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Texto

II. Textos

Fabricación de ratoneras e imposición sobre la renta

Mariano Abad Fernández Catedrático de Derecho Financiero y Tributario Profesor de la Cátedra Jean Monnet Universidad de Oviedo

Mi amigo y maestro, el profesor Javier Lasarte, considera de interés la publicación de este curioso fruto de la literatura financiera británica.

Desde hace varios años vengo trabajando en el estudio del origen del impuesto sobre la renta en el Reino Unido. El verbo trabajar quizá no sea, sin embargo, el más adecuado para referirse a mi tarea en este campo. Lo cierto es que las innumerables horas dedicadas a esta actividad han sido y siguen siendo una fuente de satisfacción continua. Dudo sobre la oportunidad de hacer esta confesión, ya que si bien en este tiempo no he obtenido ninguna rentabilidad, no puedo excluir que el fisco español llegue a considerar esta particular sensación como un objeto adecuado de tributación en el que, a mi entender, constituye, hoy por hoy, la clave de bóveda de nuestro sistema impositivo.

El hecho de haber estado dispuesto a pagar por la oportunidad de realizar este estudio, podría dar una pista para el establecimiento de una base imponible. La no percepción de rendimientos efectivos, por demostrable que pueda ser, no excluiría la atención fiscal. Al fin y al cabo las rentas sujetas, en nuestro sistema, tanto pueden ser reales como potenciales, aunque estas últimas tal vez darían lugar a una consideración no ciertamente positiva por el gran maestro común de los juristas financieros españoles.

El título escogido parece abrir la oportunidad de un estudio adicional, quizá no tanto sobre la tributación general y personal sobre la renta, comúnmente atribuida entre nosotros al Estado, aunque cada vez con menor exclusividad, sino más bien sobre la tributación local sobre una de las fuentes de renta, concretamente la que grava las actividades económicas. De entre ellas tal vez la de fabricación de ratoneras no debiera ser la de menor interés a efectos tributarios. Sin duda, sus eventuales sujetos pasivos estarían interesados en que los tipos tributarios alcanzaran niveles disuasivos, que incluso pudieran dar lugar a discusión constitucional sobre su eventual carácter confiscatorio.

Sin embargo el alcance de estas líneas de introducción a las publicadas hace dos siglos por "Humphrey Hourglass" no lleva al estudio del copioso y sin duda enjundioso material que nuestro Derecho tributario puede ofrecernos en el ámbito de la imposición directa sobre la Renta, dentro del cual los análisis monográficos

sobre la manufactura de artilugios atrapa ratones resultan, según mi conocimiento, bastante poco desarrollados. Seguramente podrá pensarse, desde una perspectiva optimista que, precisamente, esta circunstancia ofrece un amplio campo para el análisis jurídico de esta realidad financiera, análisis jurídico que de ninguna manera excluiría su consideración sistemática con la óptica metodológica de otras disciplinas integrantes del árbol de las ciencias financieras.

Mi situación personal, con una perspectiva temporal forzosamente limitada, me induce sin embargo a no intentar abordar esos prometedores senderos en el campo de la investigación académica y me aconseja seguir en el terreno limitado del análisis de la realidad tributaria de la Inglaterra del final del siglo XVIII y comienzos del XIX, al que como queda indicado vengo dedicando mi principal atención.

El folleto publicado por "Humphrey Hourglass" se sitúa en el conjunto de literatura política que en una traducción literal podría clasificarse como panfletaria, pero que de ninguna manera tiene en su lengua original el carácter negativo de esta expresión en lengua española. Si calificamos como folletos sus manifestaciones, esto no puede llevarnos tampoco a calificar como folletinesca esta manifestación literaria, porque también traicionaríamos el sentido original de la expresión inglesa.

Aquí, y no de manera excepcional, encontramos la divergencia de sentidos entre términos de la lengua inglesa y de la española, de una manera particular en el ámbito de la política. Hay un elemento común en esta divergencia. Con carácter bastante general, los términos españoles suelen tener en el terreno político un sentido peyorativo que no encontramos en la lengua de Chaucer y de Shaw. Baste pensar, a título de ejemplo, en la palabra "meeting" que en uno de sus sentidos en nuestra lengua, felizmente cada vez menos utilizado, tiene el significado, no de una reunión política, normalmente de carácter electoral, sino que es sinónimo de algo no precisamente positivo. Lo mismo podríamos decir de la palabra "discusión". Entre nosotros pocas veces se considera como un intercambio de opiniones en busca de la verdad. Creo que discutir aquí puede ser algo de lo que es conveniente desistir, porque sus consecuencias y formas de mantener la discusión son más bien desaconsejables.

Por consiguiente, no puede considerarse impropio rehuir otro calificativo del trabajo que aquí se comenta que el correspondiente a su formato que, entre nosotros, correspondería al de un folleto.

Sin embargo, este escrito se incluye dentro de un grupo de otros de carácter político, muy propio de la realidad inglesa de entre los dos siglos mencionados, en el que se manifiesta de una forma muy rica y, a mi juicio, envidiable, la participación de la sociedad británica en la vida pública.

Esta manifestación literaria insular me plantea la idea de considerar una comparación entre manifestaciones sociales de participación en los asuntos públicos tanto en las Islas como en la Península. Se refiere a dos momentos distintos y con

modalidades en parte coincidentes y en parte divergentes. Los períodos son el de la monarquía de los Austria, más en especial, el de los últimos dos Felipe, el III y el IV, en el caso de España, y el tiempo de los Hannover, en particular el de los Jorge III y IV.

En ambos períodos floreció en cada uno de los dos Reinos la literatura tendente a proponer las soluciones más variadas a las principales cuestiones públicas, con un elemento homogeneizador, el financiero.

En nuestro país el fenómeno referido que dio lugar al término arbitrismo, tiene hoy una consideración negativa y sería difícil encontrar algún aspecto en que haya servido para mejorar la maltrecha situación nacional. Por otra parte tiene, entre otras, las características de suponer propuestas al Rey realizadas por súbditos tan preocupados por la mejora general como por obtener la compensación adecuada por su interés por el bien de todos.

En el ya Reino Unido, aunque inicialmente lo fuera sólo de Gran Bretaña y a partir de Pitt incorporara también a Irlanda, la manifestación de esa participación ciudadana en la realización de propuestas financieras y en el análisis de las formuladas por el Gobierno, adoptadas o no por las Cámaras, se realiza básicamente dirigiéndose a la opinión pública y adoptando las más diversas formas. En estas iniciativas encontramos tanto las que tienen un origen individual como las de procedencia colectiva; las provenientes de hombres ilustrados, como las de simples ciudadanos o las de miembros destacados de la Iglesia establecida. Quizá una aportación no menor del libro clásico de Seligman sobre el Impuesto sobre la Renta haya sido el hincapié hecho en la relación de tan abundantes folletos. Normalmente estos escritos tienen un responsable con firma destacada, pero, en casos minoritarios, se acude al pseudónimo. La forma de tales escritos es en la generalidad de los casos seria y razonada. Excepcionalmente se acude a la ficción y al humor tan propio del país de la bruma.

El documento al que estas líneas sirven de introducción, encaja perfectamente en el fenómeno expuesto, pero lo hace dentro de las modalidades minoritarias. Es una publicación, cuyo autor prefiere acudir al pseudónimo. De hecho, sólo he podido localizar otra obra del mismo: "Be-headed and Be-knighted, a short poem on recent events, dedicated to the heads of the city". La forma de su escrito es buen reflejo del envidiable humor del país que nuestro Ramón Pérez de Ayala tanto admiró. Esa típica ironía, ausente, sin embargo, de la mayor parte de los folletos político-financieros del tiempo, no está exenta de un mensaje moral y práctico, igualmente componente inseparable del carácter de aquel pueblo. La imaginación es un elemento adicional que no podría faltar en un trabajo que, en su brevedad, en algún momento nos hace recordar las de Lewis Carroll y Jonatham Swift, particularmente la de éste. En efecto las andanzas expuestas en este folleto de ninguna manera hubieran parecido extrañas en alguno de los viajes contados por el autor irlandés.

En realidad la aportación de "Humphrey Hourglass", incluye dos narraciones, la primera a la que califica como alegoría introductoria podría incluirse en el campo

de las fábulas clásicas, ya que, si bien tiene un protagonista humano, John Trot, el personaje más atractivo es el de su Asno. Ambos tienen un destino desgraciado: el del Asno se culmina antes que el de su amo, John, y es ocasionado por la avidez financiera del dueño. La sensatez del animal contrasta con la desmesura e irracionalidad del propietario.

La fábula, ideada para una presunta redacción y lectura en el comienzo del siglo XXI, que permita la interpretación adecuada de la situación británica en la transición al XIX, tiene, como suele suceder en el ámbito literario, posibilidades más amplias de interpretación y aplicación. Su contenido, que quizá podría dar argumentos a una campaña electoral española a finales del 2015, sería conveniente que fuera conocido por los patrocinadores de medidas de austeridad, ejemplares desde el punto de vista de los modernos propugnadores del ascetismo más radical, pero no tanto quizá desde la perspectiva de J.M. Keynes y de lo que había llegado a ser una nueva ortodoxía financiera.

La fábula hace recordar también la situación de Bertoldo cuando aceptó educar a otro asno, propiedad de otro Rey.

Pero, si dejamos lo literario y seguimos en el campo seriamente financiero que lógicamente nos corresponde, podemos encontrar en el triste final de la alegoría, criterios para valorar las a veces quizá demasiado entusiastas expectativas de los precipitados observadores de la curva de Laffer.

El cuento principal, al que la alegoría del Asno y su Dueño sirve de introducción, gira en torno a las peripecias vitales del Señor Snare y su familia. En el cuento los animales sólo aparecen en un segundo plano, y pertenecen exclusivamente a la especie de los ratones.

Al contrario de lo que ocurre en la alegoría, el personaje se encuentra en un país muy determinado, el Reino Unido de Gran Bretaña e Irlanda, lo que supone que ya se había aprobado la Ley de Unión entre ambas islas. Esto ofrece también un punto de referencia temporal.

Otros puntos de referencia personales pueden ser identificados, aunque sólo uno aparece citado por su nombre y condición de primer ministro, cargo que el autor incluye en la categoría general de "purveyor" del Rey, término que quizá hemos traducido demasiado libremente como "administrador". Es histórica también la frase final que se atribuye a Pitt en el lecho de muerte "Oh my Country;"

El nombre del rey, Jorge III, sin embargo no viene mencionado, y no es claro que su caracterización por la frase de "cuyas virtudes mentales nunca fueron excesivas", sea suficiente para determinar a quien correspondía entonces la jefatura del Estado, toda vez que, probablemente la caracterización que supone la frase entrecomillada hubiera podido aplicarse a lo largo de la Historia no sólo al tercer Jorge sino también a otros monarcas tal vez de un ámbito más amplio que el puramente británico.

En el relato, se menciona también a un sucesor de Pitt, que, por ser posterior

a la muerte de éste, no puede tratarse de Henry Addington, que fue primer ministro en un intervalo entre el gran período de gobierno de aquél y el corto, que terminó con su muerte en el cargo. Es de suponer, en consecuencia que la referencia a un sucesor corresponda al encabezamiento del llamado Gabinete de todos los talentos que sucedió al gran antagonista de Napoleón. Ciertamente este nuevo gobierno, en el que lord Henry Petty era Canciller del Exchequer, duplicó el tipo del impuesto sobre la renta, que Addington había reducido a la mitad respecto al inicialmente establecido por Pitt en la Ley de 1799. Con lo cual el resultado de los cambios fue el retorno al viejo tipo de gravamen del diez por ciento, o sea dos chelines por libra.

El cuento parte de la consideración de la hipotética existencia de una cuota de licencia por el ejercicio de la actividad específica de fabricación de ratoneras y pasa luego a considerar la existencia de un impuesto general sobre toda clase de rentas, como el introducido por Pitt. Ciertamente, el primer gravamen va fue suficiente para arruinar al protagonista, cuya situación en el mercado no expone el autor. El análisis de esa situación seguramente revestiría más importancia para quienes hipotéticamente se decidan desde la perspectiva de la ciencia económico financiera a profundizar en los estudios sobre los efectos de la tributación directa sobre la industria de fabricación de ratoneras, en relación con las principales variables económicas. Para un jurista tal conocimiento sólo puede tener un interés ligado a la curiosidad, sin que esto suponga que se proponga aquí que los estudios especializados dentro del Derecho financiero, sobre este hasta ahora tan desatendido campo de análisis, deban tener un carácter exclusivamente formal. Nada de eso se propugna en esta breve nota introductoria. No se trata de revivir, respecto a un tema tan importante como el que se comenta las arduas discusiones sobre las relaciones entre las diversas ramas científicas del estudio del fenómeno financiero que tuvieron lugar durante el período de dos siglos a los que se refiere el estudio de "Hourglass", particularmente en el pasado siglo XX.

Este trabajo, ofrece admirables perspectivas, al considerar no sólo la situación del momento en que se concibe, el comienzo del XIX, sino la probablemente existente, al inicio del siglo actual, momento en que se supone que tal trabajo ha de escribirse.

El autor considera, con un optimismo sobre el progreso que la realidad ha confirmado, que en el año dos mil, la abundancia, adecuadamente distribuida, permitirá cubrir las necesidades del pueblo y que la corrupción será desconocida entre nosotros.

Con su dilatada y precisa perspectiva, estima que la disminución de las guerras en nuestro tiempo se deberá al establecimiento de un acertado principio, interesante para la ciencia política, pero también sin duda para la jurídico financiera, de retribución doble a los cargos públicos en los períodos de paz que en los de guerra.

Es admirable igualmente el acierto del autor al considerar que los cargos públicos en la actualidad se regirán por la consideración preferente de los intereses públicos respecto a los suyos privados, no tanto por consideraciones altruistas, que interesarían sólo a la moral, sino por la existencia de mecanismos, que sí corresponden al Derecho, para la sustitución y degradación de tales cargos cuando decepcionen la confianza de la sociedad.

En palabras textuales, se dice que en esta época "nuestro objetivo es la coherencia y la verdad". Intuyendo de forma perfecta la realidad actual, dice también que hemos de aclamar la suerte de disponer de un primer magistrado, dotado de todos los refinamientos apropiados a su función y libre de los antiguos vicios.

La clara visión del autor no le lleva a predecir cuáles serán los rasgos del sistema tributario de nuestro tiempo y especialmente de su pieza principal, el gravamen sobre la renta general, pero pese a la crítica que realiza de los demoledores efectos del recientemente introducido en su tiempo, su acertada suposición de la mejoría de la conciencia cívica en este siglo y de la sabiduría de sus magistrados, puede legítimamente permitirnos pensar que de ninguna forma en estos días, la tributación podrá originar cualquier consecuencia negativa para la generalidad de los ciudadanos y mucho menos, sin duda, para los de tanto valor para la sociedad como los fabricantes de ratoneras, cuyos méritos son reconocidos y premiados por las leyes, no sólo del actual Reino Unido, amputado de la mayor parte del territorio irlandés, sino de este país, vecino del Sur, cuya integridad territorial carece de cualquier amenaza.

Gijón, septiembre de 2015

THE

Mouse-Trap Maker

AND THE

INCOME TAX,

A TALE,

Supposed, by Anticipation, to be written in the Year 2000;

WITH

AN INTRODUCTORY ALLEGORY

Addressed to a Man in Office.

HUMPHREY HOURGLASS.

" For whomoever hath, to him shall be given, and he shall have more "Abundance; but whosever hath not, from him shall be taken away, even "dat be hath."

MATTHEW, Chap. XIII. Verse 12.

LOYDON

PRINTED FOR THE AUTHOR,

By W. Nawman, 27, Widegate Street, Bishopsgate Without.

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bright from A. M. Muchand a report.



Introductory Allegory

TO

A MAN IN OFFICE.

My Lord, or Sir,

FOR (such is the caprice of the times) I know not who may be in office when this little effort of my imagination issues from the press, permit me to relate to you a fable; the moral of which is too obvious to be mistaken, and your judgment must, as a great man, be too correct not to apply it.

JOHN TROY had a small portion of land, by the cultivation of which he maintained not only his family, but a numerous stock of domestic animals, for the support of whom it was fully adequate, although it needed the good husbandry of John to cultivate and apply it: all contributed a little to the manure, but chiefly was John assisted by his ASS; an animal of great strength and docility.

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John fed him well; he worked hard, and the farm flourished. John grew rich; quarrelled with his neighbours; abridged his ass of his due proportion of thistles; took off his shoes to save expence; and laid additional burdens on his back. It was in vain that the poor animal remonstrated against the hard treatment of his master, or that he reasoned on the impolicy of measures which, in the event, must subvert the intention. "What I can do," said. he, "I do cheerfully; but if you reduce my strength by hard fare, and lay double claims upon the exercise of it, I must sink, and your farm goes to ruin." John refused to listen; the ass foundered before, became crippled behind, and at length died of a broken back. The prediction of the poor oppressed animal was verified.-John's family and stock felt the loss of the labourer: some strayed away to remote lands, while others died; the hedges became broken; the barn fell to decay; and the fields yielded no increase.

The effect of avarice is often the destruction of the avaricious!

THE

MOUSE-TRAP MAKER

THE INCOME TAX.

A TALE.

IT was in the nineteenth century, and the latter part of the reign of a king, the virtues of whose mind were prehaps never exceeded, and sometime before the commotions which it was the misfortune of those times to experience, but which the kind hand of Providence averted until Death had closed his eyes in peace, there lived in a sequestered nook of the island of Great Britain, or as it was then called, the United Kingdom of Great Britain and Ireland, an honest Manufacturer of Mouse-traps, who by his industry, had managed to bring up fast

approaching to maturity, twelve lovely babes.

As the parent had been enlisted into the Mouse-trap making concern in compliance with the will of his father, although an avowed friend to liberty, and, if report says true, one who beheld every created being with philanthropy, commiserating even the reptile his principles forbid him to crush, he cautiously avoided bringing up any of the young Snares (for SNARE was his name) to his own employment, and had resolved, when time should have ripened them to a fit age, to send them to a place called London, (at that time the metropolis of the empire) in order to be initiated in some of the more eminent walks of commerce, whereby they might obtain subsistence without becoming accessary to the miseries of others.

The government of that day the learned reader knows, from the few written authorities that escaped the general wreck, was not so simple as it is at our present happy period; indeed it is impossible to conceive

a people free from perplexities, an abridgment of whose laws and ordinances would, as we are told, have loaded a waggon. In its origin, or original constitution, as the people then termed it, it was excellently contrived, but it somehow became unwieldy: its means were inadequate to its needs, and self-interest, in many instances, predominated over public good. But as I am writing the woes of the family of the Snares, and not a commentary on governments; and as the occurrences of the period I am speaking of are incorrectly handed down to us, I will not attempt to describe them, but proceed with the detail more immediately to my purpose.

It happened that a few years before the period I am writing of, the king's principal purveyor, then called prime minister, one Pitt, had prevailed upon the general assembly of those whom the people appointed to manage for them, to pass a law to compel every maker of Mouse-traps to take out a licence, or in other words, pay for the royal

authority to manufacture that useful article.

What was the price of a diploma to practice this sublime art, neither tradition or any history now extant has handed down to us; it was, however, so much that poor Snare (as his family grew up, consumed more food, and required more cloth for a coat) found himself scarcely able to pay. The poor fellow worked hard, although he found it very difficult to buy wood and wire for his traps, both of which were marked by royal authority, and for which gracious act money, according to the size of the wire, was paid into the royal treasury.

The wars, we have all heard of, and what, according to the absurdity of the time, was considered the necessary provision for the lazy relatives of dead men of merit, drained the treasury, and the Mouse-trap licence was doubled. This was a fresh grievance to our manufacturer; but it was not all, for the purveyor projected and passed another law to compel not only a Mouse-trap Maker, but

every other man, to pay a portion of his gain into the royal coffer; a measure strongly opposed by a man then called (as I find from an old ballad pasted in the lid of a family chest) the friend of the people; but the purveyor succeeded: indeed he was in general sure of success in any measure he chose to adopt; for the surrounding herd knew the good things he had to bestow, and most of them surrendered at his nod. It happened, however, that the poor purveyor exclaimed "Oh my Country!" and died, and the man of the people came into place as an assistant purveyor. They now thought themselves blessed with the champion of their rights, and that all the virtues which had been the subject of the bold-featured oratory of this man were to be brought into practice;-that they should no longer be scrutinized by petty. inquisitors, and compelled to expose their necessities to gratify the voluptuous ears of the ignorant upstart in authority. A recollection of the well-tuned periods and sounding

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harangues of the man of the people, vibrated a music in their ears delightful as it was delusive; for lo! it ended in the most jarring discords that ever was produced by ministerial conversion. He swallowed the honey that heretofore hung on his lips, and his tongue, like an arrow barbed for the purposes of laceration, wounded as it spoke. He ordained that the householder should seek refuge in a first floor, while the tenant of that place retired to the second, who in his turn was to be transferred to the garret, whose inhabitant should seek shelter in the kitchen, the resident of which was to be thrust into the cellar. while the lord of that dungeon-like abode might expose himself to the chilling blast, and by turning out avoid an inquiry into his Income; and, Oh cruel irony! that the people might be convinced of his sincerity, he doubled the tax he had before opposed. This was a death blow to the family of the Snares. Mr. Snare sunk under the pressure, or if the reader pleases, according to the language of our day,

11'

the profligacy of the age in which he was permitted to exist: he was taken to a prison because he had eaten that for which he could not pay; for it was the law of those times. that if a man could not pay his debtor, he was torn from his family, shut up in a prison, deprived of the power of exercising any occupation whereby he might be useful to society, or procure the means of discharging his debt; and, after a time, restored to the world a miserable instance of idleness and profligacy, from the ill habits contracted in a prison, and from the ruins since discovered, we are led to believe prisons were very numerous in the island, and must have greatly contributed to corrupt the people it is supposed they were foolishly intended to reform. The mice now defied his skill, and his children did as those have done in all ages who have no friend to help them.

Mercy and kindness, which the great God of Nature has, in the worst of times, never suffered to be entirely extinct, lest his choicest attributes should be totally lost on earth, in a few months restored the disconsolate Snare to the bosome of his family.

As he had not the means to buy the royal grant to make his traps, he made a few privately; but such was the ingratitude of his customers, that they refused to pay for a commodity vended contrary to law.

At the appointed time, the inquisitors of the district called upon him for the king's share of the income arising from the sale of his traps, and his attendance was demanded at the hall of audience. Having waited two hours in the outer court, comfortably crowded amongst the pennyless rabble that came to pray relief from these merciless merceneries, he was introduced, and the first interrogatory put to him (by a brute at the head of the inquisitional band, or banditti, if the reader pleases, with all the rudeness that insolence and self-important ignorance could suggest, either to distress the feelings of the indigent, or glut the bloated importance of a JACK IN

OFFICE) was " What he wanted there." He told his tale, as the reader has already collected it, to which he added, that it was sufficiently painful to be reduced to the necessity of declaring his situation, and that he trusted the commonly-received notions of civility would insure him a candid hearing; but it somehow happened that neither civility or good manners had that day taken a seat at the board: rudeness ruled, and ten questions, from as many different quarters, were proposed to the astonished Trap-monger at one instant. To answer them was nearly as difficult as to understand them; he therefore contented himself with a rational appeal to their feelings, as to the propriety of seeking from a man a tenth part of that which, husbanded according to the most rigid rules of economy, was totally insufficient to afford the support his family demanded. A rational appeal, however, produced no effect; for it was the logic of that period, that if a man had but a loaf sufficient to make a meal for

six persons, and, from necessity, eked it out so as to appease the cravings of twelve, the inquisitors insisted the royal share should reman untouched. They distressed his feelings by swearing him to answer impertinent questions in the presence of their collectors and lowest harpies of office: thus the boasted and sworn secrecy of their institution became a mockery of the individual, and those necessities which should have reposed within his own afflicted bosome, must become secreted at the expence of a perjury or exposed to the sacrificing opinions of the illiterate and illiberal.

By this august, merciless, and absurd tribunal, the victim was condemned to pay a tenth part of an income engendered in the minds of his judges, but which, having no reality, even their sagacity could not force him to produce. The inquisition, however, was vigilant, and they laid rapacious hands on the tools of this poor merchant, already unimportant to him for want of the royal

authority; still less useful to the great personage who then reigned, who, although said to have been a good mechanic, is not reported to have been skilled in making instruments to capture mice; a circumstance somewhat extraordinary, as his palace was abominably infested with their kindred vermin—RATS.

Snare, in his day, had essentially served the government, by detecting a plan to subvert the royal power, and his effort was effectual. No little kindness was found to fit this service, and great benefits were prehaps reserved for services of less importance. He had danced attendance, and he had written to a great man for recompence, but that noble character wrote him for answer, "He was very sorry he could not serve poor Snare AT PRESENT," and begged the word PRESENT might not mislead him with any hopes of services in FUTURE:—such was the courtly delicacy of those days!!

But to return to the disconsolate family that an act of parliament, as absurd in its purpose as it was rapacious in its principle, had deprived

of the means of existence, under colour of that justice which scorned to be tempered with any ray of mercy, or directed in its channel by an investigation of facts.

The poverty of Mr. Snare was now emblazoned in aggravated characters; those who
before sought his society, (for he had much
merit beyond the mere capacity to manufacture
a Mouse-trap) shunned his walks: Pity loudly
proclaimed his wants; but relief sought no
entrance at his habitation: a constitution naturally good became broken from disappointment
and adverse fortune, and a vivacity which rendered him an entertaining companion (although
he was a keen satirist) served, when cloathed in
a threadbare coat, to bring on him reproach
where he once enjoyed esteem; for few
people, even in better times, chuse to entertain
a ragged wit.

When the inmost recesses of the mind are touched with real affliction, its best qualities wear away; its energies cease; despair seizes on the hopeless victim; even the nearest relatives of him on whom the world frowns lose their esteem: his judgment is disregarded as his calamities become conspicuous, and he who, in the season of sunshine, was esteemed the oracle of his friends, when nipt by the chilling frost of adversity, is disregarded, and he sinks—to rise no more! It was thus with the subject of this little memoir, who, had he lived in these days, when rational liberty has its full enjoyment—when licentiousness is most criminal, if exercised by characters of high rank—when merit is rewarded, and integrity the passport to preferment, he would, probably, have met with better fortune.

And now gentle reader let me congratulate you on the present happy period. Little is known of the manners and customs of the time I have referred to: few records of that age have escaped destruction. Our ancestors, either from fear we should improve by the virtues, or be tainted with the vices of the ninteenth century, have destroyed all that were publicly known. Of our own happy days let us speak

with an enthusiasm that becomes a grateful and rational people, disdaining the jargonlike biggotry of the ancients, and scorning to revere a foundation of wisdom, when it becomes degraded by the superstructure of folly, corruption, and contradiction. Let us, without regard to former periods, hail, thrice hail, the day that has given to us a chief magistrate possessed of all the refinements appropriate to his elevated rank, free from the vices for which courts were anciently celebrated. Born and bred amongst us; accustomed to the manners of the people whose rights it is his duty to maintain, he has added to his education a familiarity with men and manners, that, while it awakens him to their need, dictates a remedy for their wants.

The exclusive education of a PRINCE teaches him he is a distinct being, and fits him for a tyrant: the general education of a MAN tells him he is equal by nature—superior only by fortune, and inculcates the duties of humanity. To feel for wants, a prince should

be familiar with their existence; nor is the maxim that "Kings can do no wrong," a pretext to warrant an apathy to their doing right, or redressing wrongs done by others.

It is our boast, that we do not admit laws which create vice in the people, but recognise no criminality in their breach by a PRINCE.

We derive no supplies from a source that corrupts the morals to support the state; we tax no instruments of diversion to raise supplies for government, that our laws render it criminal for the common people to use; because such conduct would be rediculous, even if authorized by a precedent. Our aim is consistency, and TRUTH the ruling principle by which we are guided.

We are too numerous to exercise the general voice in our national concerns; each district has its agent;—cities, towns, and even hamlets, have their representatives: depopulated and barren wastes have none; because the adoption of such a system of mock representation would be a burlesque upon common

sense. Our representatives are paid, or at least reimbursed for their services; and should an instance be found where the delegate of the people barters the PUBLIC GOOD for his PRIVATE INTEREST, he is dismissed and degraded, as unfit to be trusted by that society whose rights he would sacrifice for his own aggrandizement.

If wars are less frequent with us than with the ancients, it is because we despise a precedent for doing evil. Our officers of state are doubly paid in the time of peace; for plenty blesses the land where the sword is sheathed.

In war, we reduce the establishment to supply the people's wants, because (properly apportioned) there is abundance for all men; hence corruption from its vilest source is unknown amongst us. We neither use fast days nor return solemn thanks for victories atchieved by the loss of that blood which the Great Author of our existence forbids us to spill in wantonness; we encourage not that mockery of Christianity, war-waging sermons, nor resort to the history of the Jewish wars for texts in support of a doctrine which the Christian code (the foundation of our belief) will not afford.

It is true we defend our rights, but it is equally so we seek no occasion to deprive other men of theirs.

They had, in past times, a maxim perpetually inculcated by their wisest philosophers, that men should "do to others as they would be content others should do to them." They talked of hoping to be forgiven in proportion as they forgave others:—founded upon that still-unmutilated prayer of the Saviour of men, which we hope no time or age shall corrupt or destroy.

It is said, they preached morality in their houses of worship, while their prisons were full of persecuted individuals, at the instance of their wisest men and celebrated puritans; in a word, they were a people of theory:—

Practical virtue belongs to us in a day which HUMPHREY blesses, that, from the

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scraps he has accidentally collected, he is enabled, ere yet his HOURGLASS is run, to give to his own times the artless tale of the persecuted maker of a

MOUSE

FINIS.

W. Newman, Printer, Widegate Street.

