where the female members of the family slept. The sleeping-rooms are little more than cells—none being above twelve feet square; the luxury of furniture is a very modern weakness. In some of the rooms of this house the bedstead—a stone shelf built in the end of the room—remains. Behind the kitchen is the room where the slaves ground the corn for the family, and the mills still exist. These consist of two stones, the lower in the shape of a solid cylinder of stone, whose upper part is cut to the shape of a cone, about twenty inches high.

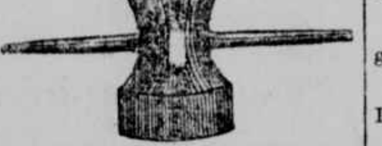


Upon this was imposed a second stone about four times its height, shaped like the traditional mortar which adorns the doors of drugstores, hollowed out in the shape of a double cone, the lower one fitting on the nether millstone, the upper acting as a hopper to "feed the grain." About the middle of this upper stone and at opposite sides two square holes about six inches across and four inches deep are cut, into which levers of wood were inserted for the workmen to turn the machine with, the whole, when in function, having this appearance:



A TRADE-MARK.

I found still in their places in the rear room several large earthen vessels shaped exactly like the ancient Greek amphoræ, which contained the family supplies of oil and wine, with the old potter's name and trade-mark still distinctly legible in a rectangular figure, with a triple representation of, I presume, some tool used by his craft over it.



One might fairly moralize on the fact that poor old Caius Næus Vitalis has been able to send his name down the ages, while the painters and sculptors and architects have no record among men, and with a trade-mark, duly protected no doubt by patent laws, and for which the old potter, in case of infraction, would doubtless haul the defendant, as was the fashion in those times, *obtorto collo*, by "the scruff of his neck" before the Questor. And well he might, for he made good and durable pots, the master Vitalis, which to-day, after twenty centuries, would serve their purpose precisely as well as the day they left his wheel.

PAINTED WALLS AND FIGURES.

On either side of the entrance from the street are three rooms opening only on the street and constituting the front of the house. These were places where the owner of the house sold the products of his farms, and the custom survives in many towns of Northern Italy to-day. The court-yard, in addition to the columns which upheld in part the second story, had many short pillars which were obviously the bases of statues. Indeed, eight were found in the house I describe, and are now in the museum at Naples. Every wall in this house is painted, and, although uncovered, as is every room almost in Pompeii, to the elements, there is no difficulty in tracing the minutest lines of the figures. All of the subjects are of a joyous character. One scene is particularly well executed and in perfect preservation. It represents a number of dwarfs mounted on stilts—exactly like those which boys use to-day—who take this easy method of gathering grapes, which they are tossing to girls furnished with baskets, who are standing under the vines. Diana in the chase is a favorite theme, but the most common is a conventional set of female figures with transparent drapery, who represent the four seasons and the four periods of the day—Sunrise, Sunset, Noon, and Night. The Naples painters of to-day copy and multiply these figures without number. They are about a foot high, usually occupy the centre of a panel painted black, and cannot be surpassed in ancient or modern art for perfect grace of position and perfect suggestion of graceful movement. All the floors of these rooms are paved with Mosaic. An endless variety of figures composed by means of small black and white stones about a half an inch square, one of the surfaces of each of which is polished, form the substitute and quite possibly the origin of our carpets. The first form of every substitute being an imitation of that which it essays to supplant. In one of the servant-rooms I noticed a large black stone, which the guide assured me was the polisher for the Mosaic work.

ANCIENT COCKNEYS.

As I left this handsome house I noticed over the figure of the wild boar which I crossed on entering the word HAVE, and it is worthy of remark that nowhere in Pompeii do you find it written AVE. The other was probably the more modern form of the familiar welcome, as Hadrian for Adrian; or maybe—horrible thought—the Pompeiians were Cockneys, and misplaced their h's!

And as I leave and turn to say my "Vale" I notice two stone shelves in this vestibule, about ten feet from the floor. Upon these were the domestic gods—the Lares and Penates—many of which were found in place.

You must not suppose that the mural paintings I have described constituted all the art of Pompeii. Some of the finest bronzes of antiquity were found here and some of the best marbles.

HOW THEY TICKLED THE EMPEROR.

Shortly after leaving this handsome residence I came across the building cleared out a few days before in presence of the German Emperor, and where several valuable bronzes were discovered. I asked my guide, with as much gravity as I could assume, if it were not strange that so many beautiful things were brought to light just that day, and he replied by sticking his tongue in his right cheek and elevating his shoulders to his ears!

THE FULLERS AN IMPORTANT GUILD.

And so we roamed on to the Fullers' establishment, on whose walls complete representations in fresco of the various processes of their craft still remain, as do the vats in which their clothes were washed, and what is more remarkable, some of the soap they used. The large tanks in which the clothes were rinsed after washing and the pipes which supplied them with water still remain. The fullers were obviously the principal trades people in Pompeii. Indeed in all time the tendency to localize occupations has probably existed. To-day 90 per cent. of the bungs used for barrels made in the United States come from Cincinnati; 90 per cent. of the writing-paper comes from within a radius of fifty miles of Nashua; 90 per cent. of the felt hats within an equal radius of Danbury; a like proportion of stoves from Albany and its environs, and so on.

The Fullers had an exchange or guild-hall, adorned with many statues, erected by them to their patrons or protectors. One of these bears the inscription, "Eumachia Lucii Felia Sacerdos Publica," though what particular favor Miss Eumachia conferred on the Fullers must remain forever unknown.

Among the many temples is one consecrated to Isis—not called in the inscription "tempsum" as all the others, but simply "Domus Isis." This proves both that this Egyptian *cultus* had been imported into liberal Rome, and that it was already under some sort of ban, as well it might. And so from dwelling-house to grocery stores, from temples to tombs, from theatres to wine-shops—one of these latter is immediately opposite the public baths and must have been largely patronized from its size—I strayed along, the smoke of Vesuvius streaming in a long white ribbon over my head, the incomparable beauty of the bay and the sea coming to me in glimpses at every turn, and across the sheet of water Virgil's tomb, the villa that Augustus often visited when Rome wearied him; the spot where the most of the Æneid was written, and many another place linked to the names and things that make all the interest of the past, and I could not wonder that even in the ancient days the Romans christened this loveliest spot on earth "Campania Felix." A. M. K.

A Struggle with a Monopoly.

[New York Sun.]

A distinguished member of Congress from one of the middle States had a struggle with a monopoly to-day that awakened the sympathy of several people who stood by and witnessed the encounter. It happened in the corridor of the Capitol, and within a very few feet of the entrance to the hall of Representatives. The statesman wanted to send a telegram, and had left his book of franks at home on the piano. He wrote the message on an ordinary blank and handed it to the operator, who said:

"Sixty-five cents, please."

"Send it d. h.," answered the congressman.

"Can't do it without a stamp."

"But you know that I have one, and I left it at home this morning."

"I'm sorry," answered the operator, "but I cannot send it d. h. without the stamp is attached to the message; this is the rule."

"But I will bring you a stamp to-morrow," urged the congressman.

"That is all right," pleaded the operator again, "but I have to turn in the message to-night, and must either have the stamp or the money, or send it collect."

"Send it collect, then," exclaimed the infuriated statesman, as he strood proudly to make a renewed attack upon the "communistic combinations of capital."

Horrible Death in a Lion's Den.

[Pall-Mall Gazette.]

The shocking death of a female tamer of wild beasts is reported from Hohenmuth, in Bohemia. She was a girl twenty-six years old, named Bertha Baumgartner. During a public performance in a strolling menagerie she entered an empty cage, and the door of an adjoining cage was then opened to let a lion and a Bengal tiger enter. The lion walked in quietly, but the tiger—a ferocious beast—which had three times wounded its keepers, crouched in the doorway and showed temper. The girl lost nerve, cried for help, and slipped. As she did so the tiger made a spring, bit her on the shoulder, then in the throat, literally rent her to pieces, and tossed her body about. Half the audience ran to the doors in horror, while the attendants tried to beat off the tiger by poking hot irons into the cage. But the girl was dead long before the animal was driven away. The lion seems to have been as much frightened as the human spectators, for he took no part in the carnage. The proprietor of the show has since admitted that this same tiger had already killed two people.

Green Apples,
eaten in the spring-time, or any other season are liable to give one bowel trouble, which can be speedily checked by the use of Dr. Biggers's Huckleberry cordial. Also for children teething.

LAW REFORM.

THE NECESSITY FOR SPEEDY AND RADICAL CHANGES.

Cumbersome Modes of Procedure—Virginia Lagging Behind—The Simpler Administration of Justice the Better.

To the Editor of the Dispatch:

Retrospective habits of thought have played an important part in law-making in Virginia, but daily experience is rapidly convincing those who come in contact with our law courts of the imperative necessity for speedy and radical changes in the present forms of procedure, so that the solemn jugglery which suited the imagination of the eighteenth century may give place to the practical convenience of every-day life. Our legislators have from the foundation of the Commonwealth been dazzled by the reverence which surrounds Coke and Sir William Blackstone, both believers in witchcraft. There is a movement of law reform on foot all over the world, in which Virginia has taken an infinitesimal part. It is chiefly in the modes of procedure. Ours are nearly as cumbersome and unwieldy as they were in colonial times. A majority of the States of the American Union have adopted what is known as *code pleading*. The difference between our style of pleading and *code pleading* is as great as that between travelling by canal and railroad. Water transportation, however, is cheap; in this respect it is entirely unlike our pleading. There is no reason in it, and very little justice. It will take a good lawyer, who is an active, expert penman, ten hours to bring ten suits on ten protested negotiable notes if he *writes* and files the *declarations*. The phraseology of a *declaration* on an endorsed negotiable note in its intense tautology and weary length must have been originally invented for a judge who was an escaped idiot; but notwithstanding this it is as unalterable as the laws of the Medes and Persians, and sticks to the profession like the shirt of Nessus. The smallest variation in it may cause the loss of the case or the term. There is no Martin Luther in the law-reform movement, but it is backed by the irresistible pressure of public opinion. People who have business in the courts are tired of hearing the sheriff open the court as the same officer probably did on September 30, 1066—the day after the battle of Hastings, when Harold was no more and Norman French was the fashion under William the Conqueror. Instead of saying "*Oyez! Oyez!!*" (Hear ye! Hear ye!!) he now generally says, "O, yes! O, yes!" having not the slightest idea what he means, nor do any of the uninitiated bystanders. There are many anomalies of this kind. Section 3246, Code of Virginia, 1887, reads: "No action shall abate for want of form where the *declaration* sets forth sufficient matter of substance for the court to proceed upon the merits of the cause." This is what is called the statute of Jeofails, and is intended to cure bad pleading. But for the pleader the miserable, moth-eaten common law *declaration* is still his procrastean bed. To read such stuff as this well might Sir William Blackstone when he began the study of law bid farewell to his muse and say:

"Adieu, celestial nymph, adieu!
Shakspeare no more thy sylvan son,
Nor all the art of Addison,
Pope's heaven-strung lyre, nor Waller's ease,
Nor Milton's mighty self must please.
Instead of these a formal band
In furs and coifs around me stand,
With sounds uncouth and accents dry
That grate the soul of harmony."

We have the vantage-ground of experience, and it is time for us to abolish these senseless forms of action.

Innovation within certain well-defined limits is absolutely necessary to the safety and well-being of all free States. Napoleon thought that a nation should change the tactical drill of its armies once in ten years. Civilization is necessarily progressive. Physicians have long since abandoned the empiricism of Sydenham.

Insurrections are generally wrong. Revolutions are always right, for they represent the moral force of the people bent upon overthrowing some oppressive grievance.

THE LEGAL REVOLUTION

now in progress as represented by the movement for cutting off the dead-weights which hinder and delay justice is clearly right to those who have witnessed its beneficent workings.

Can any human being assign even a plausible reason why no plaintiff can be heard in a common-law court in this State unless he first states his case in bad English, in a certain specified, recognized *declaration?*

There is no doubt about the fact that the union of the American Commonwealths is the greatest nation upon the face of the globe. An immense majority of these Commonwealths have already adopted the desired changes in the antiquated modes of procedure. Why should the Old Dominion lag behind in this grand galoxy of States? With her 40,125 square miles of territory, her magnificent resources still in the infancy of their development, and above all her great and glorious people, she must regain not only her former greatness, but strive to lead the nation. Let her shake off these cerements of the tomb and again waken to life. The status of our law courts will exasperate any one who loves justice. The old forms undoubtedly deprive good lawyers of business, which is justly their due, because of the foolish delays which drive off litigants. Many good men dread going into court. The people should have no such feelings for the majesty of the law. The simpler the administration of justice is the better it is for all parties. Any one who will take the trouble to look into the condition of the human intellect in the eighteenth century, when Sir William Blackstone was in the zenith of his fame, can easily understand why there is so much useless form and ceremony about the administration of justice. Blackstone was himself a reformer of the first order, but there are lights for us which were denied to him. In the formation of our conclusions it is well-nigh impossible for us not to be insensibly influenced by education and surroundings. We are not necessarily right even when we are free from these influences, and our final decisions should only be made after carefully weighing all the evidence.

Up to 1730 our worthy forefathers thought it best that the law pleadings should be in bad Latin. Blackstone mentions the fact that for high treason, or murdering their husbands, women were to be burned at the stake. He makes no comment upon this horrible punishment, which was not abolished until 1790. The first volume of the "Commentaries" was published in 1765. There is no question about the fact that what he did was the beginning of the law reform which is rapidly spreading over the world. Frederick Pollock, professor at present of jurisprudence in the University of Oxford, in the preface to his admirable work on Contracts, says: "Blackstone, I doubt not, opened to his first hearers little less than a revelation. But Blackstone, if he were with us at this day, would be the first to proclaim the necessity of doing his work over again and doing it thoroughly from the beginning. * * * * Title by title and chapter by chapter the treasures of the common law must be consolidated into rational order before they can be newly grasped and recast as a whole." This little extract is given simply to show the state of opinion in our conservative mother country. The book from which it is taken was published in England in 1885, and many editions of it have since been published in America.

Lady Mary Montagu introduced inoculation into England to restrain the spread of small-pox in 1722 under the patronage of Queen Caroline. Popular feeling in the teeth of the strongest proof of its usefulness was dead against it, and it was not until 1754 that the College of Physicians of London pronounced in its favor. As late as 1769 the practice was forbidden by law in the Colony of Virginia, thus proving that at least in this instance we were more blindly conservative than the Old Country.

BLACKSTONE'S COMMENTARIES

were not published until George III. had been some time upon the throne, but the King had read them in manuscript, or at least a considerable portion pertaining to his own duties. Blackstone has described his veto power as unquestioned, though it is a power which no English sovereign had exercised since the reign of Queen Anne; and he treats his right to be present at the meetings of the Cabinet as if it really existed, though that had fallen into desuetude since King George II.'s time. The senseless and savage rule which denied persons accused of capital offences—except treason—the assistance of counsel, he regards with the characteristic complacency of an English lawyer of his day, and he only timidly hints that it was not right.

Numerous other instances might be given of the radically different way in which in one century what are now regarded as elementary propositions were not then humanely understood by the boldest and best intellect the law had produced. But notwithstanding this Blackstone should not be quoted against the expansion of the law-reform movement, for he was the prince of reformers.

There is no more singular instance of conservatism of a very mistaken order on record than the fact that the improvement of roads and the construction of turnpikes caused violent popular outbreaks in England. Mobs frequently attacked and destroyed them. Their rallying cry was: "Stand ye in the ways and see and ask for the old paths." Destruction of turnpikes was made a felony. The chief ground of complaint against them was that the use of stage-coaches was destroying the breed of saddle horses. The people of Virginia are very close kin to the people of England. Numbers of them without reason stand in the way and ask for "the old paths."

There have been an immense number of

REVISIONS

of the laws of Virginia. The first attempt was early in the seventeenth century, twenty-four years after the landing at Jamestown. This was in 1631; again in 1642, 1657, 1661 (this last revision was made necessary by the termination of Cromwell's Government and the restoration of King Charles II.), the Purvis collection, printed in London between 1684 and 1687, 1705, 1722, 1733, 1751, 1759, and 1769, which was the last revision prior to the Revolution. The revisions since that important event have been as follows: 1785, 1794, 1819, 1849 (a second edition of this Code was published in 1860), the Code of 1873, the Code of Criminal Procedure of 1878, and finally the present Code of Virginia of 1887. There have been several other compilations—Henning's Statutes at Large, Matthews's Digest, and others of less importance; but at no period has any attempt been made to change the common-law declarations, pleas, rule-days, and numerous useless forms. The Code of Virginia of 1887 is good so far as the statutory law of the State is concerned. The revisers did their work well, but they had no authority to change the common-law forms of procedure. These should be abolished, and the machinery of justice can be much simplified by the adoption of a *code of civil procedure* such as is used in a majority of the States. The cost to the State of making this change will be very small. The California Code, which is almost the perfection of human wisdom, can be taken as the model. Any good lawyer can perfect such a Code of procedure within ninety days. It can be passed as a bill at the next session of the General Assembly. There never was a time when a State was in so much need of radical reform in the machinery of her courts of justice. The change must of necessity come. The Code adopted by Virginia will doubtless be the best, as she can and will profit by the experience of many other States.

S. S. P. PATTESON.

Richmond, Va., January 23, 1889.

Causes of Disease.

To the Editor of the Dispatch:

A few diseases, such as measles, mumps, whooping-cough, and small-pox, are contagious. In the present state of our knowledge there is no means of preventing any of them except small-pox. Compulsory vaccination, if faithfully carried out, would stamp out this disease.

Of other diseases only the most prominent causes can be mentioned in this connection. They vary with the locality, the habits, and the age of each individual.

Among the poorer classes the want of the ordinary comforts of life, such as good clothing, fuel, and nutritious food, is a prominent cause. Famine and pestilence have always gone hand in hand. While cases of starvation may be comparatively rare, thousands of deaths are annually due to innutrition.

Among the wealthier classes an opposite state of things exists. Too much food is consumed and sickness follows in consequence. In the western States, where food is cheap and abundant, many cases of disease result from this cause.

The use of intoxicating drinks is a fruitful source of disease. Whatever difference of opinion may exist in regard to the measures used to limit or to suppress the evil, there can be but one verdict among medical men as to the injury they cause to the healthy system.

Overwork has been the death of thousands. The spur of necessity has brought many a strong man to a premature grave. The other extreme, sloth and inactivity, is equally hurtful.

Another cause more obscure and more difficult of detection is mental distress. In the emotional life of modern society the brain is constantly being developed and diseases of the mind and nervous system acquiring greater prominence.

Often when the baffled physician is scrutinizing every symptom to find the clue to the patient's malady some undisclosed source of mental trouble works the mischief which neither pill nor potion will cure.

The microscope has revealed germs which are the cause of disease in many instances. A fruitful field of discovery awaits researches in this direction.

M. D.

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ITS WONDERFUL EFFECT ON THE LIVER, STOMACH, BOWELS, KIDNEYS, AND BLOOD

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For all throat and lung diseases take Lemon Hot Drops.
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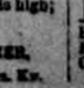

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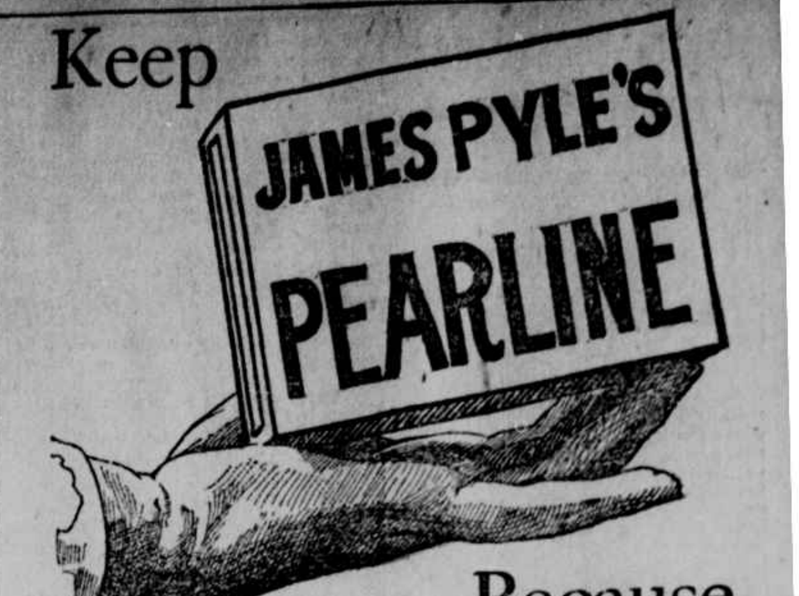

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DRESSED BEEF, MUTTON, PORK,

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WHOLESALE ONLY.

These meats are carefully selected at Chicago, and reach Richmond in the best possible condition for the table. It is well known that refrigerated meat is more tender and juicy than if put upon the market immediately after slaughter.

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10	—sizes 2½-6—Genuine Kid Button, Silk-Lined	1 15
11	—sizes 3-5—Genuine Dongola Button, Silk-Lined	1 15
12	—sizes 4-8—Genuine Goat Button, Silk-Lined	1 15
13	—sizes 2½-7—Genuine Dongola Neilson Foxed, Square Top	1 25
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NEW GOODS FOR ALL SEASONS AND EVERYBODY.

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Our stock of Dinner Sets, Tea Sets, Game Sets, Fish Sets, Oyster Sets, Ice-Cream Sets, Breakfast Sets, and Washstand Sets is complete in variety of patterns and at prices to suit the times.

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Our stock of SILVER-PLATEDWARE is now complete of the latest designs in large variety and of the best makes.

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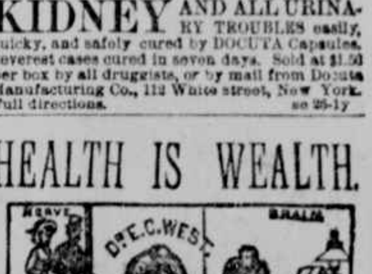

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