had been sent through the State Department—by bar associations, law faculties, and kindred associations. Many noted lawyers took part in the proceedings of the Congress, and there is every evidence that it was "a most enjoyable occasion"; but it was, on the whole, rather a parade of lawyers than a deliberative meeting with a definite end in view, and consequently it leaves behind it little more than one or two papers, some discussion, and a few resolutions of no very great importance. It should be observed, however, that the Congress was one of the agencies for the promotion of the second Hague Congress, yet to convene; and this lends interest to a paper by Mr. John W. Foster on the settlement of international controversies by resort to the Hague Tribunal or reference to special commissions. Mr. Foster insists, we are glad to see, that the assumed necessity of excluding from general arbitration treaties questions involving "honor" or "vital interests" rests on no substantial basis. The only question which cannot be submitted to arbitration is the Monroe Doctrine, but that is because we will not tolerate the insolence of any one but ourselves saying what it means—not because the questions which arise under it are inherently inarbitrable.

—Paper and type, printer and publisher, have all done their best for Mr. Charles J. Billson of Corpus Christi College, Oxford, in his new translation of the 'Æneid' (London: Arnold; New York: Longmans, Green & Co.), and the two quarto volumes have a stately and dignified air which seems to promise that, within, somewhat may be found worthy of "that Virgil, that fount which poureth forth so large a stream of speech." But alas! *quantum mutatus ab illo!* Again we find the woodenness and monotony which have so often characterized the modern attempt to render into blank verse the stately measure, the long roll, and the constant variation of rhythm which mark the great original. To diffusiveness Mr. Billson can indeed with truth plead not guilty; condensed he is (and Virgil has been called the most condensed of poets), for he renders the Æneid into exactly the same number of verses as the Latin. But in this process he is of course obliged to omit much of the thought which the longer hexameter line can convey. Thus—

> . . . "Now a mighty trunk
> Lies headless on the shore, a corpse unnamed"

for

> "Jacet ingens litore truncus
> Avolsumque umeris caput, et sine nomine corpus,"

is one example of what we mean. Another is:

> "Whence art thou come
> Dear-hoped-for Hector?"

where the real meaning of *oris* (limbos), which adds so much to the bitter cry of Æneas, is wholly lost. Not that there are no good points in Mr. Billson's renderings; a faithful endeavor not to introduce into them ideas and thoughts foreign to the original, marks them throughout as the work of a scholar, but that a scholar's work they are, and not a poet's, is our principal quarrel with them.

—The veteran Gaston Boissier's 'Conjuration de Catilina' (Paris: Hachette) is another of those books in which his charm of style and sound common sense (gifts not too often attendant upon scholarship) have lent fresh life to a well-worn theme. As usual with M. Boissier, the title is a text upon which to base a general treatment of the *tempora et mores* of the event about which Cicero never tired of talking, and which led to the first Latin historical monograph in Sallust's tractate. It may be read with interest by the layman, and the philologian will find not a few pages that are worthy of his study. For instance, Boissier thinks that Sallust's 'Catiline' was a sort of literary manifesto against Cicero —not as man or politician, but as writer. Thus, to take a small detail: everybody knows that the intercepted letter from Catiline to one of his friends is preserved to us in two versions, Cicero's and Sallust's. Boissier holds that the former is the genuine one, and that Sallust retouched it in parts to make it conform to his own ideas of style. On the other hand, those who have read Zielinski's recent treatise on the *clausulæ* of Cicero will remember that he believes that Sallust's is the authentic version, and that Cicero recast the original in order to make it rhythmical. *Quis hos inter doctos dijudicabit?*

LEA'S SPANISH INQUISITION.

A History of the Inquisition of Spain. By Henry Charles Lea, LL.D. In four volumes. Volume I. The Macmillan Co. 1906. Pp. xii., 620.

For nearly twenty years Mr. Lea has been the acknowledged master in the study of the Inquisition. Appearing in 1887, when serious investigation had just begun to penetrate a territory long reserved to the controversialist and the pamphleteer, his 'History of the Inquisition of the Middle Ages' at once took rank as an accepted authority; and with such correction in detail as has been made in the recent French and German translations, it still maintains its position as the only comprehensive account of the subject which rests upon an independent examination of the sources. For the most significant modern phase of the Inquisition Mr. Lea now promises to render an equally important service to historical scholarship in the elaborate work on the Inquisition of Spain, of which the first volume, dealing with the origin and establishment of the Holy Office and its relations with the State, is now at hand, while the other three are ready for the press.

It is, of course, not to be expected that a subject of such controversial possibilities should have been wholly neglected by others. First and last, a good deal has been written about the Spanish Inquisition, but usually in a spirit of rancorous attack or disingenuous apology which has served to obscure rather than to elucidate the real nature of the institution. The most important treatise on the subject, the 'Histoire Critique de l'Inquisition d'Espagne,' published early in the last century by a former secretary of the tribunal, Llorente, made large use of documentary sources, and possesses more merit than Catholic writers have generally been willing to allow, but it bears evident signs of haste and prejudice, and could not escape the taint of its author's apostasy. There is abundant room for new treatment of the whole matter, but the task is not to be undertaken lightly. The subject is intricate and thorny, and the materials for its study lie for the most part unpublished and uncalendared in the archives and libraries of Spain and other European countries, while very little has been done in the way of preliminary exploration or monographic investigation. In this case the historian must be quarryman as well as architect—indeed, he must be quarryman first of all, lest he be tempted to treat his materials in accordance with some preconceived idea, ecclesiastical or anti-ecclesiastical—and must have that combination of patient research and sound historical judgment which Mr. Lea possesses in an exceptional degree.

The *inquisitio hereticæ pravitatis* of the Middle Ages never became important in Spain, for the reason that the heresies of this period—the doctrines of the Waldenses and Albigenses—never acquired a firm foothold south of the Pyrenees. There was no Inquisition in Castile before the days of Ferdinand and Isabella; it was not effectively organized in Portugal; and even in Aragon, where the spread of heretical movements from Languedoc had led to the appointment of inquisitors in the thirteenth century, the institution was never vigorously active. The origin of the new Inquisition established toward the close of the fifteenth century is to be sought in a quite different quarter, namely, in the peculiar conditions surrounding the Jewish population of the Peninsula. Jews there had been in Spain since Roman days, and the Visigothic kings and bishops adopted a harsh policy of persecution which brought them as near the Inquisition "as the rudeness of the age and the looseness of their tottering political organization would permit"; but under Mohammedan rule the Spanish Jews enjoyed the freedom and large opportunities which were open to them throughout Islam, and, curiously enough, the long wars of the *reconquista* served to soften rather than to embitter the relations between the different races and faiths. As in Syria, in the days of the Latin kingdom, so in Spain, "mutual attrition, so far from inflaming prejudices, led to mutual toleration, so that fanaticism became reduced to a minimum precisely in that corner of Christendom where *a-priori* reasoners have been tempted to regard it as especially violent." On the whole, the Spaniards of the Middle Ages, ecclesiastics as well as laymen, appear to have been remarkably tolerant, and the hatred for Jew and infidel which has been so notable a trait of Spanish character in modern times, far from being an inborn quality of the race, a *cosa de España* which requires no explanation, dates only from the fourteenth and fifteenth centuries. The change of attitude with regard to the Jews arose from the gradual introduction into the Spanish church of the spirit of oppression and persecution which prevailed in other parts of Latin Christendom; the terrible massacres of 1391 formed the turning-point, and the religious bigotry thenceforth so assiduously fostered culminated a century later in the inhuman decree which drove all adherents of the Hebrew faith from the Peninsula.

Under the fear of death or the threat of persecution, large numbers of Jews sought immunity by professing Christianity, and, with the barrier of religion removed, these

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new Christians accumulated still greater wealth, rose to the highest positions in Church and State, and intermarried with the oldest families. "The time soon came when there were few of the ancient nobility of Spain who were not connected, closely or remotely, with the Jew"; the first inquisitor-general, Torquemada, was of Jewish descent, and so was his successor, Diego Deza. But hatred of the Jew, once it had been aroused against his religion, easily extended to his race, and the prosperity of the *conversos* served only to increase the popular detestation. Moreover, in one respect they were now at a serious disadvantage:

"As Jews they might be despoiled and humiliated, confined in narrow Jewries, and restricted as to their careers and means of livelihood, but withal they enjoyed complete freedom of faith, in which they were subjected only to their own rabbis. They were outside of the Church, and the Church claimed no jurisdiction over them in matters of religion, so long as they did not openly blaspheme Christianity or seek to make proselytes. As soon, however, as the convert was baptized, he became a member of the Church, and for any aberration from orthodoxy he was amenable to its laws. . . . The circumstances under which the mass of conversions was effected —threats of massacre or the wearing pressure of inhuman laws—were not such as to justify confidence in the sincerity of the neophytes, nor, when baptism was administered indiscriminately to multitudes, was there a possibility of detailed instruction in the complicated theology of their new faith. Rabbinical Judaism, moreover, so entwines itself with every detail of the believer's daily life, and attaches so much importance to the observances which it enjoins, that it was impossible for whole communities, thus suddenly Christianized, to abandon the rites and usages which, through so many generations, had become a part of existence itself. Earnest converts might have brought up their children as Christians and the grandchildren might have outgrown the old customs, but the *conversos* could not be earnest converts, and the sacred traditions, handed down by father to son from the days of the Sanhedrin, were too precious to be set aside. . . .

"The insincerity of the conversion of a large portion of the Marranos was incontestable; according to the principles universally accepted at the period, it was the duty of the sovereigns to reduce them to conformity; with the pacification of the land the time had come to attempt this resolutely and comprehensively, and the only question was as to the method."

Nevertheless, some years elapsed between the accession of Ferdinand and Isabella in 1474 and the actual organization of the Inquisition in Castile. Not only did the rich and powerful *conversos* throughout the kingdom bring all their influence to bear at the court and at Rome, but the arrangements between the Catholic sovereigns and the Pope were a matter of some difficulty, for "Ferdinand and Isabella desired, not the ordinary papal Inquisition, but one which should be under the royal control and should pour into the royal treasury the resultant confiscations." The bull of Sixtus IV., authorizing the appointment of inquisitors by the crown, was granted in 1478, but no commissions under it were issued until 1480, and it was not till the following year that the fires of the first *auto da fe* were lighted at Seville. In 1483 Torquemada was made inquisitor-general for Castile, and a special council, the Suprema, created, with jurisdiction over all matters connected with the faith; but the Pope had likewise appointed inquisitors, holding faculties immediately from the Holy See, and it was some years before the relations of the ecclesiastical and secular authorities reached a fairly permanent adjustment. "There was a constant struggle on the one hand to render the Spanish Holy Office national and independent, and on the other to keep it subject to papal control"; and there were special difficulties in extending the new organization to the Aragonese kingdoms, where the Dominican Inquisition still survived, and where the people were fiercely jealous of royal authority.

It will thus be seen that, from its very beginning, the Spanish Inquisition was a peculiar institution, differing from the episcopal and Dominican tribunals of the Middle Ages by reason of its close connection with the State; and the question of its exact relation to the public authorities constitutes one of the most important problems in its history. The view that the Holy Office in Spain was not an ecclesiastical institution at all, but a part of the civil government, can claim so high an authority as Ranke in its support, and has been widely circulated by two generations of Catholic apologists, eager to relieve the Church from so heavy a burden of responsibility. More recently there has been a movement in the opposite direction, and Pastor, perhaps the most eminent Catholic historian of the present day, has abandoned the apologetic attitude and declared frankly that the Spanish Inquisition was "a mixed institution of a predominantly ecclesiastical character." With this view Mr. Lea is in essential agreement; but, instead of treating the relations of the two elements as the fixed and unchanging results of certain principles of law, he makes it clear that they varied considerably from reign to reign. To quote his language:

"What gave to the Spanish Inquisition its peculiar and terrible efficiency was the completeness of its organization and its combination of the mysterious authority of the Church with the secular power of the crown. The old Inquisition was purely an ecclesiastical institution, empowered, it is true, to call upon the State for aid and for the execution of its sentences, but throughout Christendom the relations between Church and State were too often antagonistic for its commands always to receive obedience. In Spain, however, the Inquisition represented not only the Pope, but the King; it practically wielded the two swords—the spiritual and the temporal—and the combination produced a tyranny similar in character, but far more minute and all-pervading, to that which England suffered during the closing years of Henry VIII. as Supreme Head of the Church.

"While thus its domination over the people was secure and unvarying, its relations with the royal power varied with the temperament of the sovereign. At times it was the instrument of his will; at others it seemed as though it might almost supplant the monarchy; it was constantly seeking to extend its awful authority over the other departments of state, which struggled with varying success to resist its encroachments, while successive kings, autocratic in theory, sometimes posed as arbitrators, sometimes vainly endeavored to enforce their pacificatory commands, but more generally yielded to its domineering spirit."

As might be expected, the control of the crown was at its maximum under Ferdinand the Catholic. He made the power of appointing and dismissing the officials of the Inquisition an indispensable condition of its introduction, and, in spite of the manifold cares of domestic and foreign policy, found time to keep every detail of its organization and working under his constant supervision. Moreover, as the Inquisition had no revenues apart from the expenses and salaries which the King allowed it out of the proceeds of its confiscations, it was in no position to assert its independence. "It was inevitable that, when this powerful personality was withdrawn, the royal control over the Inquisition should diminish." The crown never lost the right of appointing the heads of the Holy Office, but they were not responsible to any other body in the State; and with the growth of the cumbersome bureaucracy of the seventeenth century the Suprema succeeded in interposing itself between the crown and its subordinates in such a way as seriously to limit the real authority of the sovereign. The Holy Office also gained control over its own finances, and it was not till the days of the Bourbons that its independence was seriously restricted.

In spite, however, of its close relations with the State, the Inquisition remained a strictly ecclesiastical tribunal. If its sentences of death were executed by the secular power, this had also been true of the condemnations for heresy in the Middle Ages, and only served to demonstrate more clearly the ecclesiastical character of a jurisdiction which observed the precepts of the canon law with regard to the participation of clerks in capital sentences. Though nominated by the King, the inquisitor-general was invested with the powers of his office by *motu proprio* of the Pope, and the members of the Suprema received by delegation from him the faculties which gave them jurisdiction over heresy. Even Ferdinand, as appears from his correspondence, abstained from interference with their spiritual jurisdiction. As a body charged with the maintenance of the faith, the Holy Office asserted its superiority over all other bodies in the State, and insisted with truly Spanish punctiliousness upon the precedence of its officers and agents on public occasions. It claimed exemption from taxation and customs dues, and demanded for its officials and servants the right to bear arms and the right to refuse military service, as well as the right to hold secular office and to decline it. Moreover, this *imperium in imperio* did not limit its jurisdiction to matters of faith. *Boni judicis est ampliare jurisdictionem*, and, by a natural application of the principle of benefit of clergy, the Inquisition asserted its exclusive competence in cases involving its subordinates, and maintained its claims in the face of continued resistance on the part of the various secular and spiritual courts. Multiplication of unsalaried officials subject to its jurisdiction was a natural consequence, so that it might easily arise that "unprofitable business was neglected for profitable, and the suppression of heresy was postponed to the trial of civil and criminal cases which yielded fees."

No summary of Mr. Lea's conclusions can give an idea of the extent of his research or the skill with which he unravels the threads of a tangled subject. Although only a few of the more notable documents are reproduced, the volume rests throughout on original materials, carefully examined and sifted and scrupulously cited. The author's method is that of the sober

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and objective historian. There is no moralizing and no striving for dramatic effect; the purpose is simply to trace and explain the development and character of a very remarkable institution, whose real nature is to be seen in its normal operations rather than in the sensational episodes of its history, and whose significance lies "not so much in the awful solemnities of the *auto da fe*, or in the cases of a few celebrated victims, as in the silent influence exercised by its incessant and secret labors among the mass of the people and in the limitations which it placed upon the Spanish intellect."

The amount of detail which this method of treatment involves will to some appear excessive, but it is only in concrete detail that the actual workings of institutions can be understood, and it is refreshing to have at hand a substantial amount of definite fact in a field where previous writers have given us so much passionate and unsupported generalization. Moreover, it is impossible to cut deep into a subject like the Inquisition without throwing light on many other sides of Spanish history. Thus, a careful examination of the correspondence of Ferdinand the Catholic with the officials of the Inquisition not only shows his minute control of every department of the Government and his anxiety to lose nothing of the confiscated property of the condemned, but also reveals "an innate sense of justice wholly unexpected in a monarch who ranked next to Cesar Borgia in the estimation of Machiavelli." The rare appearance of Isabella's name in this correspondence leads Mr. Lea to "the conviction that her share in the administration of her kingdom has been exaggerated." There are also interesting illustrations of the anarchy of mediæval Castile, the struggles of Crown and Cortes, the character of the bureaucracy, and the system of taxation. The appendix contains a list of tribunals and inquisitors-general, and a brief account of the intricacies of Spanish coinage, as well as a number of interesting documents.

AN ENLIGHTENED SPIRIT.

The Journal of Latrobe: Being the Notes and Sketches of an Architect, Naturalist, and Traveller in the United States from 1796 to 1820. By Benjamin Henry Latrobe, Architect of the Capitol at Washington. With an introduction by J. H. B. Latrobe. D. Appleton & Co. 1905.

This is a remarkably comely and restrained filial memorial to a man who deserves to be remembered professionally and for his own high qualities. Latrobe was born, presumably in England, about 1767; there is no precise statement of place or date, and the particulars of his transatlantic life are very meagre. His father, of Huguenot stock, was a Moravian clergyman; his mother was a Pennsylvanian of a family well known to Gen. Washington. He himself was educated in Yorkshire and at Leipzig on the eve of the French Revolution, whose generous principles he imbibed without fanaticism. His draughtsmanship was precocious, and he was well advanced in the practice of architecture when the death of his first wife depressed his spirits and determined him to remove to America. There is no certain knowledge of the works he left behind him.

He landed in Norfolk, Va., and it would appear that he never visited the country east of the Delaware. He resided by turns in Richmond, Philadelphia, Washington, Pittsburgh, Baltimore, and finally New Orleans, where he died in 1820. In the twenty-four years thus occupied he had built a penitentiary for Richmond, the Bank of Pennsylvania in Philadelphia, the Baltimore Exchange and Cathedral (this still unfinished, except as regards the interior), with many other minor edifices, and had furnished Philadelphia and New Orleans with water works. Above all, having been in 1803 made Surveyor of Public Buildings in Washington, he had rescued the new Capitol from its deplorable beginnings and reared the best-known monument to himself. Of architecture, nevertheless, there is all too little in this volume. He says of his craft (p. 147):

"The architect, indeed, requires all the imagination of the painter. The building exists in his mind before it is sketched upon paper; and if the operation of design is the same in other heads as mine, arrangement, construction, and decoration are attained so simultaneously that I seldom materially change the design first elaborated."

Other personal indications are his preference for the French arrangement of domestic interiors by which rooms freely become thoroughfares, as contrasted with "the detestable, lopsided London house, in which a common passage and stairs acts as a common sewer to all the necessities of the dwelling" and forbids equable heating (p. 187). And again (p. 140): "I would never put a cupola on any spherical dome. It is not the *ornament*, it is the *use* that I want." He says (p. 54) of Mrs. Radcliffe that she is particularly successful in descriptions of buildings, "though I once endeavored to plan the Castle of Udolpho from her account of it and found it impossible." Robert Morris's folly, the huge unfinished pile constructed upon L'Enfant's carefully secreted plans, equally baffled him. "It is impossible to decide which of the two is the madder, the architect or his employer. Both of them have been ruined by it" (p. 92). Eight years later, in Washington, "daily through the city stalks, the picture of famine, L'Enfant and his dog. The plan of the city is probably his, though others claim it" (p. 133). Latrobe's criticism of Thornton's plan for the national Capitol, of which no drawings existed, is (p. 115): "To speak plainly, the design was evidently the production of a man wholly ignorant of architecture, having brilliant ideas, but possessing neither the knowledge necessary for the execution nor the capacity to methodize and combine the various parts of a public work." His son tells us that when he had received the commission to build the Bank of Pennsylvania there was no book procurable in this country to which to refer for the proportions of the orders. The Journal fitly closes with his observation of two French officers looking at this building without saying a word. "After some time one of them exclaimed several times, 'C'est si beau, et si simple!' He said no more, and stood for a few minutes longer before he walked away with his companion. I do not recollect distinctly anything that has happened that has given me so much particular satisfaction."

The Journal is the production of a gentleman of breeding, liberal education, tone, humor, democratic instincts, and sobriety of living. He was, for example, a water-drinker, and had every reason to be shocked in his fastidiousness by the coarse manners prevalent in his day at the South; but he records it all without disgust. He discusses the question, raised by a cultivated Italian traveller, "Do you think the Virginians really hospitable?" quite philosophically and in extenuation of "us Virginians." He had a taste of Washington's hospitality on a visit to Mt. Vernon in 1797, a valuable record. The ex-President "laughed heartily several times in a very good-humored manner." Eleanor Custis was a dream of beauty (she is delineated as a figure on a Grecian vase); young Lafayette rather awkward in his build. Latrobe's being consulted as to the regulations and by-laws of the Charlestown (Va.) Academy draws from him an elaborate comment editorially mislabelled, "Thoughts on National System of Education." Noticeable here is his objection not to teaching the classics, but to giving them the preference over everything, and his humane protest against flogging.

New Orleans is the main rubric of the Journal, and it is hard to refrain from quoting Latrobe's many graphic "impressions" regarding the inhabitants and their ways (in 1818), and his broadminded observations on Sabbatarianism, cremation, yellow fever, etc. We shall, however, conclude this notice with his unpremeditated reflections on slavery, in which he speaks as an American or even as a Virginian. It is true, he wrote after ten days' acquaintance with the city and its exemplification of the "peculiar institution," though the Rev. Amasa Converse, D. D., a Northern man with Southern and secessionist principles, laid down the law to the Rev. Albert Barnes, D. D., that no one was qualified to write on slavery who had not lived at least five years in a slaveholding community. Still, here is what Latrobe sets down of the creoles and their reputation for extreme cruelty (p. 182):

"In going into Davis's ball-room and looking around the brilliant circle of ladies, it is impossible to imagine that any one of the fair, mild, and somewhat languid faces could express any feeling but of kindness and humanity. And yet several, I had almost said many, of these soft beauties had themselves handled the cowskin with a sort of savage pleasure, and those soft eyes had looked on the tortures of their slaves, inflicted by their orders, with satisfaction, while they had coolly prescribed the dose of infliction, the measure of which should stop short of the life of their property."

The contrast haunts him, for, after cataloguing some atrocious cases, one on the part of his own landlady—"Madame Tremoulet, why should I conceal the name of such a termagant?"—while he was a guest in her hotel, he recurs to that ballroom on Washington's birthday (p. 184):

"All pale, languid, and mild. I fancied that I saw a cowskin in every pretty hand, gracefully waved in the dance; and admired the comparative awkwardness of look and motion of my countrywomen, whose arms had never been rendered pliant by the exercise of the whip upon the bound and screaming slaves."

But Latrobe was, if not unjust to the creoles, too lenient to his adopted countrywomen. In 'American Slavery As It Is'

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