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## THE FIRST TRIAL BY JURY.

**T**HE picture shows a graphic representation of the beginnings of Trial by Jury in Anglo-Saxon times. The English jury has always been highly prized by Britons in all ages and it has been largely copied by foreigners all the world over.

The scene vividly depicts the open-air court and the jury of a body of neighbours summoned to hear a case of "murder most foul."



Text Matter

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SPECIAL INTRODUCTIONS BY  
RT. HON. AUGUSTINE BIRRELL, K.C.  
SIR GILBERT PARKER, K.T., D.C.L.

**International University Society**

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## INTRODUCTION

THE FINE ART OF ELOQUENCE ; ANCIENT AND MODERN

BY

SIR GILBERT PARKER, K.T., D.C.L.

**I**T is the fashion to say that oratory is dead, but that is like saying that art and music and sculpture exist no more. There may be less distinguished and striking public speech than there once was, but to-day the orator emerges from the millions he sways, just as Demosthenes or Cicero, or Savonarola or Bolingbroke, or Fox and Pitt and Burke, or Lincoln and Cavour did in their time. It is true that the rush and bustle of modern life, the multiplicity of public meetings, with the consequent inroads of colloquialism, have made public speaking less stately, less formal, less literary, less rhetorical, and on a less elevated plane than it was wont to be ; but there is still much notable oratory, and it will continue so long as the human mind is capable of passion and crises come in the affairs of men and of nations.

Oratory will take different forms with the changing periods of human development, but it will never die while the human mind seeks to express itself with intensity, with force and with purpose. If oratory is an art, then it has its rules, its conventions, its architectural qualities, like every other art ; and its final test is beauty, as with every other art ; while its first vital test is passion—intellectual passion. The human mind, endeavouring to express itself passionately, definitely, vividly—that is the beginning of art ; while the form that charms the eye or the ear, whether it be in architecture, sculpture or music, through the permanent and continuing power of beauty, that is the end of art—the perfect form. Everything which has been handed down from the past, which has had effect upon humanity, attracting the eye, pleasing the senses, and inspiring the heart, possesses the elements of beauty. The beauty was begot by the intellectual passion, the passion was begot by the first and primal desire to express feeling, and the feeling was

begot out of the joy or sorrow, the tragedy or comedy, the light or darkness, or the grey spaces between, which attend the footsteps of humanity.

There is just this difference between this art and any other art—that oratory is supposed to have an intellectual message, to teach, to convey truth through argument, to convince through logic, to attract through charm; though it is, nevertheless, true that none of these things in itself makes great speaking, or produces the effect of true oratory. In a truly great speech, though it be lacking in ornamentation, there is always some choice of words, striking in meaning, perfect in selection, gracious in feeling, which, with the personality behind, produces a triumph of mind over matter; and there is always eloquence which comes from temperament alone. There never was a great speech which was not great by virtue of the personality of the man who delivered it, and no speech in print ever read heavily or turgidly which was a real accomplishment of oratory. The personality of a man is to be found in the choice of words, in the construction of sentences, in the point of view, in the illustration, in the trick of elucidation, in the literary construction. The speeches of great orators like Abraham Lincoln and John Bright bring moisture to the eyes, because of their deep personality, their literary beauty. The men themselves have gone, but the speeches retain the idiosyncrasies of the men, their mental attitudes, their temperaments, their predispositions, their intellectual passions, and their convictions upon great themes. Each age has had its own form of oratory, the style of one age displaces the style of another; but the same thing runs through all, whether it be in the deliverances of the great tragedians, in the unaffected simplicity of a Salvation Army soldier, in the flamboyant yet thrilling phrases of Napoleon at Fontainebleau, or in the few words of thanks of Captain Kane on board the "Calliope" to his gallant sailors and seamen, who had taken his ship from the jaws of death into the open sea. Sometimes the truest biography, the surest revelation of the mind of a great man, may be found in his speeches. His own artificiality, if he has it, will there find its exposure; his deepest feelings, under the pressure of a thousand or ten thousand urgent minds before him will break loose and flood his nature and all that he says with conviction and power; the truest revelation of himself will suddenly emerge in some burning phrase, some lightning suggestion.

To-day oratory is not an art that is greatly studied, and the world is more or less incredulous and cynical concerning it; but orators still exist, and they have their way with the world, though the world does not call it oratory, so perfect is the lure, so seductive are the passion

and the charm. We certainly have more slipshod speakers than in the past. Now-a-days men are too self-conscious—indeed, are often so modest that their modesty becomes a kind of vanity, and they would rather express themselves loosely than be charged with using rhetoric. But that is only the phase and the fashion. Things move in cycles, and if the rolling periods of Mr. Gladstone and the late Duke of Argyll would startle the Parliamentarians and the public of to-day, yet that which made Gladstone and Argyll, Daniel Webster and Gambetta, Robespierre and Kossuth, so powerful, is still to be found in the best orations of this century. So long as the human mind wishes to influence others, human speech must and will have the gift of oratory. The orator may no more take the old models for present use than the painter of to-day may slavishly follow Botticelli, or Holbein, or Velasquez ; but absorbing all styles, passing all influences through his individual crucible, the painter gets the precipitation of his own genius, the crystal of his own individuality. So with the speaker—a hundred bygone masters of speech and language may influence him, but, if his own personality is strong enough, if he is true to his own age and understands it, is not himself a mere imitation, then it is his speech, if he has a passionate desire to express himself and what he feels ; if his object is to convince because his own convictions are strong, and if his mind is sufficiently appealing, he will unconsciously learn the art of oratory and acquire the power which it brings. If a man will read a great speech in the desire to find what lies behind it, he will get something worth his while ; and, if it is a speech worthy of being called the work of an orator, he will find in it beauty and the peace it brings, which is, after all, the end and goal of all human striving.

## A TALK ON BOOKS

BY HENRY DRUMMOND

**M**Y object at this time is to give encouragement and help to the "duffers," the class of "hopeful duffers." Brilliant students have every help, but second-class students are sometimes neglected and disheartened. I have great sympathy with "the duffers," because I was only a second-rate student myself.

A gentleman in Scotland, who has an excellent library, has placed on one side of the room his heavy sombre tomes, and over those shelves the form of an owl. On the other side of the room are arranged the lighter books, and over these is the figure of a bird known in Scotland as "the dipper." This is a most sensible division. The "owl books" are to be mastered,—the great books, such as Gibbon's 'Rome,' Butler's 'Analogy,' Dörner's 'Person of Christ,' and text-books of philosophy and science. Every student should master one or two, at least, of such "owl books," to exercise his faculties, and give him concentrativeness. I do not intend to linger at this side of the library, but will cross over to the "dipper books," which are for occasional reading—for stimulus, for guidance, recreation. I will be autobiographical.

When I was a student in lodgings, I began to form a library, which I arranged along the mantelshef of my room. It did not contain many books, but it held as many as some students could afford to purchase, and, if wisely chosen, as many as one could well use. My first purchase was a volume of extracts from Ruskin's works, which then, in their complete form, were very costly. Ruskin taught me to use my eyes. Men are born blind as bats or kittens, and it is long before men's eyes are opened; some men never learn to see as long as they live. I often wondered, if there was a Creator, why he had not made the world more beautiful. Would not crimson and scarlet colours have been far richer than green and brown? But Ruskin taught me to see the world as it is, and it soon became a new world to me, full of charm and loveliness. Now I can linger beside a ploughed field and revel in the affluence of colour and shade which are to be seen in the newly turned furrows, and I gaze in wonder at the liquid amber of the two feet of air above the

brown earth. Now the colours and shades of the woods are a delight, and at every turn my eyes are surprised at fresh charms. The rock which I had supposed to be naked I saw clothed with lichens—patches of colour—marvellous organisms, frail as the ash of a cigar, thin as brown paper, yet growing and fructifying in spite of wind and rain, of scorching sun and biting frost. I owe much to Ruskin for teaching me to see.

Next on my mantelshelf was Emerson. I discovered Emerson for myself. When I asked what Emerson was, one authority pronounced him a great man ; another as confidently wrote him down a humbug. So I silently stuck to Emerson. Carlyle I could not read. After wading through a page of Carlyle, I felt as if I had been whipped. Carlyle scolded too much for my taste, and he seemed to me a great man gone delirious. But in Emerson I found what I would fain have sought in Carlyle ; and, moreover, I was soothed and helped. Emerson taught me to see with the mind.



## ÆSCHINES

(389-314 B.C.).

PROFESSOR R. C. JEBB says of Æschines, the rival of Demosthenes for supremacy at Athens, that when the Rhodians asked him to teach them oratory, he replied that he did not know it himself. He took pride in being looked upon as a representative of natural oratorical genius who had had little help from the traditions of the schools. "If, however, Æschines was no rhetorical artist," writes Doctor Jebb, "he brought to public speaking the twofold training of the actor and the scribe. He had a magnificent voice under perfect musical control. 'He compares me to the sirens,' says Æschines of his rival."

First known as an actor, playing "tritagonist" in the tragedies of Sophocles and the other great Athenian dramatists, Æschines was afterwards clerk to one of the minor officials at Athens; then secretary to Aristophon and Eubulos, well-known public men, and later still secretary of the *ekklesia* or assembly.

The greatest event of his life was his contest with Demosthenes 'De Corona.' When Ktesiphon proposed that Athens should bestow a wreath of gold on Demosthenes for his public services, Æschines, after the bill proposing it had come before the assembly, challenged it and gave notice of his intention to proceed against Ktesiphon for proposing an unconstitutional measure. One of the allegations in support of its unconstitutionality was that "to record a bill describing Demosthenes as a public benefactor was to deposit a lying document among the public archives." The issues were thus joined between Æschines and Demosthenes for one of the most celebrated forensic contests in history. Losing the case Æschines went into banishment. He died at Samos, B.C. 314, in his seventy-fifth year. He is generally ranked next to Demosthenes among Greek orators. For the following from the oration of Æschines, the reader is under obligation to Professor Jebb's admirable translation.

## AGAINST CROWNING DEMOSTHENES

(Against Ktesiphon).

OUR days have not fallen on the common chances of mortal life. We have been set to bequeath a story of marvels to posterity. Is not the king of Persia, he who cut through Athos, and bridged the Hellespont, he who demands earth and water from the Greeks, he who in his letters presumes to style himself lord of all men from the sunrise to the sunset, is he not struggling at this hour, no longer for authority over others, but for his own life? Do you not see the men who delivered the Delphian temple invested not only with that glory but with the leadership against Persia? While Thebes—Thebes, our neighbour city—has been in one day swept from the face of Greece—justly it may be in so far as her general policy was erroneous, yet in consequence of a folly which was no accident, but the judgment of heaven. The unfortunate Lacedæmonians, though they did but touch this affair in its first phase by the occupation of the temple,—they who once claimed the leadership of Greece,—are now to be sent to Alexander in Asia to give hostages, to parade their disasters, and to hear their own and their country's doom from the lips, when they have been judged by the clemency of the master they provoked. Our city, the common asylum of the Greeks, to which, of old, embassies used to come from all Greece to obtain deliverance for their several cities at our hands, is now battling, no more for the leadership of Greece, but for the ground on which it stands. And these things have befallen us since Demosthenes took the direction of our policy. The poet Hesiod will interpret such a case. There is a passage meant to educate democracies and to counsel cities generally, in which he warns us not to accept dishonest leaders. I will recite the lines myself, the reason, I think, for our learning the maxims of the poets in boyhood being that we may use them as men:—

“ Oft hath the bad man been the city's bane ;  
 Oft hath his sin brought to the sinless pain ;  
 Oft hath all-seeing Heaven sore vexed the town  
 With dearth and death and brought the people down ;  
 Cast down their walls and their most valiant slain,  
 And on the seas made all their navies vain ! ”

Strip these lines of their poetic garb, look at them closely, and I think you will say these are no mere verses of Hesiod—that they are a

prophecy of the administration of Demosthenes, for by the agency of that administration our ships, our armies, our cities, have been swept from the earth. . . . "O yes," it will be replied, "but then he is a friend of the constitution." If, indeed, you have a regard only to his delicacy you will be deceived as you were before, but not if you look at his character and at the facts. I will help you to estimate the characteristics which ought to be found in a friend of the constitution; in a sober-minded citizen. I will oppose to them the character that may be looked for in an unprincipled revolutionist. Then you shall draw your comparison and consider on which part he stands—not in his language, remember, but in his life. Now, all I think, will allow that these attributes should belong to a friend of the constitution: First, that he should be of free descent by both parents so that the disadvantage of birth may not embitter him against those laws which preserve the democracy. Second, that he should be able to show that some benefit has been done to the people by his ancestors; or, at the worst, that there had been no enmity between them which would prompt him to revenge the misfortunes of his fathers on the State. Third, he should be virtuous and temperate in his private life, so that no profligate expense may lead him into taking bribes to the hurt of the people. Next, he should be sagacious and able to speak—since our ideal is that the best course should be chosen by the intelligence and then commended to his hearers by the trained eloquence of the orator,—though, if we cannot have both, sagacity must needs take rank before eloquence. Lastly, he must have a stout heart or he may play the country false in the crisis of danger or of war. The friend of oligarchy must be the opposite of all this. I need not repeat the points. Now, consider: How does Demosthenes answer to these conditions?

[After accusing Demosthenes of being by parentage half a Scythian, Greek in nothing but language, the orator proceeds:]

In his private life, what is he? The tetrarch sank to rise a pettifogger, a spendthrift, ruined by his own follies. Then having got a bad name in this trade, too, by showing his speeches to the other side, he bounded on the stage of public life, where his profits out of the city were as enormous as his savings were small. Now, however, the flood of royal gold has floated his extravagance. But not even this will suffice. No wealth could ever hold out long against vice. In a word, he draws his livelihood not from his own resources but from your dangers. What, however, are his qualifications in respect to sagacity and to power of speech? A clever speaker, an evil liver! And what is the result to Athens? The speeches are fair; the deeds are vile! Then as to courage

I have a word to say. If he denied his cowardice or if you were not aware of it, the topic might have called for discussion, but since he himself admits in the assemblies and you know it, it remains only to remind you of the laws on the subject. Solon, our ancient lawgiver, thought the coward should be liable to the same penalties as the man who refuses to serve or who has quitted his post. Cowardice, like other offences, is indictable.

Some of you will, perhaps, ask in amazement: Is a man to be indicted for his temperament? He is. And why? In order that everyone of us fearing the penalties of the law more than the enemy may be the better champion of his country. Accordingly, the lawgiver excludes alike the man who declines service, the coward, and the deserter of his post, from the lustral limits in the market place, and suffers no such person to receive a wreath of honour or to enter places of public worship. But, you, Ktesiphon, exhort us to set a crown on the head to which the laws refuse it. You by your private edict call a forbidden guest into the forefront of our solemn festival, and invite into the temple of Dionysos that dastard by whom all temples have been betrayed.

Remember then, Athenians, that the city whose fate rests with you is no alien city, but your own. Give the prizes of ambition by merit, not by chance. Reserve your rewards for those whose manhood is truer, whose characters are worthier. Look at each other and judge not only with your ears but with your eyes who of your number are likely to support Demosthenes. His young companions in the chase or the gymnasium? No, by the Olympian Zeus! He has not spent his life in hunting or in any healthful exercise, but in cultivating rhetoric to be used against men of property. Think of his boastfulness when he claims by his embassy to have snatched Byzantium out of the hands of Philip, to have thrown the Acharnians into revolt, to have astonished the Thebans with his harangue! He thinks that you have reached the point of fatuity at which you can be made to believe even this—as if your citizen were the deity of persuasion instead of a pettifogging mortal! And when, at the end of his speech, he calls as his advocates those who shared his bribes, imagine that you see upon this platform, where I now speak before you, an array, drawn up to confront their profligacy, of the benefactors of Athens: Solon, who set in order the Democracy by his glorious laws, the philosopher, the good legislator, entreating you with the gravity which so well became him never to set the rhetoric of Demosthenes above your oaths and above the laws: Aristides, who assessed the tribute of the Confederacy, and whose daughters after his death were dowered by the State—indignant at the contumely threatened to justice, and asking: Are you not ashamed? When Arthmios of

Zeieia brought Persian gold to Greece and visited Athens, our fathers well-nigh put him to death, though he was our public guest, and proclaimed him expelled from Athens and from all territory that the Athenians ruled ; while Demosthenes, who has not brought us Persian gold but has taken bribes for himself and has kept them to this day, is about to receive a golden wreath from you ! And Themistocles, and they who died at Marathon and Plataea, aye, and the very graves of our forefathers—do you not think they will utter a voice of lamentation, if he who covenants with barbarians to work against Greece shall be—crowned !

## HENRY WARD BEECHER

(1813-1887).

**A** VERY great orator must be a thoroughly representative man, sensitive enough to be moved to the depths of his nature by the master-passions of his time. Henry Ward Beecher was a very great orator—one of the greatest the United States have produced—and in his speeches and orations inspired by the feelings which evolved the Civil War and were themselves exaggerated by it to tenfold strength, we feel all the volcanic forces which buried the primitive political conditions of the United States deep under the ashes and lava of their eruption. Words are feeble in the presence of the facts of such a war. But what more could words do to suggest its meaning than they do in Mr. Beecher's oration on the raising of the flag at Fort Sumter, April 14th, 1865 :—

“ The soil has drunk blood and is glutted. Millions mourn for myriads slain, or, envying the dead, pray for oblivion. Towns and villages have been razed. Fruitful fields have been turned back to wilderness. It came to pass as the prophet had said : ‘ The sun was turned to darkness and the moon to blood.’ The course of the law was ended. The sword sat chief magistrate in half the nation ; industry was paralyzed ; morals corrupted ; the public weal invaded by rapine and anarchy ; whole States were ravaged by avenging armies. The world was amazed. The earth reeled.”

Mr. Beecher had the temperament, the habits, the physique of the orator. His ancestry, his intellectual training, his surroundings, fitted him to be a prophet of the crusade against slavery. Of those names which for a time were bruited everywhere as a result of the struggles of the three decades from 1850 to 1880, a majority are already becoming obscure, and in another generation most of the rest will be “ names only ” to all who are not students of history as a speciality. But the mind in Henry Ward Beecher was so representative, he was so fully mastered by the forces which sent Sherman on his march to the sea and Grant to his triumph at Appomattox, that he will always be remembered as one of the greatest orators of the American Civil War period.

## RAISING THE FLAG OVER FORT SUMTER

(Delivered April 14th, 1865, by request of President Lincoln).

ON this solemn and joyful day we again lift to the breeze our fathers' flag, now again the banner of the United States, with the fervent prayer that God will crown it with honour, protect it from treason, and send it down to our children, with all the blessings of civilization, liberty, and religion. Terrible in battle, may it be beneficent in peace. Happily, no bird or beast of prey has been inscribed upon it. The stars that redeem the night from darkness, and the beams of red light that beautify the morning, have been united upon its folds. As long as the sun endures, or the stars, may it wave over a nation neither enslaved nor enslaving! Once, and but once, has treason dishonoured it. In that insane hour when the guiltiest and bloodiest rebellion of all time hurled their fires upon this fort, you, sir [turning to General Anderson,] and a small, heroic band, stood within these now crumbled walls, and did gallant and just battle for the honour and defence of the nation's banner. In that cope of fire, that glorious flag still peacefully waved to the breeze above your head, unconscious of harm as the stars and skies above it. Once it was shot down. A gallant hand, in whose care this day it has been, plucked it from the ground, and reared it again—"cast down, but not destroyed." After a vain resistance, with trembling hand and sad heart, you withdrew it from its height, closed its wings, and bore it far away, sternly to sleep amid the tumults of rebellion, and the thunder of battle. The first act of war had begun. The long night of four years had set in. While the giddy traitors whirled in a maze of exhilaration, dim horrors were already advancing, that were ere long to fill the land with blood. To-day you are returned again. We devoutly join with you in thanksgiving to Almighty God that he has spared your honoured life, and vouchsafed to you the glory of this day. The heavens over you are the same, the same shores are here, morning comes, and evening, as they did. All else, how changed! What grim batteries crowd the burdened shores! What scenes have filled this air, and disturbed these waters! These shattered heaps of shapeless stone are all that is left of Fort Sumter. Desolation broods in yonder city—solemn retribution hath avenged our dishonoured banner! You have come back with honour, who departed hence four years ago, leaving the air sultry with fanaticism. The surging crowds that rolled up their frenzied shouts as the flag came down, are dead,

or scattered, or silent, and their habitations are desolate. Ruin sits in the cradle of treason. Rebellion has perished. But there flies the same flag that was insulted. With starry eyes it looks over this bay for the banner that supplanted it, and sees it not. You that then, for the day, were humbled, are here again, to triumph once and forever. In the storm of that assault this glorious ensign was often struck ; but memorable fact, not one of its stars was torn out by shot or shell. It was a prophecy. It said : " Not a State shall be struck from this nation by treason ! " The fulfilment is at hand. Lifted to the air to-day, it proclaims that after four years of war, " Not a State is blotted out." Hail to the flag of our fathers, and our flag ! Glory to the banner that has gone through four years black with tempests of war, to pilot the nation back to peace without dismemberment ! And glory be to God, who, above all hosts and banners, hath ordained victory, and shall ordain peace. Wherefore have we come hither, pilgrims from distant places ? Are we come to exult that Northern hands are stronger than Southern ? No ; but to rejoice that the hands of those who defend a just and beneficent government are mightier than the hands that assaulted it. Do we exult over fallen cities ? We exult that a nation has not fallen. We sorrow with the sorrowful. We sympathize with the desolate. We look upon this shattered fort and yonder dilapidated city with sad eyes, grieved that men should have committed such treason, and glad that God hath set such a mark upon treason that all ages shall dread and abhor it. We exult, not for a passion gratified, but for a sentiment victorious ; not for temper, but for conscience ; not, as we devoutly believe, that our will is done, but that God's will hath been done. We should be unworthy of that liberty intrusted to our care, if, on such a day as this, we sullied our hearts by feelings of aimless vengeance, and equally unworthy if we did not devoutly thank him who hath said : " Vengeance is mine, I will repay, saith the Lord," that he hath set a mark upon arrogant rebellion, ineffaceable while time lasts.

Since this flag went down on that dark day, who shall tell the mighty woes that have made this land a spectacle to angels and men ? The soil has drunk blood and is glutted. Millions mourn for myriads slain, or, envying the dead, pray for oblivion. Towns and villages have been razed. Fruitful fields have been turned back to wilderness. It came to pass, as the prophet said : " The sun was turned to darkness and the moon to blood." The course of law was ended. The sword sat chief magistrate in half the nation ; industry was paralyzed ; morals corrupted ; the public weal invaded by rapine and anarchy ; whole States ravaged by avenging armies. The world was amazed. The earth reeled. When the flag sank here, it was as if political night had



come, and all beasts of prey had come forth to devour. That long night is ended. And for this returning day we have come from afar to rejoice and give thanks. No more war. No more accursed secession, no more slavery, that spawned them both. Let no man misread the meaning of this unfolding flag! It says: "Government has returned hither." It proclaims, in the name of vindicated government, peace and protection to loyalty, humiliation and pains to traitors. This is the flag of sovereignty. The nation, not the States, is sovereign. Restored to authority, this flag commands, not supplicates. There may be pardon, but no concession. There may be amnesty and oblivion, but no honeyed compromises. The nation to-day has peace for the peaceful, and war for the turbulent. The only condition to submission is to submit! There is the Constitution, there are the laws, there is the government. They rise up like mountains of strength that shall not be moved. They are the conditions of peace. One nation, under one government, without slavery, has been ordained, and shall stand. There can be peace on no other basis. On this basis reconstruction is easy, and needs neither architect nor engineer. Without this basis no engineer nor architect shall ever reconstruct these rebellious States. We do not want your cities or your fields. We do not envy you your prolific soil, nor heavens full of perpetual summer. Let agriculture revel here; let manufactures make every stream twice musical; build fleets in every port; inspire the arts of peace with genius second only to that of Athens, and we shall be glad in your gladness, and rich in your wealth. All that we ask is unswerving loyalty and universal liberty. And that, in the name of this high sovereignty of the United States of America, we demand; and that, with the blessing of Almighty God, we will have! We raise our fathers' banner that it may bring back better blessings than those of old; that it may cast out the devil of discord; that it may restore lawful government, and a prosperity purer and more enduring than that which it protected before; that it may win parted friends from their alienation; that it may inspire hope, and inaugurate universal liberty; that it may say to the sword, "Return to thy sheath;" and to the plough and sickle, "Go forth;" that it may heal all jealousies, unite all policies, inspire a new national life, compact our strength, purify our principles, ennoble our national ambitions, and make this people great and strong, not for aggression and quarrelsomeness but for the peace of the world, giving to us the glorious prerogative of leading all nations to juster laws, to more humane policies, to sincerer friendship, to rational, instituted civil liberty, and to universal Christian brotherhood. Reverently, piously, in hopeful patriotism, we spread this banner on the sky, as of old the bow was painted on the cloud, and,

with solemn fervour, beseech God to look upon it, and make it a memorial of an everlasting covenant and decree that never again on this fair land shall a deluge of blood prevail. Why need any eye turn from this spectacle? Are there not associations which, overleaping the recent past, carry us back to times when, over North and South, this flag was honoured alike by all? In all our colonial days we were one; in the long revolutionary struggle, and in the scores of prosperous years succeeding, we were united. When the passage of the Stamp Act in 1765 aroused the colonies, it was Gadsden, of South Carolina, that cried, with prescient enthusiasm, "We stand on the broad common ground of those natural rights that we all feel and know as men. There ought to be no New England man, no New Yorker, known on this continent, but all of us," said he, "Americans." That was the voice of South Carolina. That shall be the voice of South Carolina. Faint is the echo; but it is coming. We now hear it sighing sadly through the pines; but it shall yet break in thunder upon the shore. No North, no West, no South, but the United States of America. There is scarcely a man born in the South who has lifted his hand against this banner but had a father who would have died for it. Is memory dead? Is there no historic pride? Has a fatal fury struck blindness or hate into eyes that used to look kindly towards each other, that read the same Bible, that hung over the historic pages of our national glory, that studied the same Constitution? Let this uplifting bring back all of the past that was good, but leave in darkness all that was bad. It was never before so wholly unspotted; so clear of all wrong, so purely and simply the sign of justice and liberty. Did I say that we brought back the same banner that you bore away, noble and heroic sir? It is not the same. It is more and better than it was. The land is free from slavery since that banner fell.

When God would prepare Moses for emancipation, he overthrew his first steps and drove him for forty years to brood in the wilderness. When our flag came down, four years it lay brooding in darkness. It cried to the Lord, "Wherefore am I deposed?" Then arose before it a vision of its sin. It had strengthened the strong, and forgotten the weak. It proclaimed liberty, but trod upon slaves. In that seclusion it dedicated itself to liberty. Behold, to-day, it fulfils its vows! When it went down four million people had no flag. To-day it rises, and four million people cry out, "Behold our flag!" Hark! they murmur. It is the Gospel that they recite in sacred words: "It is a Gospel to the poor, it heals our broken hearts, it preaches deliverance to captives, it gives sight to the blind, it sets at liberty them that are bruised." Rise up then, glorious Gospel banner, and roll out these

messages of God. Tell the air that not a spot now sullies thy whiteness. Thy red is not the blush of shame, but the flush of joy. Tell the dews that wash thee that thou art as pure as they. Say to the night that thy stars lead toward the morning ; and to the morning, that a brighter day arises with healing in its wings. And then, O glowing flag, bid the sun pour light on all thy folds with double brightness while thou art bearing round and round the world the solemn joy—a race set free ! a nation redeemed ! The mighty hand of government, made strong in war by the favour of the God of Battles, spreads wide to-day the banner of liberty that went down in darkness, that arose in light ; and there it streams, like the sun above it, neither parcelled out nor monopolized, but flooding the air with light for all mankind. Ye scattered and broken, ye wounded and dying, bitten by the fiery serpents of oppression, everywhere, in all the world, look upon this sign lifted up, and live ! And ye homeless and houseless slaves, look, and ye are free ! At length you, too, have part and lot in this glorious ensign that broods with impartial love over small and great, the poor and the strong, the bond and the free. In this solemn hour, let us pray for the quick coming of reconciliation and happiness under this common flag. But we must build again, from the foundations, in all these now free Southern States. No cheap exhortations “ to forgetfulness of the past, to restore all things as they were,” will do. God does not stretch out his hand, as he has for four dreadful years, that men may easily forget the might of his terrible acts. Restore things as they were ! What, the alienations and jealousies, the discords and contentions, and the causes of them ? No. In that solemn sacrifice on which a nation has offered for its sins so many precious victims, loved and lamented, let our sins and mistakes be consumed utterly and forever. No, never again shall things be restored as before the war. It is written in God’s decree of events fulfilled, “ Old things are passed away.” That new earth, in which dwelleth righteousness, draws near. Things as they were ! Who has an omnipotent hand to restore a million dead, slain in battle or wasted by sickness, or dying of grief, broken-hearted ? Who has omniscience to search for the scattered ones ? Who shall restore the lost to broken families ? Who shall bring back the squandered treasure, the years of industry wasted, and convince you that four years of guilty rebellion and cruel war are no more than dirt upon the hand, which a moment’s washing removes and leaves the hand clean as before ? Such a war reaches down to the very vitals of society. Emerging from such a prolonged rebellion, he is blind who tells you that the State, by a mere amnesty and benevolence of government, can be put again, by a mere decree, in its old place. It would not be honest, it would not be kind or fraternal,

for me to pretend that Southern revolution against the Union has not reacted, and wrought revolution in the Southern States themselves, and inaugurated a new dispensation. Society here is like a broken loom, and the piece which Rebellion put in, and was weaving, has been cut, and every thread broken. You must put in new warp and new woof, and weaving anew, as the fabric slowly unwinds we shall see in it no Gorgon figures, no hideous grotesques of the old barbarism, but the figures of liberty, vines, and golden grains, framing in the heads of justice, love, and liberty. The august convention of 1787 formed the Constitution with this memorable preamble: "We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain this Constitution for the United States of America." Again, in the awful convention of war, the people of the United States, for the very ends just recited, have debated, settled, and ordained certain fundamental truths, which must henceforth be accepted and obeyed. Nor is any State nor any individual wise who shall disregard them. They are to civil affairs what the natural laws are to health—indispensable conditions of peace and happiness. What are the ordinances given by the people, speaking out of fire and darkness of war, with authority inspired by that same God who gave the law from Sinai amid thunders and trumpet voices? 1. That these United States shall be one and indivisible. 2. That States have not absolute sovereignty, and have no right to dismember the Republic. 3. That universal liberty is indispensable to republican government, and that slavery shall be utterly and forever abolished.

Such are the results of war! These are the best fruits of the war. They are worth all they have cost. They are foundations of peace. They will secure benefits to all nations as well as to ours. Our highest wisdom and duty is to accept the facts as the decrees of God. We are exhorted to forget all that has happened. Yes, the wrath, the conflict, the cruelty, but not those overruling decrees of God which this war has pronounced. As solemnly as on Mount Sinai, God says, "Remember! remember!" Hear it to-day. Under this sun, under that bright child of the sun, our banner, with the eyes of this nation and of the world upon us, we repeat the syllables of God's providence and recite the solemn decrees: No more Disunion! No more Secession! No more Slavery! Why did this civil war begin? We do not wonder that European statesmen failed to comprehend this conflict, and that foreign philanthropists were shocked at a murderous war that seemed to have no moral origin, but, like the brutal fights of beasts of prey, to have

sprung from ferocious animalism. This great nation, filling all profitable latitudes, cradled between two oceans, with inexhaustible resources, with riches increasing in an unparalleled ratio, by agriculture, by manufactures, by commerce, with schools and churches, with books and newspapers thick as leaves in our own forests, with institutions sprung from the people, and peculiarly adapted to their genius; a nation not sluggish, but active, used to excitement, practised in political wisdom, and accustomed to self-government, and all its vast outlying parts held together by the Federal government, mild in temper, gentle in administration, and beneficent in results, seemed to have been formed for peace. All at once, in this hemisphere of happiness and hope, there came trooping clouds with fiery bolts, full of death and desolation. At a cannon shot upon this fort, all the nation, as if it had been a trained army lying on its arms, awaiting a signal, rose up and began a war which for awfulness rises into the front rank of bad eminence. The front of the battle, going with the sun, was twelve hundred miles long; and the depth, measured along a meridian, was a thousand miles. In this vast area more than two million men, first and last, for four years, have, in skirmish, fight, and battle, met in more than a thousand conflicts; while a coast and river line, not less than four thousand miles in length, has swarmed with fleets freighted with artillery. The very industry of the country seemed to have been touched by some infernal wand, and, with sudden wheel, changed its front from peace to war. The anvils of the land beat like drums. As out of the ooze emerge monsters, so from our mines and foundries uprose new and strange machines of war, ironclad. And so, in a nation of peaceful habits, without external provocation, there arose such a storm of war as blackened the whole horizon and hemisphere. What wonder that foreign observers stood amazed at this fanatical fury, that seemed without Divine guidance, but inspired wholly with infernal frenzy. The explosion was sudden, but the train had long been laid. We must consider the condition of Southern society, if we would understand the mystery of this iniquity. Society in the South resolves itself into three divisions, more sharply distinguished than in any other part of the nation. At the base is the labouring class, made up of slaves. Next is the middle class, made up of traders, small farmers, and poor men. The lower edge of this class touches the slave, and the upper edge reaches up to the third and ruling class. This class was a small minority in numbers, but in practical ability they had centred in their hands the whole government of the South, and had mainly governed the country. Upon this polished, cultured, exceedingly capable, and wholly unprincipled class, rests the whole burden of this war. Forced up by the bottom heat of slavery, the ruling class in all

the disloyal States arrogated to themselves a superiority not compatible with republican equality, nor with just morals. They claimed a right of pre-eminence. An evil prophet arose who trained these wild and luxuriant shoots of ambition to the shapely form of a political philosophy. By its reagents they precipitated drudgery to the bottom of society, and left at the top what they thought to be a clarified fluid. In their political economy, labour was to be owned by capital; in their theory of government, the few were to rule the many. They boldly avowed, not the fact alone, that, under all forms of government, the few rule the many, but their right and duty to do so. Set free from the necessity of labour, they conceived a contempt for those who felt its wholesome regimen. Believing themselves foreordained to supremacy, they regarded the popular vote, when it failed to register their wishes, as an intrusion and a nuisance. They were born in a garden, and popular liberty, like freshets overswelling their banks, but covered their dainty walks and flowers with slime and mud—of democratic votes. When, with shrewd observation, they saw the growth of the popular element in the Northern States, they instinctively took in the inevitable events. It must be controlled or cut off from a nation governed by gentlemen! Controlled, less and less, could it be in every decade; and they prepared secretly, earnestly, and with wide conference and mutual connivance, to separate the South from the North. We are to distinguish between the pretences and means, and the real causes of this war. To inflame and unite the great middle class of the South, who had no interest in separation and no business with war, they alleged grievances that never existed, and employed arguments which they, better than all other men, knew to be specious and false.

Slavery itself was cared for only as an instrument of power or of excitement. They had unalterably fixed their eye upon empire, and all was good which would secure that, and bad which hindered it. Thus, the ruling class of the South—an aristocracy as intense, proud, and inflexible as ever existed—not limited either by customs or institutions, not recognised and adjusted in the regular order of society, playing a reciprocal part in its machinery, but secret, disowning its own existence, baptised with ostentatious names of democracy, obsequious to the people for the sake of governing them; this nameless, lurking aristocracy, that ran in the blood of society like a rash not yet come to the skin; this political tapeworm, that produced nothing, but lay coiled in the body, feeding on its nutriment, and holding the whole structure to be but a servant set up to nourish it—this aristocracy of the plantation, with firm and deliberate resolve, brought on the war, that they might cut the land in two, and, clearing themselves from an incorrigible free

society, set up a sterner, statelier empire, where slaves worked that gentlemen might live at ease. Nor can there be any doubt that though, at first, they meant to erect the form of republican government, this was but a device, a step necessary to the securing of that power by which they should be able to change the whole economy of society. That they never dreamed of such a war, we may well believe. That they would have accepted it, though twice as bloody, if only thus they could rule, none can doubt that knows the temper of these worst men of modern society. But they miscalculated. They understood the people of the South ; but they were totally incapable of understanding the character of the great working classes of the loyal States. That industry, which is the foundation of independence, and so of equity, they stigmatized as stupid drudgery, or as mean avarice. That general intelligence and independence of thought which schools for the common people and newspapers breed, they reviled as the incitement of unsettled zeal, running easily into fanaticism. They more thoroughly misunderstood the profound sentiment of loyalty, the deep love of country, which pervaded the common people. If those who knew them best had never suspected the depth and power of that love of country which threw it into an agony of grief when the flag was here humbled, how should they conceive of it who were wholly disjoined from them in sympathy ? The whole land rose up, you remember, when the flag came down, as if inspired unconsciously by the breath of the Almighty, and the power of omnipotence. It was as when one pierces the banks of the Mississippi for a rivulet, and the whole raging stream plunges through with headlong course. There they calculated, and miscalculated ! And more than all, they miscalculated the bravery of men who have been trained under law, who are civilized and hate personal brawls, who are so protected by society as to have dismissed all thought of self-defence, the whole force of whose life is turned to peaceful pursuits. These arrogant conspirators against government, with Chinese vanity, believed that they could blow away these self-respecting citizens as chaff from the battlefield. Few of them are left alive to ponder their mistake ! Here, then, are the roots of this civil war. It was not a quarrel of wild beasts, it was an inflection of the strife of ages, between power and right, between ambition and equity. An armed band of pestilent conspirators sought the nation's life. Her children rose up and fought at every door and room and hall, to thrust out the murderers and save the house and household. It was not legitimately a war between the common people of the North and South. The war was set on by the ruling class, the aristocratic conspirators of the South. They suborned the common people with lies, with sophistries, with cruel deceits and slanders, to fight for secret

objects which they abhorred, and against interests as dear to them as their own lives. I charge the whole guilt of this war upon the ambitious, educated, plotting, political leaders of the South. They have shed this ocean of blood. They have desolated the South. They have poured poverty through all her towns and cities. They have bewildered the imagination of the people with phantasms, and led them to believe that they were fighting for their homes and liberty, whose homes were unthreatened, and whose liberty was in no jeopardy. These arrogant instigators of civil war have renewed the plagues of Egypt, not that the oppressed might go free, but that the free might be oppressed. A day will come when God will reveal judgment, and arraign at His bar these mighty miscreants; and then, every orphan that their bloody game has made, and every widow that sits sorrowing, and every maimed and wounded sufferer, and every bereaved heart in all the wide regions of this land, will rise up and come before the Lord to lay upon these chief culprits of modern history their awful witness. And from a thousand battlefields shall rise up armies of airy witnesses, who, with the memory of their awful sufferings, shall confront the miscreants with shrieks of fierce accusation; and every pale and starved prisoner shall raise his skinny hand in judgment. Blood shall call out for vengeance, and tears shall plead for justice, and grief shall silently beckon, and love, heart-smitten, shall wail for justice. Good men and angels will cry out: "How long, O Lord, how long, wilt thou not avenge?" And, then, these guiltiest and most remorseless traitors, these high and cultured men, with might and wisdom used for the destruction of their country,—the most accursed and detested of all criminals, that have drenched a continent in needless blood, and moved the foundations of their times with hideous crimes and cruelty, caught in black clouds, full of voices of vengeance and lurid with punishment, shall be whirled aloft and plunged downwards forever and forever in an endless retribution; while God shall say, "Thus shall it be to all who betray their country;" and all in heaven and upon the earth will say "Amen!"

But for the people misled, for the multitudes drafted and driven into this civil war, let not a trace of animosity remain. The moment their willing hand drops the musket, and they return to their allegiance, then stretch out your own honest right hand to greet them. Recall to them the old days of kindness. Our hearts wait for their redemption. All the resources of a renovated nation shall be applied to rebuild their prosperity, and smooth down the furrows of war. Has this long and weary period of strife been an unmingled evil? Has nothing been gained? Yes, much. The nation has attained to its manhood. Among Indian customs is one which admits young men to the rank of warriors



only after severe trials of hunger, fatigue, pain, endurance. They reach their station, not through years, but ordeals. Our nation has suffered, but now is strong. The sentiment of loyalty and patriotism, next in importance to religion, has been rooted and grounded. We have something to be proud of, and pride helps love. Never so much as now did we love our country. But four such years of education in ideas, in the knowledge of political truth, in the love of history, in the geography of our own country, almost every inch of which we have probed with the bayonet, have never passed before. There is half a hundred years' advance in four. We believed in our institutions and principles before ; but now we know their power. It is one thing to look upon artillery, and be sure that it is loaded ; it is another thing to prove its power in battle ! We believe in the hidden power stored in our institutions ; we had never before seen this nation thundering like Mount Sinai at all those that worshipped the calf at the base of the mountain. A people educated and moral are competent to all the exigencies of national life. A vote can govern better than a crown. We have proved it. A people intelligent and religious are strong in all economic elements. They are fitted for peace and competent to war. They are not easily inflamed, and, when justly incensed, not easily extinguished. They are patient, endure cheerfully needful burdens, tax themselves to meet real wants more royally than any prince would dare to tax his people. They pour forth without stint relief for the sufferings of war, and raise charity out of the realm of a dole into a munificent duty of beneficence. The habit of industry among free men prepares them to meet the exhaustion of war with increase of productiveness commensurate with the need that exists. Their habits of skill enable them at once to supply such armies as only freedom can muster, with arms and munitions such as only free industry can create. Free society is terrible in war, and afterwards repairs the mischief of war with celerity almost as great as that with which the ocean heals the seams gashed in it by the keel of ploughing ships. Free society is fruitful of military genius. It comes when called ; when no longer needed, it falls back as waves do to the level of the common sea, that no wave may be greater than the undivided water. With proof of strength so great, yet in its infancy, we stand up among the nations of the world, asking no privileges, asserting no rights, but quietly assuming our place, and determined to be second to none in the race of civilization and religion. Of all nations we are the most dangerous and the least to be feared. We need not expound the perils that wait upon enemies that assault us. They are sufficiently understood ! But we are not a dangerous people because we are warlike. All the arrogant attitudes

of this nation, so offensive to foreign governments, were inspired by slavery, and under the administration of its minions. Our tastes, our habits, our interests, and our principles, incline us to the arts of peace. This nation was founded by the common people for the common people. We are seeking to embody in public economy more liberty, with higher justice and virtue, than have been organized before. By the necessity of our doctrines, we are put in sympathy with the masses of men in all nations. It is not our business to subdue nations, but to augment the powers of the common people. The vulgar ambition of mere domination, as it belongs to universal human nature, may tempt us ; but it is withstood by the whole force of our principles, our habits, our precedents, and our legends. We acknowledge the obligation which our better political principles lay upon us, to set example more temperate, humane, and just, than monarchical governments can. We will not suffer wrong, and still less will we inflict it upon other nations. Nor are we concerned that so many, ignorant of our conflict, for the present, misconceive the reasons of our invincible military zeal. "Why contend," say they, "for a little territory that you do not need?" Because it is ours! Because it is the interest of every citizen to save it from becoming a fortress and refuge of iniquity. This nation is our house, and our fathers' house ; and accursed be the man who will not defend it to the uttermost. More territory than we need! England, that is not large enough to be our pocket, may think that it is more than we need, because it is more than it needs ; but we are better judges of what we need than others are.

Shall a philanthropist say to a banker, who defends himself against a robber, "Why do you need so much money?" But we will not reason with such questions. When any foreign nation willingly will divide its territory and give it cheerfully away, we will answer the question why we are fighting for territory! At present—for I pass to the consideration of benefits that accrue to the South in distinction from the rest of the nation—the South reaps only suffering ; but good seed lies buried under the furrows of war, that peace will bring to harvest. 1. Deadly doctrines have been purged away in blood. The subtle poison of secession was a perpetual threat of revolution. The sword has ended that danger. That which reason had affirmed as a philosophy, the people have settled as a fact. Theory pronounces, "There can be no permanent government where each integral particle has liberty to fly off." Who would venture upon a voyage in a ship each plank and timber of which might withdraw at its pleasure? But the people have reasoned by the logic of the sword and of the ballot, and they have declared that States are inseparable parts of the national government. They are not sovereign. State

rights remain ; but sovereignty is a right higher than all others ; and that has been made into a common stock for the benefit of all. All further agitation is ended. This element must be cast out of political problems. Henceforth that poison will not rankle in the blood. 2. Another thing has been learned : the rights and duties of minorities. The people of the whole nation are of more authority than the people of any section. These United States are supreme over Northern, Western, and Southern States. It ought not to have required the awful chastisement of this war to teach that a minority must submit the control of the nation's government to a majority. The army and navy have been good political schoolmasters. The lesson is learned. Not for many generations will it require further illustration. 3. No other lesson will be more fruitful of peace than the dispersion of those conceits of vanity, which, on either side, have clouded the recognition of the manly courage of all Americans. If it be a sign of manhood to be able to fight, then Americans are men. The North certainly is in no doubt whatever of the soldierly qualities of Southern men. Southern soldiers have learned that all latitudes breed courage on this continent. Courage is a passport to respect. The people of all the regions of this nation are likely hereafter to cherish a generous admiration of each other's prowess. The war has bred respect, and respect will breed affection, and affection peace and unity. 4. No other event of the war can fill an intelligent Southern man, of candid nature, with more surprise than the revelation of the capacity, moral and military, of the black race. It is a revelation indeed. No people were ever less understood by those most familiar with them. They were said to be lazy, lying, impudent, and cowardly wretches, driven by the whip alone to the tasks needful to their own support and the functions of civilization. They were said to be dangerous, blood-thirsty, liable to insurrection ; but four years of tumultuous distress and war have rolled across the area inhabited by them, and I have yet to hear of one authentic instance of the misconduct of a coloured man. They have been patient and gentle and docile, and full of faith and hope and piety ; and, when summoned to freedom, they have emerged with all the signs and tokens that freedom will be to them what it was to us, the swaddling-band that shall bring them to manhood. And after the government, honouring them as men, summoned them to the field, when once they were disciplined, and had learned the arts of war, they have proved themselves to be not second to their white brethren in arms. And when the roll of men that have shed their blood is called in the other land, many and many a dusky face will rise, dark no more when the light of eternal glory shall shine upon it from the throne of God ! 5. The industry of the Southern States is regenerated, and now

rests upon a basis that never fails to bring prosperity. Just now industry is collapsed ; but it is not dead ; it sleepeth. It is vital yet. It will spring like mown grass from the roots that need but showers and heat and time to bring them forth. Though in many districts not a generation will see wanton wastes of self-invoked war repaired, and many portions may lapse again to wilderness, yet, in our lifetime, we shall see States, as a whole, raised to a prosperity, vital, wholesome, and immovable.

6. The destruction of class interests, working with a religion which tends toward true democracy, in proportion as it is pure and free, will create a new era of prosperity for the common labouring people of the South. Upon them have come the labour, the toil, and the loss of this war. They have fought blindfolded. They have fought for a class that sought their degradation, while they were made to believe that it was for their own homes and altars. Their leaders meant a supremacy which would not long have left them political liberty, save in name. But their leaders are swept away. The sword has been hungry for the ruling classes. It has fought them out with remorseless zeal. New men are to rise up ; new ideas are to bud and blossom ; and there will be men with different ambition and altered policy.

7. Meanwhile, the South, no longer a land of plantations, but of farms ; no longer tilled by slaves, but by freed men, will find no hindrance to the spread of education. Schools will multiply. Books and papers will spread. Churches will bless every hamlet. There is a good day coming for the South. Through darkness and tears and blood she has sought it. It has been an unconscious *via dolorosa*. But in the end it will be worth all that it has cost. Her institutions before were deadly. She nourished death in her bosom. The greater her secular prosperity, the more sure was her ruin. Every year of delay but made the change more terrible. Now, by an earthquake, the evil is shaken down. And her own historians, in a better day, shall write, that from the day the sword cut off the cancer, she began to find her health. What, then, shall hinder the rebuilding of the Republic ? The evil spirit is cast out : why should not this nation cease to wander among tombs, cutting itself ? Why should it not come, clothed and in its right mind, to " sit at the feet of Jesus ? " Is it feared that the government will oppress the conquered States ? What possible motive has the government to narrow the base of that pyramid on which its own permanence depends ? Is it feared that the rights of the States will be withheld ? The South is not more jealous of State rights than the North. State rights from the earliest colonial days have been the peculiar pride and jealousy of New England. In every stage of national formation, it was peculiarly Northern, and not Southern, statesmen that guarded State rights as we were forming

the Constitution. But once united, the loyal States gave up forever that which had been delegated to the national government. And now, in the hour of victory, the loyal States do not mean to trench upon Southern State rights. They will not do it, nor suffer it to be done. There is not to be one rule for high latitudes and another for low. We take nothing from the Southern States that has not already been taken from the Northern. The South shall have just those rights that every eastern, every middle, every western State has—no more, no less. We are not seeking our own aggrandizement by impoverishing the South. Its prosperity is an indispensable element of our own.

We have shown, by all that we have suffered in war, how great is our estimate of the Southern States of this Union ; and we will measure that estimate, now, in peace, by still greater exertions for their rebuilding. Will reflecting men not perceive, then, the wisdom of accepting established facts, and, with alacrity of enterprise, begin to retrieve the past ? Slavery cannot come back. It is the interest, therefore, of every man to hasten its end. Do you want more war ? Are you not yet weary of contest ? Will you gather up the unexploded fragments of this prodigious magazine of all mischief, and heap them up for continued explosions ? Does not the South need peace ? And, since free labour is inevitable, will you have it in its worst forms or in its best ? Shall it be ignorant, impertinent, indolent, or shall it be educated, self-respecting, moral, and self-supporting ? Will you have men as drudges, or will you have them as citizens ? Since they have vindicated the government, and cemented its foundation stones with their blood, may they not offer the tribute of their support to maintain its laws and its policy ? It is better for religion ; it is better for political integrity ; it is better for industry ; it is better for money—if you will have that ground motive—that you should educate the black man, and, by education, make him a citizen. They who refuse education to the black man would turn the South into a vast poorhouse, and labour into a pendulum, incessantly vibrating between poverty and indolence. From this pulpit of broken stone we speak forth our earnest greeting to all our land. We offer to the President of these United States our solemn congratulations that God has sustained his life and health under the unparalleled burdens and sufferings of four bloody years, and permitted him to behold this auspicious consummation of that national unity for which he has waited with so much patience and fortitude, and for which he has laboured with such disinterested wisdom. To the members of the government associated with him in the administration of perilous affairs in critical times ; to the senators and representatives of the United States, who have eagerly fashioned the instruments by which the popular will might express and enforce itself, we tender our

grateful thanks. To the officers and men of the army and navy, who have so faithfully, skilfully, and gloriously upheld their country's authority, by suffering, labour, and sublime courage, we offer a heart-tribute, beyond the compass of words. Upon those true and faithful citizens, men and women, who have borne up with unflinching hope in the darkest hour, and covered the land with their labour of love and charity, we invoke the divinest blessing of Him whom they have so truly imitated. But chiefly to thee, God of our fathers, we render thanksgiving and praise for that wondrous Providence that has brought forth from such a harvest of war the seed of so much liberty and peace ! We invoke peace upon the North. Peace be to the West ! Peace be upon the South ! In the name of God we lift up our banner, and dedicate it to peace, union, and liberty, now and for evermore ! Amen.

## LORD BELHAVEN

(1656-1708).

**S**COTLAND ceased to exist as a State by the Act of Union, May 1st, 1707. As occasions have been so rare in the world's history when a State has voluntarily abdicated its sovereignty and ceased to exist by its own free act, it would be too much to say that Lord Belhaven's speech against surrendering Scotch nationality was worthy of so remarkable a scene as that presented in the Scotch Parliament when, soon after its opening, November 1st, 1706, he rose to make the protest which immortalized him.

Smollett belongs more properly to another generation, but the feeling against the union was rather exaggerated than diminished between the date of its adoption and that of his poem, "The Tears of Scotland," into the concluding stanza of which he has condensed the passion which prompted Belhaven's protest:—

" While the warm blood bedews my veins  
 And unimpaired remembrance reigns,  
 Resentment of my country's fate  
 Within my filial heart shall beat,  
 And spite of her insulting foe,  
 My sympathizing verse shall flow :—  
 ' Mourn, helpless Caledonia, mourn,  
 Thy banished peace, thy laurels torn ! ' "

It is unfortunate for Belhaven's fame as an orator that his most effective passages are based on classical allusions intelligible at once to his audience then, but likely to appear pedantic in times when Latin has ceased to be the "vulgar tongue" of the educated, as it still was in the Scotland of Queen Anne's time.

The text of his speech here used is from 'The Parliamentary Debates,' London, 1741.

## A PLEA FOR THE NATIONAL LIFE OF SCOTLAND

(Delivered in 1706 in the Scotch Parliament).

WHEN I consider the affair of union betwixt the two nations, as it is expressed in the several articles thereof, and now the subject of our deliberation at this time, I find my mind crowded with a variety of melancholy thoughts, and I think it my duty to disburden myself of some of them, by laying them before, and exposing them to, the serious consideration of this honourable house.

I think I see a free and independent kingdom delivering up that which all the world hath been fighting for since the days of Nimrod ; yea, that for which most of all the empires, kingdoms, states, principalities, and dukedoms of Europe, are at this very time engaged in the most bloody cruel wars that ever were, to wit, a power to manage their own affairs by themselves, without the assistance and counsel of any other.

I think I see a national church, founded upon a rock, secured by a claim of right, hedged and fenced about by the strictest and most pointed legal sanction that sovereignty could contrive, voluntarily descending into a plain, upon an equal level with Jews, Papists, Socinians, Arminians, Anabaptists, and other sectaries.

I think I see the noble and honourable peerage of Scotland, whose valiant predecessors led armies against their enemies, upon their own proper charges and expenses, now divested of their followers and vassalages, and put upon such an equal foot with their vassals, that I think I see a petty English exciseman receive more homage and respect than what was paid formerly to their quondam Mackallamores.

I think I see the present peers of Scotland, whose noble ancestors conquered provinces, overran countries, reduced and subjected towns and fortified places, exacted tribute through the greatest part of England, now walking in the court of requests like so many English attorneys laying aside their walking swords when in company with the English peers, lest their self-defence should be found murder.

I think I see the honourable estate of barons, the bold assertors of the nation's rights and liberties in the worst of times, now setting a watch upon their lips and a guard upon their tongues, lest they be found guilty of *scandalum magnatum*.

I think I see the royal state of boroughs walking their desolate streets, hanging down their heads under disappointments, wormed out of all the branches of their old trade, uncertain what hand to turn to, necessitate to become 'prentices to their unkind neighbours ; and yet, after all,



finding their trade so fortified by companies, and secured by prescriptions, that they despair of any success therein.

I think I see our learned judges laying aside their practiques and decisions, studying the common law of England, gravelled with *certioraries nisi prius's*, writs of error, *verdicts indovar*, *ejectione firmæ*, injunctions, demurs, etc., and frightened with appeals and avocations, because of the new regulations and rectifications they may meet with.

I think I see the valiant and gallant soldiery either sent to learn the plantation-trade abroad ; or at home petitioning for a small subsistence, as the reward of their honourable exploits ; while their old corps are broken, the common soldiers left to beg, and the youngest English corps kept standing.

I think I see the honest, industrious tradesman loaded with new taxes and impositions, disappointed of the equivalents, drinking water in place of ale, eating his saltless pottage, petitioning for encouragement to his manufactories, and answered by counter-petitions.

In short, I think I see the laborious ploughman, with his corn spoiling upon his hands for want of sale, cursing the day of his birth, dreading the expense of his burial, and uncertain whether to marry or do worse.

I think I see the incurable difficulties of the landed men, fettered under the golden chain of equivalents, their pretty daughters petitioning for want of husbands, and their sons for want of employment.

I think I see our mariners delivering up their ships to their Dutch partners, and what through presses and necessity, earning their bread as underlings in the royal English navy.

But above all, my lord, I think I see our ancient mother Caledonia, like Cæsar, sitting in the midst of our senate, ruefully looking round about her, covering herself with her royal garment, attending the fatal blow, and breathing out her last with an *Et tu quoque, mi fili*.

Are not these, my lord, very afflicting thoughts ? And yet they are but the least part suggested to me by these dishonourable articles. Should not the consideration of these things vivify these dry bones of ours ? Should not the memory of our noble predecessors' valour and constancy rouse up our drooping spirits ? Are our noble predecessors' souls got so far into the English cabbage stock and cauliflowers that we should show the least inclination that way ? Are our eyes so blinded ? Are our ears so deafened ? Are our hearts so hardened ? Are our tongues so faltered ? Are our hands so fettered that in this our day, I say, my lord, that in this our day, we should not mind the things that concern the very being and well-being of our ancient kingdom, before the day be hid from our eyes ?

No, my lord, God forbid! man's extremity is God's opportunity; he is a present help in time of need, and a deliverer, and that right early. Some unforeseen Providence will fall out, that may cast the balance; some Joseph or other will say, "Why do ye strive together, since ye are brethren?" None can destroy Scotland, save Scotland itself; hold your hands from the pen, you are secure. Some Judah or other will say, "Let not our hands be upon the lad, he is our brother." There will be a Jehovah-Jireh, and some ram will be caught in the thicket, when the bloody knife is at our mother's throat. Let us up then, my lord, and let our noble patriots behave themselves like men, and we know not how soon a blessing may come.

My lord, I wish from my heart, that this my vision prove not as true as my reasons for it are probable. I design not at this time to enter into the merits of any one particular article; I intend this discourse as an introduction to what I may afterwards say upon the whole debate as it falls in before this honourable house; and therefore, in the farther prosecution of what I have to say, I shall insist upon few particulars, very necessary to be understood, before we enter into the detail of so important a matter.

I shall, therefore, in the first place, endeavour to encourage a free and full deliberation, without animosities and heats. In the next place I shall endeavour to make an inquiry into the nature and source of the unnatural and dangerous divisions that are now on foot within this isle, with some motives showing that it is our interest to lay them aside at this time. Then I shall inquire into the reasons which have induced the two nations to enter into the treaty of union at this time, with some considerations and meditations with relation to the behaviour of the lords commissioners of the two kingdoms in the management of this great concern. And lastly, I shall propose a method, by which we shall most distinctly, and without confusion, go through the several articles of this treaty, without unnecessary repetitions or loss of time. And all this with all deference, and under the correction of this honourable house.

My lord chancellor, the greatest honour that was done unto a Roman was to allow him the glory of a triumph; the greatest and most dishonourable punishment was that of *parricide*. He that was guilty of *parricide* was beaten with rods upon his naked body till the blood gushed out of all the veins of his body; then he was sewed up in a leathern sack, called a *culeus*, with a cock, a viper, and an ape, and thrown headlong into the sea.

My lord, *patricide* is a greater crime than *parricide*, all the world over.

In a triumph, my lord, when the conqueror was riding in his triumphal chariot, crowned with laurels, adorned with trophies and applauded with huzzas, there was a monitor appointed to stand behind him, to warn

him not to be high-minded, not puffed up with overweening thoughts of himself ; and to his chariot were tied a whip and a bell, to remind him that for all his glory and grandeur he was accountable to the people for his administration, and would be punished as other men, if found guilty.

The greatest honour amongst us, my lord, is to represent the Sovereign's sacred person in Parliament ; and in one particular it appears to be greater than that of a triumph, because the whole legislative power seems to be wholly intrusted with him. If he give the royal assent to an act of the estates, it becomes a law obligatory upon the subject, though contrary or without any instructions from the Sovereign. If he refuse the royal assent to a vote in Parliament, it cannot be a law, though it has the Sovereign's particular and positive instructions for it.

His Grace, the Duke of Queensberry, who now represents her Majesty in this session of Parliament, hath had the honour of that great trust, as often, if not more, than any Scotchman ever had. He hath been the favourite of two successive Sovereigns : and I cannot but commend his constancy and perseverance, that notwithstanding his former difficulties and unsuccessful attempts, and maugre some other specialities not yet determined, his Grace has yet had the resolution to undertake the most unpopular measures last. If his Grace succeed in this affair of a union, and that it prove for the happiness and welfare of the nation, then he justly merits to have a statue of gold erected for himself ; but if it shall tend to the entire destruction and abolition of our nation, and that we the nation's trustees will go into it, then I must say that a whip and a bell, a cock and a viper and an ape, are but too small punishments for any such bold, unnatural undertaking and complaisance.

That I may pave a way, my lord, to a full, calm, and free reasoning upon this affair, which is of the last consequence unto this nation, I shall mind this honourable house, that we are the successors of our noble predecessors, who founded our monarchy, framed our laws, amended, altered, and corrected them from time to time, as the affairs and circumstances of the nation did require, without the assistance or advice of any foreign power or potentate, and who, during the time of 2,000 years, have handed them down to us, a free independent nation, with the hazard of their lives and fortunes. Shall not we then argue for that which our progenitors have purchased for us at so dear a rate, and with so much immortal honour and glory ? God forbid. Shall the hazard of a father unbind the ligaments of a dumb son's tongue ; and shall we hold our peace, when our *patria* is in danger ? I speak this, my lord, that I may encourage every individual member of this house to speak his mind freely. There are many wise and prudent men amongst us, who think it not worth their while to open their mouths ; there are

others who can speak very well, and to good purpose, who skelter themselves under the shameful cloak of silence, from a fear of the frowns of great men and parties. I have observed, my lord, by my experience, the greatest number of speakers in the most trivial affairs ; and it will always prove so, while we come not to the right understanding of the oath *de fideli*, whereby we are bound not only to give our vote, but our faithful advice in Parliament, as we should answer to God ; and in our ancient laws, the representatives of the honourable barons and the royal boroughs are termed spokesmen. It lies upon your lordships, therefore, particularly to take the notice of such whose modesty makes them bashful to speak. Therefore, I shall leave it upon you, and conclude this point with a very memorable saying of an honest private gentleman to a great queen, upon occasion of a State project, contrived by an able statesman, and the favourite to a great king, against a peaceable, obedient people, because of the diversity of their laws and constitutions : “ If at this time thou hold thy peace, salvation shall come to the people from another place, but thou and thy house shall perish.” I leave the application to each particular member of this house.

My lord, I come now to consider our divisions. We are under the happy reign (blessed be God) of the best of queens, who has no evil design against the meanest of her subjects, who loves all her people, and is equally beloved by them again ; and yet that under the happy influence of our most excellent Queen there should be such divisions and factions more dangerous and threatening to her dominions than if we were under an arbitrary government, is most strange and unaccountable. Under an arbitrary prince all are willing to serve because all are under a necessity to obey, whether they will or not. He chooses therefore whom he will, without respect to either parties or factions ; and if he think fit to take the advices of his councils or parliaments, every man speaks his mind freely, and the prince receives the faithful advice of his people without the mixture of self-designs. If he prove a good prince, the government is easy ; if bad, either death or a revolution brings a deliverance. Whereas here, my lord, there appears no end of our misery, if not prevented in time ; factions are now become independent, and have got footing in councils, in parliaments, in treaties, armies, in corporations, in families, among kindred, yea, man and wife are not free from their political jars.

It remains therefore, my lord, that I inquire into the nature of these things ; and since the names give us not the right idea of the thing, I am afraid I shall have difficulty to make myself well understood.

The names generally used to denote the factions are Whig and Tory, as obscure as that of Guelfs and Ghibellines. Yea, my lord, they have

different significations, as they are applied to factions in each kingdom ; a Whig in England is a heterogeneous creature, in Scotland he is all of a piece ; a Tory in England is all of a piece and a statesman, in Scotland he is quite otherways, an anti-courtier and anti-statesman.

A Whig in England appears to be somewhat like Nebuchadnezzar's image, of different metals, different classes, different principles, and different designs ; yet take the Whigs all together, they are like a piece of fine mixed druggut of different threads, some finer, some coarser, which, after all, make a comely appearance and an agreeable suit. Tory is like a piece of loyal-made English cloth, the true staple of the nation, all of a thread ; yet, if we look narrowly into it, we shall perceive diversity of colours, which, according to the various situations and positions, make various appearances. Sometimes Tory is like the moon in its full, as appeared in the affair of the bill of occasional conformity ; upon other occasions it appears to be under a cloud, and as if it were eclipsed by a greater body, as it did in the design of calling over the illustrious Princess Sophia. However, by this we may see their designs are to outshoot Whig in his own bow.

A Whig in Scotland is a true blue Presbyterian, who, without considering time or power, will venture his all for the Kirk, but something less for the State. The greatest difficulty is how to describe a Scots Tory. Of old, when I knew them first, a Tory was an honest hearted comradish fellow, who, provided he was maintained and protected in his benefices, titles, and dignities by the State, was the less anxious who had the government and management of the Church. But now what he is since *jure divino* came in fashion, and that Christianity, and, by consequence, salvation comes to depend upon episcopal ordination, I profess I know not what to make of him ; only this I must say for him, that he endeavours to do by opposition that which his brother in England endeavours by a more prudent and less scrupulous method.

Now, my lord, from these divisions there has got up a kind of aristocracy something like the famous triumvirate at Rome ; they are a kind of undertakers and pragmatic statesmen, who, finding their power and strength great, and answerable to their designs, will make bargains with our gracious Sovereign ; they will serve her faithfully, but upon their own terms ; they must have their own instruments, their own measures ; this man must be turned out, and that man put in, and then they will make her the most glorious Queen in Europe.

Where will this end, my lord ? Is not her Majesty in danger by such a method ? Is not the monarchy in danger ? Is not the nation's peace and tranquillity in danger ? Will a change of parties make the nation more happy ? No, my lord, the seed is sown that is like to afford

us a perpetual increase ; it is not an annual herb, it takes deep root ; it seeds and breeds ; and, if not timely prevented by her Majesty's royal endeavours, will split the whole island in two.

My lord, I think, considering our present circumstances at this time, the Almighty God has reserved this great work for us. We may bruise this Hydra of division, and crush this Cockatrice's egg. Our neighbours in England are not yet fitted for any such thing ; they are not under the afflicting hand of Providence, as we are ; their circumstances are great and glorious ; their treaties are prudently managed, both at home and abroad ; their generals brave and valorous ; their armies successful and victorious ; their trophies and laurels memorable and surprising ; their enemies subdued and routed ; their strongholds besieged and taken, sieges relieved, marshals killed and taken prisoners ; provinces and kingdoms are the results of their victories ; their royal navy is the terror of Europe ; their trade and commerce extended through the universe, encircling the whole habitable world and rendering their own capital city the emporium for the whole inhabitants of the earth. And, which is yet more than all these things, the subjects freely bestow their treasure upon their Sovereign ! And, above all, these vast riches, the sinews of war, and without which all the glorious success had proved abortive—these treasures are managed with such faithfulness and nicety, that they answer seasonably all their demands, though at never so great a distance. Upon these considerations, my lord, how hard and difficult a thing will it prove to persuade our neighbours to a self-denying bill.

'Tis quite otherwise with us, my lord ; we are an obscure poor people, though formerly of better account, removed to a remote corner of the world, without name, and without alliances, our posts mean and precarious so that I profess I don't think any one post of the kingdom worth the bruing after, save that of being commissioner to a long session of a factious Scotch Parliament, with an antedated commission, and that yet renders the rest of the ministers more miserable. What hinders us then, my lord, to lay aside our divisions, to unite cordially and heartily together in our present circumstances, when our all is at stake ? Hannibal my lord, is at our gates ; Hannibal is come within our gates ; Hannibal is come the length of this table ; he is at the foot of this throne ; he will demolish this throne ; if we take not notice, he'll seize upon these regalia, he'll take them as our *spolia opima* and whip us out of this house, never to return again.

For the love of God then, my lord, for the safety and welfare of our ancient kingdom, whose sad circumstances, I hope, we shall yet convert into prosperity and happiness, we want no means, if we unite. God blessed the peacemakers ; we want neither men, nor sufficiency

of all manner of things necessary, to make a nation happy ; all depends upon Management, *Concordia res parvæ crescunt*. I fear not these articles, though they were in times worse than they are, if we once cordially forgive one another, and that, according to our proverb bygones be bygones, and fair play for time to come. For my part, in the sight of God, and in the presence of this honourable house, I heartily forgive every man, and beg that they may do the same to me ; and I do most humbly propose that his Grace, my lord commissioner, may appoint an Agape, may order a love feast for this honourable house, that we may lay aside all self-designs, and after our fasts and humiliations may have a day of rejoicing and thankfulness, may eat our meat with gladness, and our bread with a merry heart ; then shall we sit each man under his own fig-tree, and the voice of the turtle shall be heard in our land, a bird famous for constancy and fidelity.

My lord, I shall make a pause here, and stop going on further in my discourse till I see further, if his Grace, my lord commissioner, receive any humble proposals for removing misunderstandings among us, and putting an end to our fatal divisions ; upon honour, I have no other design and I am content to beg the favour upon my bended knees. (No answer.) My lord chancellor, I am sorry that I must pursue the thread of my sad story. What remains, I am afraid may prove as afflicting as what I have said ; I shall therefore consider the motives which have engaged the two nations to enter upon a treaty of union at this time. In general, my lord, I think both of them had in their view to better themselves by the treaty ; but before I enter upon the particular motives of each nation, I must inform this honourable house that since I can remember, the two nations have altered their sentiments upon that affair, even almost to downright contradiction—they have changed headbands, as we say ; for the English, till of late, never thought it worth their pains of treating with us ; the good bargain they made at the beginning they resolved to keep, and that which we call an incorporating union was not so much as in their thoughts. The first notice they seemed to take of us was in our affair of Caledonia, when they had most effectually broken off that design in a manner very well known to the world, and unnecessary to be repeated here ; they kept themselves quiet during the time of our complaints upon that head. In which time our Sovereign, to satisfy the nation, and allay their heats, did condescend to give us some good laws, and amongst others that of personal liberties ; but they having declared their succession, and extending their entail, without ever taking notice of us, our gracious Sovereign Queen Anne was graciously pleased to give the royal assent to our act of security, to that of peace and war after the decease of her Majesty, and the heirs of her body, and to give us a hedge

to all our sacred and civil interests, by declaring it high treason to endeavour the alteration of them, as they were then established. Thereupon did follow the threatening and minatory laws against us by the Parliament of England, and the unjust and unequal character of what her Majesty had so graciously condescended to in our favours. Now, my lord, whether the desire they had to have us engaged in the same succession with them, or whether they found us like a free and independent people, breathing after more liberty than what formerly was looked after, or whether they were afraid of our act of security, in case of her Majesty's decease ; which of all these motives has induced them to a treaty I leave it to themselves. This I must say only, they have made a good bargain this time also.

For the particular motives that induced us, I think they are obvious to be known, we found by sad experience, that every man hath advanced in power and riches, as they have done in trade, and at the same time considering that nowhere through the world slaves are found to be rich, though they should be adorned with chains of gold, we thereupon changed our notion of an incorporating union to that of a federal one ; and being resolved to take this opportunity to make demands upon them, before we entered into the succession, we were content to empower her Majesty to authorize and appoint commissioners to treat with the commissioners of England, with as ample powers as the lords commissioners from England had from their constituents, that we might not appear to have less confidence in her Majesty, nor more narrow-heartedness in our act, than our neighbours of England. And thereupon last Parliament, after her Majesty's gracious letter was read, desiring us to declare the succession in the first place, and afterwards to appoint commissioners to treat, we found it necessary to renew our former resolve, which I shall read to this honourable house. The resolve presented by the Duke of Hamilton last session of Parliament :—

“ That this Parliament will not proceed to the nomination of a successor till we have had a previous treaty with England, in relation to our commerce, and other concerns with that nation. And further, it is resolved that this Parliament will proceed to make such limitations and conditions of government, for the rectification of our constitution, as may secure the liberty, religion, and independency of this kingdom, before they proceed to the said nomination.”

Now, my lord, the last session of Parliament having, before they would enter into any treaty with England, by a vote of the house, passed both an act for limitations and an act for rectification of our constitution, what mortal man has reason to doubt the design of this treaty was only federal ?



My lord chancellor, it remains now, that we consider the behaviour of the lords commissioners at the opening of this treaty. And before I enter upon that, allow me to make this meditation, that if our posterity, after we are all dead and gone, shall find themselves under an ill-made bargain, and shall have recourse unto our records, and see who have been the managers of that treaty, by which they have suffered so much ; when they read the names, they will certainly conclude, and say, Ah ! our nation has been reduced to the last extremity, at the time of this treaty ; all our great chieftains, all our great peers and considerable men, who used formerly to defend the rights and liberties of the nation, have been all killed and dead in the bed of honour, before ever the nation was necessitated to condescend to such mean and contemptible terms. Where are the names of the chief men, of the noble families of Stuarts, Hamiltons, Grahams, Campbells, Gordons, Johnstons, Humes, Murrays, Kers ? Where are the two great officers of the crown, the constables and marshals of Scotland ? They have certainly all been extinguished, and now we are slaves forever.

Whereas the English records will make their posterity reverence the memory of the honourable names who have brought under their fierce, warlike, and troublesome neighbours, who had struggled so long for independence, shed the best blood of their nation, and reduced a considerable part of their country to become waste and desolate.

I am informed, my lord, that our commissioners did indeed frankly tell the lords commissioners for England that the inclinations of the people of Scotland were much altered of late, in relation to an incorporating union ; and that, therefore, since the entail was to end with her Majesty's life (whom God long preserve), it was proper to begin the treaty upon the foot of the treaty of 1604, year of God, the time when we came first under one Sovereign ; but this the English commissioners would not agree to, and our commissioners, that they might not seem obstinate, were willing to treat and conclude in the terms laid before this honourable house and subjected to their determination.

If the lords commissioners for England had been as civil and complaisant, they should certainly have finished a federal treaty likewise, that both nations might have the choice which of them to have gone into as they thought fit ; but they would hear of nothing but an entire and complete union, a name which comprehends a union, either by incorporation, surrender, or conquest, whereas our commissioners thought of nothing but a fair, equal, incorporating union. Whether this be so or not I leave it to every man's judgment ; but as for myself I must beg liberty to think it no such thing ; for I take an incorporating union to be, where there is a change both in the material and formal points of

government, as if two pieces of metal were melted down into one mass, it can neither be said to retain its former form or substance as it did before the mixture. But now, when I consider this treaty, as it hath been explained and spoken to before us this three weeks past, I see the English constitution remaining firm, the same two houses of Parliament, the same taxes, the same customs, the same excises, the same trading companies, the same municipal laws and courts of judicature ; and all ours either subject to regulations or annihilations, only we have the honour to pay their old debts and to have some few persons present for witnesses to the validity of the deed when they are pleased to contract more.

Good God ! What, is this an entire surrender !

My lord, I find my heart so full of grief and indignation that I must beg pardon not to finish the last part of my discourse, that I may drop a tear as the conclusion to so sad a story.

## SIR ROBERT L. BORDEN

*(For Biographical Note see Section i.).*

### THE ACHIEVEMENT OF CANADA

**T**HE welcome given to us has been as from kinsmen to kinsmen. Journeys across the ocean in these days are not of the pleasantest, and are sometimes protracted. Ours, fortunately, across the Atlantic, was uneventful, and both during the voyage and after arriving here, it was with the deepest satisfaction that I noted a profound change in the feeling of the Empire towards the submarine peril, compared with what it was when we arrived here a little more than a year ago.

I do not wish to be understood as suggesting that the menace has passed, but I do venture to believe, from what I have heard and seen, that the extreme peril of 12 to 14 months ago has indeed passed, and that in meeting the peril the British Navy has upheld the most splendid traditions of the past. We in the Oversea Dominions, in common with you in these islands, must acknowledge with the utmost appreciation the remarkable services which the Navy has rendered to this Empire. Because, after all, this Empire can only be held together by sea-power. It can only maintain its strength when the highways over the ocean are kept open. If it had not been for the Navy what could we overseas have done to aid in this war, or what could you have done to aid our gallant Allies on the Continent of Europe? Not only on the surface of the ocean, but beneath it as well, the Navy has played its part wonderfully and splendidly. I have often thought of the perils and the darkness, the storms and the tempests of the North Sea, and of the wonderful vigil that the men of the Navy were keeping there in order that this Empire might be held together and might play its part in the war.

I am glad to come back now, because in coming I realize that the spirit of your people, in common with the spirit of all the people of the Empire, is as unflinching and as indomitable as it was in 1915, when I saw you, and as it was a year ago. So it will be to the end. We realize the sacrifices that you have endured, the burdens that you have laid upon yourselves, the mighty power that you have exercised. We understand and realize the way in which you have overcome all the

traditions of the past, in order that the energy and power of this nation might be systematized and co-ordinated, so that it could be thrown with all its strength into the struggle. We admire you for it. We admire the leadership that has been given, and we hope that we and the nations beyond the seas have not been wholly backward in doing our part. Perhaps it may not be amiss for me to-night, speaking of my own country, my own Dominion, to give you an idea of what our effort has been, and to assure you that the spirit of our people justifies me in telling you that that effort will be indeed continued until the issue is decided, and decided as it ought to be decided.

When I was here a year ago we had enlisted in Canada for this war something more than 400,000 men. To-day we have enlisted considerably more than 500,000 men. During the past 12 or 14 months more than 100,000 men have joined the colours in Canada. Our force in France—I may not tell you their number, but I may at least tell you this—that we have 35,000 more men in France to-day than we had when I left these shores last year. To-day there are more than 385,000 men of the Canadian Expeditionary Force who have crossed the ocean, and they are still coming. In addition to that, we have sent into the air service during the past three and a half years of war 14,000 men, and to the naval services and the reserves of various nations we have contributed from the manhood of Canada at least 35,000 men. I am able to tell you to-night that the man-power of Canada has furnished to the military and naval forces of the Empire and the Allies not less than 425,000 men.

I am proud of what the Canadian forces have done in this war. I am proud of what all the forces of the Empire have done. We in Canada are as proud of what Australia and New Zealand have done as we are of what the men of these islands and Canadians have done. I should tell you that of the 385,000 men who have sailed from Canada not less than 175,000 were born within these islands and had come to Canada. The effort has been great, but the sacrifice has been great as well. There had been 78,000 casualties when I left these shores last year. The casualties are 152,000 to-day in the Canadian Expeditionary Force. I saw more than 2,000 of these men last Sunday at Epsom who had come back from the front wounded, and I do not believe that there was one man among them, fit in a military sense to go back and do his duty again, who was not keen and eager and desirous of standing at the earliest possible moment alongside his comrades in France. That is the spirit, first and last in this war, I have found among our men, and I know the same spirit has prevailed throughout the Empire.

Since I was here a great many important things have happened in Canada, and among other things the enactment of compulsory military

service. I believe that here, as elsewhere, the relatively trivial disturbances occasioned by the enforcement of that Act had been very greatly exaggerated, and I am happy to tell you that from one end of Canada to the other that Act was accepted, and that the men were flocking to the Colours. As a matter of fact, after the Act was first proclaimed, some ten or twelve thousand men joined the Colours at once without waiting for the call. There had been trifling disturbances here and there, not entirely confined to any one section of the country, and we have been obliged to enact certain amendments to the Military Service Act with a view of preventing any attempt at forcible resistance. One measure which we enacted and which, I think, had a very happy effect, was a provision that any man forcibly resisting the Military Service Act, or encouraging forcible resistance to it, should *ipso facto* become a member of the Canadian Expeditionary Force and authorized to employ his warlike spirit against the enemies of this island. I should like to say one thing further about the men who had come in under that Act, and that is that their spirit is just as fine, and they are as worthy of their country as the men who came in under voluntary enlistment. There are some thousands of them in this island at the present time. Although I have not had the pleasure of seeing them—I hope to see them in the early future—my colleagues, who had seen them, said that not only were they physically among the best they had sent over, but their spirit was as admirable and as keen as that of any of the men who had come in during the past three and a half years.

What had Canada done besides? Besides men we required food—the Empire required food, the Allies required it. We required ships; we required munitions. We have tried to do our part in all those matters. There had been an active campaign for increased food production in Canada going on during the past year, and I desire to make my grateful acknowledgment to some of the Prime Ministers of the Canadian Provinces who were present for their splendid co-operation in the attempt to increase food supply. I have had a report from Canada that the acreage under cultivation for food purposes during this season would be at least 10 per cent. greater than it was last year, and, taking wheat, oats, rye, and barley, we expect in Canada, unless weather conditions should prove unfavourable, a crop of about 900 million bushels.

We have tried to help with ships, and I have been very glad to assure the Prime Minister that we had something like fourteen shipyards. More than 45,000 tons of shipping had recently been laid down. We expect to lay down 170,000 tons. We expect to turn out 84,000 tons this year and 250,000 tons next year.

As to munitions, I think that the industries of Canada have proved perhaps more effective and more highly organized than we were inclined to believe at the beginning of the war. They had produced nearly one thousand million dollars' worth of munitions. Of some particular varieties of shell Canada had turned out for eighteen months 40 per cent. of the entire needs of the British Army. Those munitions had not only to be provided, but they had to be paid for, and the Exchequer of Canada furnished 460 million dollars to aid in paying for them, and the banks of Canada furnished another 100 million dollars for that purpose.

I do indeed think that a very great step in the Constitutional development of the Empire was taken last year by the Prime Minister, when he summoned the Prime Ministers of the Overseas Dominions to the Imperial War Cabinet. They met there on terms of perfect equality. They met as Prime Ministers and as self-governing nations. They met there under the leadership and presidency of the Prime Minister of the United Kingdom. After all, the British Empire as it was at present constituted was a very modern organization. It was perfectly true that it was built up on the development of centuries, but as it was constituted to-day, both in territory and in organization, it was a relatively modern affair. I call attention to the developments that have taken place in regard to government in Canada, and they had always lacked the full status of nationhood, because the Home Government exercised a sort of trusteeship under which it undertook to deal with foreign relations on their behalf and sometimes without consulting them very much. That day had gone by. We came here, we came here last year, and in dealing with all these matters we stand upon terms of perfect equality with the Prime Minister of the United Kingdom and his colleagues. I believe in the Imperial War Cabinet, and if I might describe it, I should say it was a Cabinet of Governments. Every Prime Minister who sat around that board was responsible to his own Parliament and to his own people, and the conclusions of the War Cabinet could only be carried out by the Parliaments of the different parts of the Empire. Each Dominion, each nation, retained its perfect autonomy, and I venture to believe—and I thus expressed myself last year—that in this might be found the germ of a development in the constitutional relations of the Empire, which would form the basis of its unity in the years to come.

We are all optimists in this war because it had been undertaken in a cause which could not be permanently defeated. That cause might be temporarily defeated, and optimism alone would not prevent so disastrous an outcome. It would be idle to pretend that mistakes had not been made. It would be still more idle and foolish to dwell on them

merely for the sake of pointing them out. Against them had to be set as wonderful and mighty a military effort as ever had been undertaken and accomplished by a non-military country. In that military effort there should never be forgotten the wonderful valour and courage of those Seven Divisions who went to France in the early weeks of the war and made that stand which made their meeting possible.

I rejoice especially to know that we are fighting side by side with our kinsmen of the United States. The death knell of German militarism had been sounded when the United States entered the war. I believe that the military forces of the mighty West would prove to be the most formidable that Germany had ever met, and that militarism would eventually go down before the onset of democracy. The line must be held, and it would be held, until our kinsmen could strike with their full strength. In the hearts of the British people there was a profound conviction, a faith strong enough to endure, that, notwithstanding any reverses that had come, or that could come, the world-wide British Commonwealth of free nations founded on the aspiration and effort and sacrifice of a thousand years, was not born to be destroyed or dominated by the brutal forces of the Hun.

## LORD BROUGHAM

(1778-1868).

ON November 22nd, 1830, Henry Brougham, still a commoner, took his seat as Speaker of the House of Lords, Keeper of the Great Seal, and Lord High Chancellor of England.

Nothing could be more characteristic than this of the system which has given England its greatness. It is a system which, during the last two hundred years at least, has made possible the highest promotion for every man with the intellect and strength of will to force himself forward and keep his position at the front in spite of the determined opposition of all whom hereditary rank, privilege, or fortune have made powerful without effort of their own.

To promote every such strong and persistent "upstart" is the studied policy which has steadied and perpetuated English aristocracy against the powerful attacks of such men as Brougham. It does not buy them. It could not have bought Brougham. It honours them and so disarms them. "You are one of us," it says to them, "and even if you are against us, we are for you!" So we have two Broughams—both great—but one with an increasing, the other with a waning greatness. It is Henry Brougham, commoner, plain barrister, champion of popular liberties, the greatest Liberal orator of his day, who takes his seat as presiding officer of the chamber which represents hereditary privilege against those very rights as the champion of which he had risen to greatness. A day later the patent of his peerage had been made out. He is "Baron Brougham and Vaux" and is introduced among the peers as one of them—as, indeed, from that time, he never ceased to be. He still fought strenuously the battles of his youth, and the Reform Bill of 1832 had no more ardent champion than he. But he fought as "Baron Brougham," and every day of his life brought him closer to the old age he spent in prattling of his associations with the royal family and of ancestors in the ancient peerage—of ancestors who existed, as even his friendly biographers fear, only in his always active and at last uncontrolled imagination. He had not been bought with honours and titles. He could not have been purchased. He was merely assimilated, but in the end his power went out from him completely. Henry Brougham, the greatest mind of England, showing in statesmanship, in oratory,



in literature, in mathematics, in science, the manifold talents which delighted while they controlled the England of 1830, came at last to be merely a member of the peerage, outliving himself and surviving into a later generation as a memento of his own inconsistencies.

In the noble climax of his speech at Liverpool in 1812, after having denounced Pitt for the war upon America, Brougham said that his own proudest ambition was to be looked upon by posterity as the friend of liberty and peace.

This ambition he has realized. From 1808, when he was admitted to the bar of England, until after the struggle over the Reform Bill of 1832, he was a great and growing force for the progress of England, not merely in power, but in all that makes civilization. He forced the fighting for the abolition of degrading punishments in the army and navy ; he compelled public attention to English slaveholding and English complicity in the slave trade until the demand for action could not be evaded ; he dared the displeasure of the court and won the lasting enmity of the King by taking the part of the unfortunate Queen Caroline, and at the same time he was experimenting in optics, studying mathematics, and writing scientific papers for the English Royal Society or the French Academy of Sciences.

Seeing him passing in a carriage one of his acquaintances said of him, with that resentment genius often challenges from those it seeks to benefit : " There go Solon, Lycurgus, Demosthenes, Archimedes, Sir Isaac Newton, Lord Chesterfield, and a great many more, all in one post-chaise." W.V.B.

## AGAINST WAR WITH AMERICA

(Delivered at the Liverpool Election, Friday, October 8th, 1812).

**G**ENTLEMEN, I told you last night when we were near the head of the poll, that I, for one at least, would neither lose heart in the conflict, nor lower my courage in fighting your battles, nor despair of the good cause although we should be fifty, a hundred, or even two hundred behind our enemies. It has happened this day that we have fallen short of them, not quite by two hundred, but we have lost one hundred and seventy votes. I tell you this with the deepest concern, with feelings of pain and sorrow which I dare not trust myself in attempting to express. But I tell it to you without any sensation approaching to despondency. This is the only feeling which I have not now present in my breast. I am overcome with your unutterable affection towards

me and my cause. I feel a wonder mingled with gratitude, which no language can even attempt to describe, at your faithful, unwearied, untamable exertions in my behalf of our common object. I am penetrated with an anxiety for its success, if possible more lively than any of yourselves can know who are my followers in this mighty struggle—an anxiety cruelly increased by that which as yet you are ignorant of, though you are this night to hear it. To my distinguished friends who surround me, and connect me more closely with you, I am thankful beyond all expression. I am lost in admiration of the honest and courageous men amongst you who have resisted all threats as well as all bribes, and persevered in giving me their free unbought voices. For those unhappy persons who have been scared by imminent fear on their own and their children's behalf from obeying the impulse of their conscience, I feel nothing of resentment—nothing but pity and compassion. Of those who have thus opposed us, I think as charitably as a man can think in such circumstances. For this great town (if it is indeed to be defeated in the contest, which I will not venture to suppose), for the country at large whose cause we are upholding—whose fights we are fighting—for the whole manufacturing and trading interests—for all who love peace—all who have no profit in war—I feel moved by the deepest alarm lest our grand attempt may not prosper. All these feelings are in my heart at this moment—they are various, they are conflicting, they are painful, they are burthensome, but they are not overwhelming, and amongst them all—and I have swept round the whole range of which the human mind is susceptible—there is not one that bears the slightest resemblance to despair. I trust myself once more in your faithful hands ; I fling myself again on you for protection ; I call aloud to you to bear your own cause in your hearts ; I implore of you to come forth in your own defence, for the sake of this vast town and its people, for the salvation of the middle and lower orders, for the whole industrial part of the whole country ; I entreat you by your love of peace, by your hatred of oppression, by your weariness of burthensome and useless taxation, by yet another appeal to which those must lend an ear who have been deaf to all the rest ; I ask it for your families, for your infants, if you would avoid such a winter of horrors as the last. It is coming fast upon us ; already it is near at hand ; yet a few short weeks and we may be in the midst of those unspeakable miseries, the recollection of which now rends your very souls. If there is one freeman amongst this immense multitude who has not tendered his voice, and if he can be deaf to this appeal, if he can suffer the threats of our antagonists to frighten him away from the recollection of the last dismal winter, that man will not vote for me. But if I have the happiness of addressing one honest man

amongst you, who has a care left for his wife and children, or for other endearing ties of domestic tenderness (and which of us is altogether without them?), that man will lay his hand on his heart when I now bid him do so, and with those little threats of present spite ringing in his ear, he will rather consult his fears of greater evil by listening to the dictates of his heart, when he casts a look towards the dreadful season through which he lately passed, and will come bravely forward to place those men in Parliament whose whole efforts have been directed towards the restoration of peace and the revival of trade.

Do not listen to those who tell you the cause of freedom is desperate, they are the enemies of that cause and of you, but listen to me,—and I am one who has never yet deceived you,—I say, then, that it will be desperate if you make no exertions to retrieve it. I tell you that your language alone can betray it, that it can only be made desperate through your despair. I am not a man to be cast down by temporary reverses, let them come upon me as thick and as swift and as sudden as they may. I am not he who is daunted by majorities in the outset of a struggle for worthy objects,—else I should not now stand here before you to boast of triumphs won in your cause. If your champions had yielded to the force of numbers, of gold, of power,—if defeat could have dismayed them, then would the African slave trade never have been abolished, then would the cause of reform, which now bids fair to prevail over its enemies, have been long ago sunk amidst the desertions of its friends; then would those prospects of peace have been utterly benighted, which I still devoutly cherish, and which even now brighten in our eyes; then would the orders in council which I overthrew by your support have remained a disgrace to the British name, and an eternal obstacle to our best interests. I no more despond now than I have done in the course of those sacred and glorious contentions, but it is for you to say whether to-morrow shall not make it my duty to despair. To-morrow is your last day; your last efforts must then be made; if you put forth your strength the day is your own; if you desert it, it is lost. To win it, I shall be the first to lead you on and the last to forsake you.

When I told you a little while ago that there were new and powerful reasons to-day for ardently desiring that our cause might succeed, I did not sport with you; yourselves shall now judge of them. I ask you,—Is the trade with America of any importance to this great and thickly peopled town? [Cries of, “Yes, yes!”] Is a continuance of the rupture with America likely to destroy that trade? [Loud cries of, “It is, it is!”] Is there any man who would deeply feel it, if he heard that the rupture was at length converted into open war? Is there a man present who would not be somewhat alarmed if he sup-

posed that we should have another year without the American trade? Is there anyone of nerves so hardy, as calmly to hear that our government has given up all negotiation, abandoned all hopes of speedy peace with America? Then I tell that man to brace up his nerves; I bid you all be prepared to hear what touches you all equally. We are by this day's intelligence at war with America in good earnest; our government has at length issued letters of marque and reprisal against the United States. [Universal cries of, "God help us, God help us!"] Aye, God help us! God of his infinite compassion take pity on us! God help and protect this poor town, and this whole trading country!

Now I ask you whether you will be represented in Parliament by the men who have brought this grievous calamity on your heads, or by those who have constantly opposed the mad career which was plunging us into it? Whether you will trust the revival of your trade—the restoration of your livelihood—to them who have destroyed it, or to me whose counsels, if followed in time, would have averted this unnatural war, and left Liverpool flourishing in opulence and peace? Make your choice, for it lies with yourselves which of us shall be commissioned to bring back commerce and plenty,—they whose stubborn infatuation has chased those blessings away, or we, who are only known to you as the strenuous enemies of their miserable policy, the fast friends of your best interests.

I stand up in this contest against the friends and followers of Mr. Pitt, or, as they partially designate him, the immortal statesman, now no more. Immortal in the miseries of his devoted country! Immortal in the wounds of her bleeding liberties! Immortal in the cruel wars which sprang from his cold miscalculating ambition! Immortal in the intolerable taxes, the countless loads of debt which these wars have flung upon us—which the youngest man amongst us will not live to see the end of! Immortal in the triumph of our enemies, and the ruin of our allies, the costly purchase of so much blood and treasure! Immortal in the afflictions of England, and the humiliations of her friends, through the whole results of his twenty years' reign, from the first rays of favour with which a delighted court gilded his early apostasy, to the deadly glare which is at this instant cast upon his name by the burning metropolis of our last ally. But may no such immortality ever fall to my lot; let me rather live innocent and inglorious; and when at last I cease to serve you, and to feel for your wrongs, may I have a humble monument in some nameless stone, to tell that beneath it there rests from his labours in your service "an enemy of the immortal statesman—a friend of peace and of the people."

Friends, you must now judge for yourselves, and act accordingly. Against us and against you stand those who call themselves the successors of that man. They are the heirs of his policy ; and if not of his immortality, too, it is only because their talents for the work of destruction are less transcendent than his. They are his surviving colleagues. His fury survives in them, if not his fire ; and they partake of all his infatuated principles, if they have lost the genius that first made those principles triumphant. If you choose them for your delegates you know to what policy you lend your sanction—what men you exalt to power. Should you prefer me, your choice falls upon one who, if obscure and unambitious, will at least give his own age no reason to fear him, or posterity to curse him,—one whose proudest ambition it is to be deemed the friend of liberty and of peace.

## LORD BRYCE

(For Biographical Note see Section i.).

### SAVING THE WORLD FOR FREEDOM

(Delivered at the great Anglo-American Fellowship Meeting at the Central Hall, Westminster, Friday, July 5th, 1918).

**T**HIS is Independence Day. For the people of the United States it is the national birthday, the day when the tree of their separate national life was planted. But it was planted in war. For many a year the day was celebrated in the United States with hostility and defiance. By us in Britain it was remembered with sorrow, as marking the severance of precious ties. And now, after 142 years, it is being celebrated by both peoples with like enthusiasm—by the children of those who revolted against the British Crown as by the children of those who sadly admitted the loss of one of that Crown's choicest jewels. This fact, this joint celebration, is more eloquent than any words. What had been a day of anger on one side, and of grief on the other, has become for both a day of affection and rejoicing.

I need not ask what history might show to have been gained or lost for each country. It may be thought that if some political connection between them had been preserved, two things at least would have been gained. The war of 1812—an unmixed evil for both nations—would have been avoided; and though the North American Colonies would soon have become practically self-governing, as Canada is to-day, the mediation of the Mother Country would probably have averted the War of Secession, and secured the peaceable extinction of negro slavery. On the other hand, it may have been well for us and for the world that no one State so powerful as Britain and America united in one would have been, should have grown up. A State so immensely strong might have been led into aggression and injustice by the thirst for world dominion—a passion whose fatal consequences we see in the moral degradation of Prussianised Germany.

What forces have brought Britain and America again together, and how comes it that in the fourth generation another King George is joining on behalf of his people, in the celebration of this day which records the extinction of all the bitterness that arose in the days of George III.—

a bitterness that could never have arisen had the will of the British people ruled in 1775 as it rules to-day, for the severance came because we had then a perverse Court and a non-representative Parliament. It is not merely blood relationship that has brought this happy consummation. Quarrels between relatives are often the most bitter. It is a sense of the other and stronger ties that bind us together. You remember the lines in Milton's "Lycidas":—

For we were nursed upon the self-same hill,  
Fed the same flock by fountain, shade and rill.

Our greatest poets—Chaucer, Shakespeare, Milton—are the common glory of our race. Common to both peoples is the love of freedom and the faith in freedom which, sown long ago in English hearts, came to full flower in the days of Milton and Hampden and established civil and religious liberty on foundations never thereafter to be shaken. With the love of freedom, and as its proper accompaniment, Britain and America have both revered the moral law, have held to good faith between nations, have recognised their duties to the world. Their thoughts, their beliefs, their ideals sometimes differ in expression, but are substantially the same. The national heroes of both have been men who were great by their courage and by their sense of Right and Duty, from King Alfred down to Washington and Lincoln, whom Britain as well as America counts among the heroes of the race.

It is these things that have made each nation respect the other even at moments of tension. Deep down in the heart of each, almost too deep for expression, there has been the sense that the other possessed those essential virtues by which nations live; and each had a secret pride in seeing that the other retained what both felt to be the finest characteristics of the ancient stock. We saw another quality of that stock shine forth in the energy with which the people of the United States have overspread the vast Continent, have planted everywhere the self-governing institutions, are assimilating and turning into useful citizens the immigrants who came in a huge and turbid flood, and have built up a fabric of industrial prosperity such as has never been seen elsewhere.

For half a century the sense of unity had been growing closer, when an event happened which revealed both nations to themselves and to one another. The German Government suddenly invaded neutral and peaceful Belgium. Britain sprang into the breach, and within three years raised an army of more than five millions—ten times as large as that she had when the war began. Germany followed up her first crime by perpetrating upon non-combatants and neutrals a succession of outrages unheard of before. It was then the turn of America.

We in England have scarcely yet realised the magnitude of the new departure which America took when she entered the war. The oldest and best-established of her traditions, dating from the days of Washington, had been to stand aloof, secure in her splendid isolation, from all European entanglements. The Germans, from the heights of their intellectual arrogance, had despised Americans as given up to the gross materialism of money-making, just as they despised the English as a decadent people sunk in luxury and sloth. But when America saw every principle of right overridden, every sentiment of humanity cast to the winds, America strode forth in her strength. Duty called on her to help to save the world, and she answered the call of Duty. A new star blazed forth in the sky like that which startled our astronomers three weeks ago ; but it is a star whose lustre will know no fading.

First came her Navy, helping the ships of Britain to hunt down those wild beasts of the sea, who rise from their green lairs beneath the waves to murder the innocent. Then, while in the American cities the elder men have been watching with breathless anxiety for every report brought hour by hour along the cables from the imperilled front in France, we see the young soldiers of America come swarming over the ocean in an ever-growing host, which begins to be counted by millions. They come with the passion of crusaders, eager to bear the shock of battle in a sacred cause. The New World—to use the famous phrase which Canning pronounced nearly a century ago—“ has come to redress the balance of the Old.” Its fresh and fiery spirit has the promise of victory. This spirit, this zeal to serve the cause of right, this sense of a common duty and a common purpose, these perils which American and British soldiers (citizen armies drawn from the people) are facing side by side, all this has brought Britain and America closer than ever—closer even than they were under one government before that far-off day of Independence, which we are celebrating now and here. These things will be the surest pledge of affection and co-operation in a future stretching before us far as human thought can reach. I have quoted a famous phrase of Canning's. Let me quote, and adapt to the present the no less famous words of Pitt—Britain and America have together led the world of freedom by their example. Together they will save it—will save it for freedom—by their exertions.



## GAIUS JULIUS CÆSAR

(100-44 B.C.).

**G**AIUS JULIUS CÆSAR was born on the 12th July, 100 B.C. during the Consulship of C. Marius and L. Valerius Flaccus.

The marriage of his aunt Julia with Marius closely connected him with the popular party, and when in 83 B.C. he himself married Cornelia, the daughter of L. Cinna, the most distinguished leader of the party of Marius, the link was further strengthened.

The dictator Sulla, however, objected to this marriage, and ordered him to put away his wife, for although Cæsar was at this time only seventeen years of age, there were signs of his growing antagonism towards the aristocratic party. Cæsar refused to comply with this order and was consequently proscribed and compelled to leave Rome, but a short time afterwards his friends interceded for him and the decree was rescinded. Speaking of Cæsar at that time Sulla is said to have observed, "that that boy would some day or another be the ruin of the aristocracy, for that there were many Mariuses in him."

Cæsar's first campaign was fought in Asia under M. Thermus. During this, at the capture of Mytilene, he saved the life of a fellow-soldier and won his first distinction—a "Civic Crown." On the death of Sulla in 78 B.C. Cæsar returned to Rome and in the following year gained great renown as an orator by his prosecution of Cn. Dolabella. To perfect himself in oratory he decided to go to Rhodes that he might study under Apollonius Molon but on the voyage he was captured by pirates. On being ransomed he went to Miletus, manned some vessels and was successful in bringing his captors to Pergamus. There he crucified them.

When once again in Rome Cæsar devoted the whole of his energies to securing the favour of the people. In this he was successful, being appointed quæstor in 68, ædile in 65, and pontifex maximus in 63 B.C.

At about this time L. Sergius Catilina, a cruel and intriguing patrician, was conspiring against the State. Frustrated in his design to become consul he first plotted to murder the two consuls that had been elected. Failing in this purpose Catiline then organised a more extensive conspiracy aiming at the complete overthrow of the senatorial oligarchy which then dominated Rome. The plot was discovered,

Catiline fled from the capital and it was proposed to bring his associates to justice. Cæsar, however, secretly sympathised with the conspiracy, and in the debate of the Senate which followed its detection strongly opposed the execution of those that had taken part in it.

After a short campaign in Spain, Cæsar was appointed Consul, and forming a coalition with Pompey and M. Crassus established the first Triumvirate. During the years that followed he availed himself of every opportunity to increase his power, seeking particularly to have at his command as many of the legions of the Republic as possible. Having secured control of the provinces of Cisalpine Gaul and Illyricum, he advanced upon Transalpine Gaul, subjected its inhabitants, twice crossed the Rhine and twice invaded Britain.

These successes of Cæsar's aroused the jealousy of Pompey, who now joined the aristocratic party, with whose assistance he hoped to continue to hold the supreme power in the Roman State. At his instigation the Senate ordered Cæsar to disband his army, declaring that if this were not done by a certain date he would be an enemy of the State. This Cæsar refused to do and prepared to march on Rome. Town after town opened their gates to him, and Pompey, the magistrates and Senators having fled to the South, he proceeded to drive them to Brundisium, where Pompey hastily embarked for Greece.

Having defeated Pompey's legates in Spain, Cæsar, in the beginning of January 48 B.C., crossed over to Greece. Here after a short campaign, Pompey was defeated at the decisive battle fought between the two armies on August 9th, and fleeing to Egypt was murdered before he could be overtaken. Arriving in Egypt Cæsar fell temporarily under the sway of Cleopatra. By her he had a son, Cæsarion. He then returned to Rome by way of Syria and Asia Minor, but before a month had expired sailed for Africa where Scipio and Cato had collected a large army. This army was defeated, and Cæsar again returned victorious to Rome.

Cæsar was now the undisputed master of the Roman world and he resolved to adopt an attitude of clemency towards all who had borne arms against him. But this generous attitude could not last, for the two sons of Pompey, Sextus and Cneius, were collecting a new army in Spain. Cæsar at once set out for the Peninsula, defeated his enemies at the battle of Munda on 17th March, 45 B.C., and returned to Rome in triumph.

On the great festival of Lupercalia (15th February) Mark Antony offered him the Regal Diadem, but seeing that the people were opposed to the establishment of a Monarchy, it was refused. The great career of Cæsar was now drawing to its tragic close. Friends and enemies were alike madly jealous of his power and the Roman aristocracy conspired to

kill him. Many of the conspirators had been raised by Cæsar to positions of wealth and honour, many of them were on terms of the closest intimacy with him.

On the 15th March, 44 B.C., the "Ides of March," Cæsar entered the Forum, when, at an appointed signal, the conspirators fell upon him. He fell, covered with wounds, at the foot of Pompey's statue.

## ON THE CONSPIRACY OF CATILINE

(Delivered in the Roman Senate, 63 B.C.).

**I**T is the duty of all men, Conscript Fathers, in their deliberations on subjects of difficult determination, to divest themselves of hatred and affection, of revenge and pity. The mind when clouded with such passions cannot easily discern the truth, nor has any man ever gratified his own headstrong inclination and at the same time answered any worthy purpose. When we exercise our judgment only, it has sufficient force, but when passion possesses us, it bears sovereign sway, and reason is of no avail. I could produce a great many instances of Kings and States pursuing wrong measures when influenced by resentment or compassion. But I had rather set before you the example of our forefathers, and show how they acted in opposition to the impulses of passion, but agreeably to wisdom and sound policy. In the war which we carried on with Perses, King of Macedonia, Rhodes, a mighty and flourishing city, which owed all its grandeur, too, to the Roman aid, proved faithless, and became our enemy: but when the war was ended, and the conduct of the Rhodians came to be taken into consideration, our ancestors pardoned them, that none might say the war had been undertaken more on account of their riches than of injuries. In all the Punic wars, too, though the Carthaginians, both in time of peace and even during a truce, had often insulted us in the most outrageous manner, yet our ancestors never improved any opportunity of retaliating; considering more what was worthy of themselves than what might in justice be done against them.

In like manner, Conscript Fathers, ought you to take care that the wickedness of Lentulus and the rest of the conspirators weigh not more with you than a regard to your own honour; and that, while you gratify your resentment, you do not forfeit your reputation. If a punishment, indeed, can be invented adequate to their crimes, I approve the extraordinary proposal made; but if the enormity of their guilt is

such that human invention cannot find out a chastisement proportioned to it, my opinion is, that we ought to be contented with such as the law has provided.

Most of those who have spoken before me have in a pompous and affecting manner lamented the situation of the State; they have enumerated all the calamities of war, and the many distresses of the conquered virgins and violated youths; children torn from the embraces of their parents; matrons forced to bear the brutal insults of victorious soldiers; temples and private houses plundered; all places filled with flames and slaughter; finally, nothing but arms, carcasses, blood, and lamentations to be seen.

But, for the sake of the immortal gods, to what purpose were such affecting strains? Was it to raise in your minds an abhorrence of the conspiracy, as if he whom so daring and threatening a danger cannot move, could be inflamed by the breath of eloquence? No; this is not the way: nor do injuries appear light to anyone that suffers them; many stretch them beyond their due size. But, Conscript Fathers, different allowances are made to different persons: when such as live in obscurity are transported by passion to the commission of any offences, there are few who know it, their reputation and fortune being on a level: but those who are invested with great power are placed on an eminence, and their actions viewed by all; and thus the least allowance is made to the highest dignity. There must be no partiality, no hatred, far less any resentment or animosity, in such a station. What goes by the name of passion only in others, when seen in men of power, is called pride and cruelty.

As for me, Conscript Fathers, I look on all tortures as far short of what these criminals deserve. But most men remember best what happened last; and, forgetting the guilt of wicked men, talk only of their punishment, if more severe than ordinary. I am convinced that what Decius Silanus, brave and worthy man, said, was from his zeal to the State, and that he was neither biased by partiality nor enmity; such is his dignity and moderation, as I well know. But his proposal appears to me not, indeed, cruel, (for against such men what can be cruel?) but contrary to the genius of our government. Surely, Silanus, you were urged by fear, or the enormity of the treason, to propose a punishment quite new. How groundless such fear is, it is needless to show; especially when, by the diligence of so able a consul, such powerful forces are provided for our security; and, as to the punishment, we may say, what indeed is the truth, that, to those who live in sorrow and misery, death is but a release from trouble; that it is death which puts an end to all the calamities of men, beyond which there is no room

for care and joy. But why, in the name of the gods, did not you add to your proposal that they should be punished with stripes? Was it because the Porcian law forbids it? But there are other laws, too, which forbid the putting to death a condemned Roman, and allow him the privilege of banishment. Or was it because whipping is a more severe punishment than death? Can anything be reckoned too cruel or severe against men convicted of such treason? But if stripes are a lighter punishment, how is it consistent to observe the law in a matter of small concern, and disregard it in one that is of greater?

But you will say, "Who will find fault with any punishment decreed against traitors to the State?" I answer, time may, so may sudden conjectures; and fortune, too, that governs the world at pleasure. Whatever punishment is inflicted on these parricides will be justly inflicted. But take care, Conscript Fathers, how your present decrees may affect posterity. All bad precedents spring from good beginnings, but when the administration is in the hands of wicked or ignorant men, these precedents, at first just, are transferred from proper and deserving objects to such as are not so.

The Lacedæmonians, when they had conquered the Athenians, placed thirty governors over them; who began their power by putting to death, without any trial, such as were remarkably wicked and universally hated. The people were highly pleased at this, and applauded the justice of such executions. But when they had by degrees established their lawless authority, they wantonly butchered both good and bad without distinction; and thus kept the State in awe. Such was the severe punishment which the people, oppressed with slavery, suffered for their foolish joy.

In our own times, when Sulla, after his success, ordered Damasippus, and others of the like character, who raised themselves on the misfortunes of the State, to be put to death, who did not commend him for it? All agreed that such wicked and factious instruments, who were constantly embroiling the commonwealth, were justly put to death. Yet this was an introduction to a bloody massacre: for whoever coveted his fellow-citizen's house, either in town or country, nay, even any curious vase or fine raiment, took care to have the possessor of it put on the list of the proscribed.

Thus they who had rejoiced at the punishment of Damasippus were soon after dragged to death themselves; nor was an end put to this butchery till Sulla had glutted all his followers with riches. I do not, indeed, apprehend any such proceedings from M. Cicero, nor from these times. But in so great a city as ours there are various characters and dispositions. At another time, and under another consul, who may

have an army, too, at his command, any falsehood may pass for fact ; and when, on this precedent, the consul shall, by a decree of the Senate, draw the sword, who is to set bounds to it ? who is to moderate its fury ?

Our ancestors, Conscript Fathers, never wanted conduct nor courage ; nor did they think it unworthy of them to imitate the customs of other nations, if they were useful and praiseworthy. From the Samnites they learned the exercise of arms, and borrowed from them their weapons of war ; and most of their ensigns of magistracy from the Tuscans ; in a word, they were very careful to practise whatever appeared useful to them, whether among their allies or their enemies ; choosing rather to imitate than envy what was excellent.

Now, in those days, in imitation of the custom of Greece, they inflicted stripes on guilty citizens, and capital punishment on such as were condemned : but when the commonwealth became great and powerful, and the vast number of citizens gave rise to factions ; when the innocent began to be circumvented, and other such inconveniences to take place ; then the Porcian and other laws were made, which provided no higher punishment than banishment for the greatest crimes. These considerations, Conscript Fathers, appear to me of the greatest weight against our pursuing any new resolution on this occasion : for surely their share of virtue and wisdom, who from so small beginnings raised so mighty an empire, far exceeds ours, who are scarce able to preserve what they acquired so gloriously.—“What ! shall we discharge the conspirators,” you will say, “to reinforce Catiline’s army ?” By no means : but my opinion is this ; that their estates should be confiscated ; their persons closely confined in the most powerful cities of Italy ; and that no one move the Senate or the people for any favour towards them, under the penalty of being declared by the Senate an enemy to the State and the welfare of its members.

## LORD CECIL

(1864- ).

**H**E is the third son of the late Marquis of Salisbury, by profession a barrister and a brilliant Parliamentarian gifted with a powerful and vigorous eloquence.

Lord Robert Cecil entered Parliament in 1906 as member for East Marylebone. He had been called to the Bar nine years before, but his political career actually began long before as his father's private secretary. During the struggle over the Lords' 'Veto' and the 'People's Budget' in 1910, he was perhaps the most formidable debating opponent of Mr. Lloyd George.

He joined the Coalition government in May, 1915, as Under Secretary for Foreign Affairs and was given charge of the Blockade policy in 1916 with a seat in the Cabinet. He became Chancellor of the University of Birmingham in 1918. In 1923 he became Viscount Cecil of Chelwood, and in 1924 received the first annual award (about £5,000) of the Woodrow Wilson Foundation for his work for "the establishment of peace through justice."

### WORLD PEACE

(Delivered at Birmingham University, on the occasion of his installation as Chancellor, November 12th, 1918).

**W**E have fought to annihilate a conception of national morality as pernicious as it is untrue, and to set up something better in its place. By the prodigious exertions which the Allies have been enabled to make, and the fearful sacrifices which they have endured, the German design has been defeated, and so utterly destroyed that its authors now deny that they ever entertained it. Even so our task is but half done. We have achieved victory; but the most glorious victory would be scarcely distinguishable from defeat unless we hereby lay foundations of a lasting peace. Truly, when we think of what this war has cost us, it is only the hope that such a peace may be established that will in any degree compensate us for its fearful sacrifices. Let anyone who has any illusions as to the meaning of modern war go and visit the battlefields of the Somme. Let him stand on some hillock, and see mile upon mile of devastated country. Here, his guide will tell him,

stood a pretty villa, with delightful gardens, there was a church, and in that direction went the village street ; and all that can be seen are the endless shell holes and earthen boulders covered with wild flowers and coarse grass. To such an abomination of desolation have the once smiling fields of France been reduced by the demon of Prussian militarism.

Nor is this an isolated phenomenon. The Somme battlefields are but a symbol of the waste of war. Wealth represented by thousands of millions of pounds has been blown into the air, hundreds of thousands of tons of shipping have been sunk ; human habitations, trees without number, stately churches and historic buildings have been destroyed ; the whole social and industrial life of mankind has been dislocated ; and there is scarcely a district in the remotest parts of China or Africa which is not cursing the authors of this world catastrophe. And all this loss of wealth is but the smallest part of what we have suffered. Millions of the best of our men have been killed in battle, millions more have been maimed for life. These things will give us some measure of the horrors of actual war, and if we would realize the full tale of suffering involved we must add to them the slaughter of women and children, the anxieties, the grief, the despair of the mourners at home, the wholesale destruction of life and property in foreign lands. The oppression of Belgium and Northern France, the starvation of Serbia and Poland, the Russian chaos, the Syrian murders, the Armenian massacres, with all their accompanying terrors, make up indeed a " draught of deadly wine."

In the face of a catastrophe like this, it is right that men should ask whether nothing can be done to prevent its recurrence. Some demand the destruction of Germany and the predominance of her present enemies. That the realization by the Central Powers of their defeat is an essential condition of any future settlement is true enough. But it is more than questionable whether permanent peace can be established on the basis of the world domination of the Entente or any other group of Powers. To such a settlement I do not believe that the peoples of the world will ever be brought to submit for any length of time, and I must add that, in my heart, I do not wish that they should do so. World domination is, after all, only another word for international despotism, and however benevolent such a despotism might be, it must be inconsistent with that liberty, without which all other political advantages are insipid and not infrequently degrading.

If, then, we reject the idea of a peace imposed on the world by some powerful alliance, there remains no other method by which peace can be safeguarded except some general agreement, or association, or League



of Nations. With this proposal almost everyone expresses a general sympathy, and makes it the theme of more or less sincere perorations. But in their hearts there are many who are convinced that the whole thing is just a dream born of war-weariness and sentiment. To such men the old system of the balance of power and groups of allied nations watching one another with steadily increasing armaments, reinforced by secret treaties of insurance and reinsurance, is all that can be hoped for. Unless they are mad they recognize that this means the recurrence from time to time of devastating wars. But I suppose they hope that, with our historical good fortune, we shall always be on the winning side. It is surely enough to point out to those who hold this view that, even assuming future wars were no worse than this one, it is doubtful whether European civilization could be relied on to withstand a repetition of the last four years. Revolution and anarchy have already overwhelmed Russia, and threaten to engulf Austria, and perhaps Germany. Moreover, terrible as this war has been, the next one would be far more terrible.

If, therefore, the League of Nations is a dream, it is difficult to avoid despair. And yet it would be folly to ignore the strength of the case of those who doubt whether such an organization can ever materialize. They can point with undeniable force to previous history. They can quote, for instance, the State papers and proclamations of Alexander I. of Russia in the closing stages of the Napoleonic wars which could, with scarcely any alteration, be printed in a leading article to-day, and they can add that the only outcome of these admirable sentiments was the creation of the Holy Alliance. For myself I am not prepared to say that a holy alliance of democracies would really make for the peace of the world. The main defect of the Holy Alliance as an instrument of peace was not so much that it favoured autocratic forms of government, objectionable as that was on other grounds, as that by its nature it became restricted to a certain group of nations. We must build on surer foundations than that if we are to hope to establish a better international order. Our new society of nations must not be a group, however large and important. It is absolutely essential that the League of Nations should be open to every nation which can be trusted by its fellows to accept *ex animo* the principles and basis of such a society. I would even go so far as to say that such a society will be incomplete and proportionately ineffective unless every civilized nation joins it. Indeed, it is a matter for consideration, whether those who will not join willingly should not be compelled to do so by economic or other pressure.

It may well be asked what hope is there that such a society can be formed. Heaven knows I do not underrate the difficulties in our way, but there seem to be some favourable conditions. The overwhelming

horrors of the present war, and the appalling dangers to civilization itself of any recurrence thereof, must exercise a powerful centripetal effect on the nations of the world. Then there is the growing acceptance of the doctrine that, however admirable may be the sentiment of nationality, yet underlying it is a common humanity which has in some respects a paramount claim on the loyalty of us all. The movements towards religious reunion on one side and international labour organizations on the other are evidence of the strength of this sentiment. Even Bolshevism, before it degenerated into the bloody and ignoble tyranny of a few adventurers, may be cited on the same side.

Finally, we have a right to place some confidence in the increasing recognition of the truth that all civilized States are parts of one economic whole. We have seen that under the stress of war the Entente nations have been forced to create an elaborate inter-allied economic organization. Granted a well-ordered and vigorous organization of this kind, especially if it were joined by other nations besides those which are concerned in it at present, it might be used to compel all nations to become members of the proposed League. It would facilitate the economic coercion of a country bent on aggression, and by promoting international co-operation instead of competition, might tend to remove some of the chief causes of international strife. Since, therefore, nations have shown a tendency to combine for other purposes, it does not seem hopeless that they should form an association to promote the greatest of all earthly blessings—namely, peace.

It is when the nature and structure of such an association has to be set forth that the great opportunity for destructive criticism arises. We are seeking, indeed, to substitute something like the reign of law for that of brute force, and it is obvious that the reign of law presupposes in the first place, a lawgiver to enact laws; and, in the second, machinery to enforce them. As to the lawgiver there can be little doubt; the only possible authority for the making of laws to bind nations is an assembly of the nations themselves or their representatives. The fundamental principles which the League of Nations is to try to enforce, can only be thus laid down. It is the machinery required to enforce these principles that causes the real difficulty.

For the enforcement of laws amongst individuals we rely chiefly on two great agencies. We have courts of law, whose decrees are ultimately executed by physical force, and we have public opinion, which in the end is made effective by moral sanctions. The two agencies are in reality quite distinct. There are many rules enforced, with great severity, by public opinion of which the law knows nothing. Conversely, in certain states of society there are actions which the law condemns,

but public opinion condones. In such cases it will generally be found that public opinion is the more powerful agency of the two. Ultimately, no doubt, where the courts are strong and respected, the law will tend first to mould public opinion, and then to replace it. For this result, however, to take place it is essential that the machinery of the law should not only be strong, but it also must have the support of public opinion.

I conclude, therefore, that in dealing with individuals, public opinion without the law may be very powerful, yet that courts of law, even though backed by overwhelming force, are, unless also supported by public opinion, by no means universally obeyed. In international matters the difficulties in the way of establishing courts of law which would command obedience are enormous. In the present condition of international feeling, it is hard to say how the *personnel* of such courts could be secured. If the judges were drawn from nations now belligerents they would clearly not be universally respected. Even in friendly arbitrations in times of profound peace many have thought that the patriotism of international judges has been more remarkable than their impartiality, and it would be absurd to expect any nation to submit matters of importance to the decision of a tribunal on which would sit men who have recently been its enemies. There remain the neutral nations. I certainly desire to speak with all respect of them, but I must frankly say that I cannot conceive a court constituted of members drawn exclusively from nations now neutral which would be a satisfactory international tribunal.

Nor is that the only, or even the chief, difficulty. The great trouble about the creation of an effective international court has always been to discover a really satisfactory means of enforcing its decrees. Various devices have been proposed, but ultimately they all come down to some form of international armed force. I confess to the gravest doubts whether any such plan is practicable. It involves a very serious inroad on national sovereignty. It seems very doubtful whether any sovereign State would agree that its armies should be put in motion, its blood and treasure poured out, to enforce a decree, perhaps of doubtful justice and either unimportant to its interests or even opposed to them. It may, however, be said that even if the decrees of such a court were unenforceable they would still be of value as helping to form public opinion. But a court which can only make unenforceable decrees has no real analogy to a court of law. At the very utmost it cannot be considered as of more value than a tribunal of arbitration, or perhaps even a commission of inquiry.

To decide questions which at present would form occasions of war we require, then, an instrument of far greater authority than any inter-

national Court can be expected to possess under existing conditions. Such an instrument can, I believe, be found in organized and concentrated international public opinion. Even at the present time the germ of such opinion exists. Moreover, anyone who considers the matter fairly will agree that the part directly played by international public opinion even in this war has been by no means unimportant. When the war began, it was obvious both sides attached great value to the verdict of those not directly involved in the contest, and made considerable exertions to obtain it. As time went on, and the German conduct of the war gradually convinced all impartial observers that civilization could only be safeguarded by a German defeat, the Germans realized more and more the importance of the judgment of mankind. World opinion, therefore, even now may have great influence on international relations. But it is not of much use at present to prevent the outbreak of war, because it may so easily be overridden by rapid military action. All will recollect the steady refusal of the Germanic Powers to face an international conference at the beginning of this war. They were perfectly aware that if they had had to make their case openly before the world at large they would have found it difficult, if not impossible, to induce their own people to sanction hostilities. As things now are they were able to avoid this difficulty by rushing into war. But suppose that after the receipt of the Serbian reply to the Austrian ultimatum the Central Powers had been compelled to submit the matter to an international conference, and it had been clearly established that the Serbian concessions had left not a shadow of excuse for warlike action? If that had occurred it seems doubtful whether the Germanic Powers could have declared war. Nor is this a special case. Discussion and delay must always make for peace.

I am convinced, therefore, that the most important step we can now take is to devise machinery which, in case of international dispute, will, at the least, delay the outbreak of war, and secure full and open discussion of the causes of quarrel. For that purpose no very elaborate international machinery is required. All that would be necessary would be a treaty binding the signatories never to wage war themselves, or permit others to wage war, till a formal conference of nations had been held to inquire into, and, if possible, decide on the dispute. It is probably true, at least in theory, that decisions would be difficult to obtain, for the decisions of such a conference, like all other international proceedings, would have to be unanimous to be binding. But since the important thing is to secure delay and open discussion—that is to say, time to enable public opinion to act, and information to instruct it—this is not a serious objection to the proposal. Indeed, from one point of view, it is an

advantage, since it avoids any interference with national sovereignty, except the interposition of a delay in seeking redress by force of arms. That is the essential thing, and to secure it the treaty would require each of the signatories to use its whole force, economic as well as military, against any nation that forced on war before a conference had been held. To that extent, and to that extent only, international coercion would be necessary.

And here let me say that I attach very great weight to the use in this connexion of the economic weapon. For one thing, it will be easier to induce the weaker members of the League to cut off all intercourse with a powerful offender than to take the field against him. If all restrictions on the use of this weapon by the League were swept away, and it were put in force by the whole, or almost the whole, of the countries of the world against one offender, it would mean certain and irretrievable ruin for that country.

It will be observed that in the plan thus outlined nothing has been said about national disarmament. It is, indeed, most true that without disarmament there can be no complete security against future war, and I earnestly wish that some really effective and trustworthy means may be found drastically to limit the armed forces of every State. The problem is a difficult one, and I have so far to admit that, after giving considerable thought to the subject, I have not yet come upon any plan for this purpose which seems safe and practicable. Failing such a plan, we must trust that the nations will gradually disarm, as and when the necessity for national armament disappears. The thing to hope for and to work for is the habit of international good will. With this object, besides the big change here proposed, there are many other steps that should be taken. Treaties should be rigidly observed. The signatories of the League should undertake periodical consultations to review obsolescent treaty obligations. The control of backward races should be solved, if possible, by international action, and there is probably a large and increasing field for international activity in dealing with certain social questions, and other matters of more than national importance.

I am quite aware that to some people these proposals may seem inadequate. They desire to see a fully equipped international legal system, imitated directly from national institutions. To them I would say :— “ Consider well the difficulty that lies before you. Remember all the elements of opposition which await you, and then think whether a change which really precluded the possibility of sudden attack, which definitely forced contending nations to submit their quarrels to the opinion and conscience of mankind, would not constitute a great step forward towards

the goal which you are striving to reach." To others, these proposals may seem visionary. As far as technical questions go, there are good grounds for asserting that they present no serious, and certainly no insuperable, difficulty. I venture to claim that they are free from some of the objections to which other similar schemes are open, and that they constitute a genuine and practicable attempt to solve what is by far the gravest social and political problem of the day.

But I would add two warnings. In the first place, I do not think that any League of Nations should make us careless of or indifferent about the other terms of peace. Not only is it necessarily an experiment—and we have no right in such vital matters to gamble on the success of any experiment, however promising—but we must have a good peace to give the League a fair start. For any true partnership of nations we must have a territorial settlement based on natural justice, we must re-establish the sanctity of treaties, we must exorcise the spirit of German militarism. Finally, if any new international organization is to be created it must be brought into existence by the treaty which shall close this war. The great force on which we must rely is the hatred of the cruelty and waste of war which now exists. Now that the war is over, the process of oblivion will set in. Men will say, possibly with truth, that a new world will not come in their time. Few men really care what will happen to posterity. In such a field doubts and fears will grow apace. The Chauvinists who believe that all foreigners are barbarians, the bureaucrats who think that whatever is, is right, the militarists who regard perpetual peace as an enervating evil, will combine with the disciples of the late Lord Melbourne to say "Can't you let it alone." It is only, therefore, while the recollection of all we have been through is burningly fresh that we can hope to overcome the inevitable opposition and establish at least the beginning of a new and better organization of the nations of the world.

## JOSEPH CHAMBERLAIN

(*For Biographical Note see Section i.*)

### TIGHTENING THE TIES OF EMPIRE

(Delivered at the "Diamond Jubilee" Colonial Conference, June, 1897).

**N**OW, gentlemen, undoubtedly the greatest, the most important, and at the same time the most difficult of all the subjects which we could consider is the question of the future relations, political and commercial, between the self-governing Colonies and the United Kingdom. I do not think that it is necessary for me to argue at all upon the advantages of such closer union. Strong as is the bond of sentiment, and impossible as it would be to establish any kind of relations unless that bond of sentiment existed, I believe we all feel that it would be desirable to take advantage of it, and to still further tighten the ties which bind us together. In this country, at all events, I may truly say that the idea of federation is in the air. Whether with you it has gone as far, it is for you to say, and it is also for you to consider whether we can give any practical application to the principle. It may well be that the time is hardly ripe for anything definite in this regard. It is quite true that our own constitution and your constitutions have all been the subject of very slow growth and that they are all the stronger because they have been gradually consolidated, and so perhaps with Imperial Federation: if it is ever to be accomplished it will be only after the lapse of a considerable time and only by gradual steps.

And undoubtedly one of these steps to which we must all attach very great importance is the grouping of the Colonies. We rejoice in this country that Canada has already shown the way, with results which everyone has seen have conduced greatly to her strength and to her prosperity. We observe, with the most lively interest, the proceedings which are taking place in Australia with the same view. We know that in South African politics the same idea has bulked very largely in the past, and probably will come to the front again. In regard to all these matters it is not for us to offer advice; it is not for us to press upon you in any shape our interference or our assistance. If it be possible for us in any way to help you to give effect to your own desires, I need not say that we are entirely at your service; but, in

the meanwhile, I can assure you, on behalf, I am sure, of the people of this country, that we most heartily wish success to your efforts, believing, as I have said, that it will in your case, as it has already done in the case of Canada, conduce to your prosperity and to your power. But as regards the larger question, and anything in the nature of a federation of the Empire, the subject seems to me to depend entirely upon the feeling which exists in the Colonies themselves. Here you will be met half-way. The question is whether up to the present time there is such a genuine popular demand for closer union as would justify us in considering practical proposals to give it shape.

I feel that there is a real necessity for some better machinery of consultation between the self-governing Colonies and the mother country, and it has sometimes struck me—I offer it now merely as a personal suggestion—that it might be feasible to create a great council of the Empire to which the Colonies would send representative plenipotentiaries,—not mere delegates who were unable to speak in their name, without further reference to their respective Governments, but persons who by their position in the Colonies, by their representative character, and by their close touch with Colonial feeling, would be able, upon all subjects submitted to them, to give really effective and valuable advice. If such a council were to be created it would at once assume an immense importance, and it is perfectly evident that it might develop into something still greater. It might slowly grow to that Federal Council to which we must always look forward as our ultimate ideal.

And to a council of this kind would be committed, in the first instance, the discussion of all minor subjects of common interests, and their opinion would be taken and would weigh most materially in the balance before any decision were come to either by this country or by the legislatures of the several Colonies in regard to such matters.

There is only one point in reference to this which it is absolutely necessary that we all should bear in mind. It may be that the time has come, and if not I believe it will come, when the Colonies will desire to substitute for the slight relationship which at present exists a true partnership, and in that case they will want their share in the management of the Empire which we like to think is as much theirs as it is ours. But, of course, with the privilege of management and of control will also come the obligation and the responsibility. There will come some form of contribution towards the expense for objects which we shall have in common. That, I say, is self-evident, but it is to be borne in mind, even in these early stages of the consideration of the subject.

Now, gentlemen, in connection with this subject we have already made a small advance, upon which I congratulate myself, since it was



accomplished during my term of office, though it was prepared by my predecessors ; and it may have in the future important results. The Judicial Committee of the Privy Council is the great Judicial Court of Appeal of the Empire. It is the nearest approach, the closest analogy to the Supreme Court of the United States. It is a body of almost universal and world-wide reputation and authority, and it is our desire, naturally, in pursuit of the ideas which I am venturing to put before you, to increase its authority, if that be possible, and to give it a more representative character, and with that view we have most gladly secured the appointment as Privy Councillors of distinguished Judges from the courts of Canada, of Australia, and of South Africa, and they now will take their seats on equal terms with the other members of the Judicial Committee. Well, that is a good beginning, but I do not think that you can feel that at present the arrangement is on a permanent footing. There are objections to the present system which will present themselves to every mind. The Judges who have been chosen have hitherto been Judges who are still in active practice. That at the outset raises a considerable difficulty. It will be difficult for these Judges, even if it were consistent with our general idea of what is right, to take part in appeals in regard to cases upon which they have already decided. And another difficulty is that by the necessity of their position the greater part of their time will be spent in the colonies from which they come. They will only be here for indefinite periods, and, as it were on casual occasions. It is impossible to arrange the business of the Privy Council or to delay the suitors to meet their convenience, and the result of that is that though they would sit as Judges of the Privy Council, it may very often happen that they would not be present or be able to serve precisely on the occasions on which they might be most useful. Now all that could be altered by the Colonies themselves, and this is one of the subjects which I recommend to your attention. If these gentlemen were appointed solely and entirely for the purpose of representing the groups of Colonies on the Privy Council, they could reside permanently in this country, and not being themselves actively engaged in judicial work at home, they could sit and assist the Privy Council in all cases in which their respective Colonies were engaged ; and I think this would go very far to strengthen the position of the Privy Council, and at the same time to give to all the Colonies a security that justice would be done when they appeal to this great institution. May I note in passing a matter of some importance in regard to the proposed Australian Federation Bill ; it appears in that Bill to be suggested that if it is passed appeals should only go to the Privy Council upon constitutional questions. I venture most respectfully to urge the reconsideration of that suggestion.

Nothing is more desirable in the interests of the Colonies, in the interests of the United Kingdom and of the British Empire, than an uniformity of law, and that uniformity can only be obtained by occasional appeals to the highest tribunal, settling once for all the law for all parts of the Empire ; and I confess I think it would be a great loss to the Colonists if they surrendered the opportunity of getting this judicial decision upon difficult and complicated points of law which from time to time may arise in the local courts.

I have said that the question to which I first directed your attention—that of closer relations—is greater than all the rest. I may say that it covers all the rest, because, of course, if Federation were established, or anything approaching to it, all these other questions to which I am now about to call your attention would be settled by whatever was the representative body of the Federation, and among them, and in the very first rank, must of necessity come the question of Imperial defence. You have seen something of the military strength of the Empire ; you will see on Saturday an astounding representation of its naval strength by which alone a Colonial Empire can be bound together. You are aware that that representation—great, magnificent, unparalleled as it will be—is nevertheless only a part of the naval forces of the Empire spread in every part of the globe. The great Mediterranean fleet is still at its full force ; the fleets on the various stations are all up to their normal strength, and the fleet which you will see on Saturday next is merely the Reserve and the Home fleet, ready to go anywhere, at any time, in the interests of the Colonies and of the United Kingdom.

This gigantic navy, and the military forces of the United Kingdom, are maintained, as you know, at heavy cost. I think the charge upon the Exchequer is at the present time something like 35 millions sterling per annum, and it constitutes more than one-third of the total income of the country. Now, these fleets, and this military armament, are not maintained exclusively, or even mainly, for the benefit of the United Kingdom, or for the defence of home interests. They are still more maintained as a necessity of empire, for the maintenance and protection of Imperial trade and of Imperial interests all over the world, and if you will for a moment consider the history of this country during, say, the present century, or, I would say, during the present reign, you will find that every war, great or small, in which we have been engaged, has had at the bottom a colonial interest, the interest, that is to say, either of a colony, or of a great dependency like India. That is absolutely true, and is likely to be true to the end of the chapter. If we had no Empire, there is no doubt whatever that our military and our naval resources would not require to be maintained at anything like their present level.

Now I venture to say that that must necessarily be the case in the future. Look at the condition of the Colonies. Assume,—although I am almost ashamed to assume it, even for the purpose of argument,—assume that these Colonies were separated from the mother country. What would be the position of the great Dominion of Canada? The Dominion of Canada is bordered for 3,000 miles by a most powerful neighbour, whose potentialities are infinitely greater than her actual resources. She comes into conflict in regard to the most important interests with the rising power of Japan, and even in regard to some of her interests with the great empire of Russia. Now, let it not be supposed for a moment that I suggest as probable—I hardly like to think that it is even possible—that there should be a war between Canada, or on behalf of Canada, either with the United States of America, or with any of the other Powers with which she may come into contact, but what I do say is this, that if Canada had not behind her to-day, and does not continue to have behind her this great military and naval power of Great Britain, she would have to make concessions to her neighbours, and to accept views which might be extremely distasteful to her in order to remain permanently on good terms with them. She would not be able to, it would be impossible that she should, herself control all the details of her own destiny; she would be, to a greater or less extent, in spite of the bravery of her population and the patriotism of her people, she would still be, to a great extent, a dependent country.

Look at Australia again. I need not dwell on the point at any length, but we find the same thing. The interests of Australia have already, on more than one occasion, threatened to come into conflict with those of two of the greatest military nations of the Continent, and military nations, let me add, who also possess each of them a very large, one of them an enormous, fleet. There may be also questions of difficulty arising with Eastern nations, with Japan or even with China, and under those circumstances the Australian Colonies are in precisely the same position as the Dominion of Canada. In South Africa, in addition to the ambitions of foreign countries, to which I need not further allude, our Colonies there have domestic rivals who are heavily armed, prepared both for offence and for defence; and again I say, nothing could be more suicidal or more fatal than for any of those great groups of Colonies either to separate themselves in the present stage from the protecting forces of the mother country, or to neglect themselves to take their fair share in those protective resources.

What, then, I want to urge upon you is, and in doing so, I think I am speaking to those who are already converted, that we have a common interest in this matter, and certainly it has been a great pleasure to us,

a great pride to us, that Australia, in the first instance, offered voluntarily a contribution in aid of the British Navy besides taking her full share of her own military defences. Now we have to recognise that the Cape Colony has followed in that patriotic course. I do not know upon what conditions these gifts may be offered or continued, but, at all events, the spirit in which they have been made is most heartily reciprocated in this country. The amount, of course, is at the present time absolutely trifling, but that is not the point. We are looking to the Colonies as still children, but rapidly approaching manhood. In the lifetime, perhaps, of some of us, we shall see the population doubled, and certainly in the lifetime of our descendants there will be great nations where now there are comparatively sparse populations ; and to establish in the early days this principle of mutual support and of a truly Imperial patriotism, is a great thing of which our Colonial statesmen may well be proud.

I shall be very glad to hear the views of the Premiers in regard to this question of any contribution which they think the Colonies would be willing to make in order to establish this principle in regard to the naval defence of the Empire. As regards the military defence of the Empire, I am bound to say that we are still behindhand, although a great deal has been done in recent years. As you know, the Colonial Defence Committee of experts has been sitting, and has accomplished already, with the assistance of the Colonies, a very great improvement in the state of things which existed before ; but I cannot say from the information at my disposal that with all the magnificent resources of the Colonies their organisations at present are satisfactory. This is more a matter of detail, and I do not propose to dwell upon it now, but I would remind the Premiers assembled that if war breaks out war will be sudden, and there will be no time for preparation then. Therefore it is the first importance that we, all having a common interest, should have beforehand a scheme of common defence against any possible or at all events any probable enemy, and we ought to have these schemes of defence before us. In the case of some of the Colonies schemes have already been prepared ; in others no scheme has been prepared or concerted up to the present time, and I believe it is most desirable that that omission should be repaired. It is also most desirable, in Australia especially, and to a lesser extent, although still to an important extent, in South Africa, that there should be an uniformity in regard to the military preparations. An uniformity of arms, is, I need scarcely say, of immense importance, as it gives us interchangeability of weapon, and there are also uniformity of equipment, some central provision for stores, and for the military instruction of the local forces, all of which

can be arranged with the assistance of the Colonies, and, I believe, very much to their advantage.

But I am looking forward to something more than that. The interchangeability in the several groups is a matter of great importance, but how much greater it would be if there were interchangeability between the whole forces of the Empire, between the forces which you have in the several Colonies and the forces of which you have seen some examples at home since you came to these shores. That is a matter which also can be arranged, and to which we shall bring at all events the utmost good will. If you have, as Canada has at Kingston, an important military college, it may be possible for us to offer occasionally to the cadets of that college commissions in the British Army. But a still more important matter which has suggested itself to my mind, and which now I desire to commend to your earnest attention, is a proposal which may be described as the interchangeability of military duties. To put it into plain English it means this: that, for instance, a Canadian regiment should come to this country, take up its quarters for a period of time, at least twelve months, with the British army, and form, during the whole time that it is in this country, a part of the British army, and that in return a similar regiment of British troops or a brigade of artillery or cavalry, should go to Canada and should reside and exercise with the Canadian army, and form a part of that army. The idea is that this should be chiefly for the purpose of drill and instruction, and I cannot doubt that it will be of enormous advantage to the Canadian troops, and to the troops of the Colonies, to measure themselves against the regular army, and to learn the discipline and the manœuvres which are practised on a large scale in this country.

But my imagination goes even further. It seems to me possible that although in the first instance the idea is that such a regiment coming to this country would come solely for that purpose and would not be engaged in military operations, yet if it were their wish to share in the dangers and the glories of the British army and take their part in expeditions in which the British army may be engaged, I see no reason why these colonial troops should not from time to time fight side by side with their British colleagues. That, however, is a matter which, like everything else which I am putting before you, is not a recommendation which has any pressure behind it; it is merely a suggestion to be taken up by you voluntarily if it commends itself to your minds. What I have suggested might take place with regard to Canada, I believe might equally take place with regard to such fine forces as those of which we have seen representatives from some of the Colonies of Australia, and might take place also with regard to the South African Colonies.

I pass on, then, to another question, and that is as to the future commercial relations between this country and her Colonies. How far is it possible to make those relations closer and more intimate? I have said that I believe in sentiment as the greatest of all the forces in the general government of the world, but at the same time, I should like to bring to the reinforcement of sentiment the motives which are derived from material and personal interest. But undoubtedly the fiscal arrangements of the different Colonies differ so much among themselves, and all differ so much from those of the mother country, that it would be a matter of the greatest complication and difficulty to arrive at any conclusion which would unite us commercially in the same sense in which the Zollverein united the empire of Germany. It may be borne in mind that the history of that Zollverein is most interesting and most instructive. It commenced entirely as a commercial convention, dealing in the first instance only partially with the trade of the empire, it was rapidly extended to include the whole trade of the empire, and it finally made possible and encouraged the ultimate union of the empire. But this is a matter upon which at the present time, rather than suggest any proposals of my own, I desire to hear the views of the gentlemen present.

In the meanwhile, however, I may say that I note a resolution which appears to have been passed unanimously at the meeting of the Premiers in Hobart in which the desire was expressed for closer commercial arrangements with the Empire, and I think it was suggested that a Commission of Inquiry should be created in order to see in what way practical effect might be given to the aspiration. If that be the case, and if it were thought that at the present time you were not prepared to go beyond inquiry, if it were the wish of the other Colonies, of Canada and of the South African Colonies, to join in such an inquiry, Her Majesty's Government would be delighted to make arrangements for the purpose, and to accept any suggestions as to the form of the reference and the character and constitution of the Commission, and would very gladly take part in it.

But that brings me to another question connected with commercial relations, and of great importance. I refer to the treaties at present existing between the mother country, acting on behalf of the Colonies as well as of herself, and foreign countries. The question has been raised at various times in the shape of resolutions or suggestions from the Colonies that certain treaties, notably a treaty with Germany and a treaty with Belgium, should be denounced. It should be borne in mind that that is for us a most important question. Our trade with Germany and Belgium is larger than our trade with all the Colonies combined.

It is possible that if we denounced those treaties Germany and Belgium would endeavour, I do not say whether they would succeed, but they might endeavour to retaliate, and for some time, at any rate, our commercial relations with these two countries might be disturbed. Therefore a step of that kind is one which can only be taken after the fullest consideration, and in deference to very strong opinion both in this country and in the Colonies. Now the question is brought to a practical issue, or may be brought to a practical issue, by the recent action of Canada. As all are aware, Canada has offered preferential terms to the mother country, and Germany and Belgium have immediately protested and claimed similar terms under these treaties. Her Majesty's Government desire to know from the Colonies whether, so far as they are concerned, if it be found that the arrangements proposed by Canada are inconsistent with the conditions of those treaties, they desire that those treaties shall be denounced. If that be the unanimous wish of the Colonies, after considering the effect of that denunciation upon them as well as upon us, because they also are concerned in the arrangements which are made by these treaties, then all I can say at the present time is that Her Majesty's Government will most earnestly consider such a recommendation from the Colonies, and will give to it the favourable regard which such a memorial deserves.

But I should add that there is another question which is still more difficult, but about which I only wish to offer a word of warning to the representatives present. Besides those two treaties which are very special in their terms, and which prevent the preferential arrangement, or which appear to prevent the preferential arrangement contemplated by Canada, we have a most favoured nation clause in all our treaties to which most of the Colonies are parties. I may explain that, under the terms of the Canadian resolution if any foreign nation were to offer to Canada beneficial terms as defined in the resolution, Canada would then be bound to give to that country the same preference as is offered to Great Britain. Let me suppose, for instance, that it was a minor country like Holland, and assume for the sake of argument that Holland offered these advantages, thereupon Canada would be compelled to give the same terms to Holland that she now offers to the mother country. She would then be bound by most favoured nation treaties to give the same terms to practically every important commercial country in the world. It would be, I think, a matter of impossibility to denounce those treaties, because that involves the whole trade of the empire, and in some cases there is no term of denunciation in the treaties.

But of course the whole difficulty can be avoided—I only point it out in passing—the whole difficulty can be avoided by any colony

which desires to make the preferential arrangement with the mother country, if that Colony will confine its offer *nominatim* to the mother country and not make it to a foreign country, but if it is offered to a foreign country then, as I say, it will be controlled by the most favoured nation treaties throughout the world.

The next point to which I will allude very briefly in connection with our commercial relations is the question of improved communications. That was the subject of very important resolutions at the time of the conference at Ottawa, and already I am happy to think that considerable effect has been given to those resolutions in regard to the fast mail service, which was the first, and, probably, the most important of those resolutions. Arrangements are now in progress by which it will be accomplished, and I hope that in connection with that the service between Canada and Australia will also be improved, and there will be nothing further to be desired.

There is, however, still pending the question of a Pacific cable passing entirely through British territory. Upon that we desire to have the opinions of the gentlemen present as to how far they are prepared to go. I would say in regard to this, and also in regard to the fast steam service, in dealing with the matter at all, we are giving the most striking proof we can of our good will, and of our desire to meet your wishes. Neither of these proposals would have been made by us. I must frankly say that we are not dissatisfied with the present arrangements; we do not feel, although we think that they are valuable proposals, yet we do not feel that they are urgent, and therefore we should not ourselves, or by ourselves, have been disposed to offer subsidies either to the steamboat service, or to the Pacific Cable, and we are only induced to do it by our desire to show that in any matter in which our Colonies are themselves deeply interested, they may count upon the support and assistance of the mother country. Well, in regard to the Pacific Cable, the matter stands thus. A representative committee was appointed, which has discussed the whole subject; it has come to the conclusion that such a cable is practicable, has roughly estimated the cost (which is probably less than was originally anticipated), and has also estimated the probable returns. What remains, however, to be inquired into is as to the subsidies which the several Colonies are prepared to give towards this undertaking. Without in this venturing to pledge my colleagues, I say that to any proposal which may be made by the Colonies, the Government will give their most favourable consideration.



## NAVAL AND MILITARY DEFENCE OF THE EMPIRE

(Delivered at the Colonial Conference).

I CANNOT, I think, over-estimate the importance of such conferences as these. Even if they should lead to nothing absolutely substantial in the way of practical resolutions, yet at the same time I am convinced that they are of infinite value and a great gain to the whole Empire, inasmuch as they afford an opportunity for a review of the policy of the Empire by the representatives of the great self-governing Colonies. It is natural that I should, at this time, recall our previous Conference in 1897. I find that of the twelve gentlemen who took part in that most interesting Conference only four are with us to-day. One of our then colleagues, Mr. Harry Escombe, has since died. The Empire has been deprived of his services, and all those of us who had the opportunity of making his acquaintance and of appreciating his charming personality, will join in the regret which was so greatly felt in his own Colony. But the main changes in our Conference result from political vicissitudes, and, above all, from the very welcome Federation of the Australian Commonwealth. But although we are lessened in number from that change in composition, I believe that we are all animated by the same spirit, that we all have the same paramount object at heart, namely, if we possibly can, to draw closer the bonds which unite us, and to confirm and establish that Imperial unity upon which the security, and, I think I may add, the very existence of the Empire depends. I say our paramount object is to strengthen the bonds which unite us, and there are only three principal avenues by which we can approach this object. They are: Through our political relations in the first place; secondly, by some kind of commercial union. In the third place, by considering the questions which arise out of Imperial defence. These three great questions were considered at the last Conference, and I think it is clear they must form the principal subject of our deliberations on this occasion, and, indeed, of those of any future conferences which may afterwards be held.

Now, as to the first point—the question of our political relations. In 1897 the Premiers came to three resolutions. They resolved, in the first place with, I think, two dissentients, that our present arrangements are satisfactory under existing conditions. They passed a resolution, in the second place, in favour of a federal union of all Colonies geographically connected, and we rejoice that that aspiration, at any rate, has been

accomplished so far as Australia is concerned, and, I think, I may say that it is now almost in sight in the case of South Africa. And, thirdly, they resolved that it was desirable that periodical conferences of a similar character should be held for the consideration of matters of common interest. Well, then, what I put to you is: Can we make any advance to-day upon these proposals? I may be considered, perhaps, to be a dreamer, or too enthusiastic, but I do not hesitate to say that, in my opinion, the political federation of the Empire is within the limits of possibility. I recognise as fully as anyone can do the difficulties which would attend such a great change in our constitutional system. I recognise the variety of interests that are concerned: the immense disproportion in wealth and the population of the different members of the Empire, and, above all, the distances which still separate them, and the lack of sufficient communication. These are difficulties which at one time appeared to be, and indeed were, insurmountable. But now I cannot but recollect that similar difficulties almost, if not quite as great, have been surmounted in the case of the United States of America. And difficulties, perhaps not quite so great, but still very considerable, have been surmounted in the federation of the Dominion of Canada, and therefore, I hold that as we must put no limits to science, as the progress which has already been made is only an indication of the progress which may be made in the future, I hold and say that these difficulties may be overcome, and at all events that we should cherish this ideal of closer union in our hearts, and that, above all, we should do nothing, either now or at any future time, to make it impossible. We have no right to put by our action any limit to the Imperial patriotism of the future; and it is my opinion that, as time goes on, there will be a continually growing sense of the common interests which unite us, and also, perhaps, which is equally important, of the common dangers which threaten us. At the same time I would be the last to suggest that we should do anything which could by any possibility be considered premature. We have had, within the last few years, a most splendid evidence of the results of a voluntary union without any formal obligations, in the great crisis of the war through which we have now happily passed. The action of the self-governing Colonies in the time of danger of the motherland has produced here a deep and a lasting impression. We are profoundly grateful to you for what you have done. It has created a sense of reciprocal obligations. It has brought home to all of us the essential unity of the sentiment which unites us and which pervades all parts of His Majesty's dominions. And I am glad on this occasion to recognise the material aid which you have afforded. I propose to lay on the table a document which I think will be interesting, and which shows in a comparative

form the assistance which has been given to us, both in men and in money, by the self-governing Colonies. It is a remarkable testimony to their loyalty and their devotion to the Imperial interests. But I, myself, greatly as I value this aid, clearly as I recognise the assistance which it has been to us, and the splendid quality of the troops that you have sent, and their splendid behaviour when tested on the field of battle—I attach more importance to the moral support which we have always received from you. That has been a splendid answer, and when foreign countries have competed, as they have done, in a campaign of malignant misrepresentation, it has been something for us, who have represented the interests of the United Kingdom, to be able to point to the unbiassed testimony which has been given by the free Colonies and Dominions of the Empire to the righteousness of our cause. I feel, therefore, in view of this it would be a fatal mistake to transform the spontaneous enthusiasm which has been so readily shown throughout the Empire into anything in the nature of an obligation which might be at this time unwillingly assumed or only formally accepted. The link which unites us, almost invisible as it is, sentimental in its character, is one which we would gladly strengthen, but at the same time it has proved itself to be so strong that certainly we would not wish to substitute for it a chain which might be galling in its incidence. And, therefore, upon this point of the political relations between the Colonies and ourselves, His Majesty's Government, while they would welcome any approach which might be made to a more definite and a closer union, feel that it is not for them to press this upon you. The demand, if it comes, and when it comes, must come from the Colonies. If it comes it will be enthusiastically received in this country.

And in this connection I would venture to refer to an expression in an eloquent speech of my right honourable friend, the Premier of the Dominion of Canada—an expression which has called forth much appreciation in this country, although I believe that Sir Wilfrid Laurier has himself in subsequent speeches explained that it was not quite correctly understood. But the expression was, "If you want our aid call us to your Councils." Gentlemen, we do want your aid. We do require your assistance in the administration of the vast Empire which is yours as well as ours. The weary Titan staggers under the too vast orb of its fate. We have borne the burden for many years. We think it is time that our children should assist us to support it, and whenever you make the request to us, be very sure that we shall hasten gladly to call you to our Councils. If you are prepared at any time to take any share, any proportionate share, in the burdens of the Empire, we are prepared to meet you with any proposal for giving to you a corresponding voice

in the policy of the Empire. And the object, if I may point out to you, may be achieved in various ways. Suggestions have been made that representation should be given to the Colonies in either, or in both, Houses of Parliament. There is no objection in principle to any such proposal. If it comes to us, it is a proposal which His Majesty's Government would certainly feel justified in favourably considering, but I have always felt myself that the most practical form in which we could achieve our object, would be the establishment or the creation of a real Council of the Empire to which all questions of Imperial interest might be referred, and if it were desired to proceed gradually, as probably would be our course—we are all accustomed to the slow ways in which our Constitutions have been worked out—if it be desired to proceed gradually the Council might in the first instance be merely an advisory council. It would resemble, in some respects, the advisory council which was established in Australia, and which, although it was not wholly successful, did nevertheless pave the way for the complete federation upon which we now congratulate them. But although that would be a preliminary step, it is clear that the object would not be completely secured until there had been conferred upon such a Council executive functions, and perhaps also legislative powers and it is for you to say, whether you think the time has come when any progress whatever can be made in this direction.

In the absence of any formal constitution of the Empire, the nearest approach to such a Council is to be found in the Conference which we open to-day—a conference, a meeting, of the principal representatives of the motherland and also of the nations which, together with the United Kingdom, constitute the Empire. And I observe upon the paper of subjects which will be distributed to you, and of which notice has been given for consideration at further meetings of the Conference, that the Premier of New Zealand, on behalf of that Colony, has made a proposal for transforming these conferences—which have been held hitherto rather casually, and only in connection with special occasions—into a periodical meeting. If this were done, or if an Imperial Council were established, it is clear that the two subjects which could immediately call for its attention are those which I have already mentioned—of Imperial defence and commercial relations. And we invite your special attention to these two subjects on the present occasion.

As regards Imperial defence, I propose to lay before you, for your information, a paper which will show the comparative amount of the ordinary naval and military expenditure of the United Kingdom and of the different self-governing Colonies. You will find that in the case of the United Kingdom the cost of our armaments has enormously increased

since 1897. That increase is not entirely due to our initiative, but it is forced upon us by the action of other Powers who have made great advances, especially in connection with the Navy, which we have found it to be our duty and necessity to equal. But the net result is extraordinary. At the present moment the Estimates for the present year for naval and military expenditure in the United Kingdom—not including the extraordinary war expenses, but the normal Estimates—involve an expenditure per head of the population of the United Kingdom of 29s. 3d.,—29s. 3d. per head per annum, military and naval together.

In Canada the same items involve an expenditure of only 2s. per head of the population, about one-fifteenth of that incurred by the United Kingdom. In New South Wales—I have not the figures for the Commonwealth as a whole, but I am giving these as illustrations—and I find that in New South Wales the expenditure is 3s. 5d. ; in Victoria, 3s. 3d. ; in New Zealand, 3s. 4d. ; and in the Cape and Natal, I think it is between 2s. and 3s. Now, no one, I think, will pretend that that is a fair distribution of the burdens of Empire. No one will believe that the United Kingdom can for all time make this inordinate sacrifice. While the Colonies were young and poor, in the first place they did not offer anything like the same temptation to the ambitions of others, and, in the second place, they were clearly incapable of providing large sums for their own defence, and therefore it was perfectly right and natural that the mother country should undertake the protection of her children. But now that the Colonies are rich and powerful, that every day they are growing by leaps and bounds, their material prosperity promises to rival that of the United Kingdom itself, and I think it is inconsistent with their position—inconsistent with their dignity as nations—that they should leave the mother country to bear the whole, or almost the whole of the expense. Justification of union is that a bundle is stronger than the sticks which compose it, but if the whole strain is to be thrown upon one stick, there is very little advantage in any attempt to put them into a bundle. And I would beg of you in this relation to bear in mind that you are not asked—your people are not asked—to put upon their own shoulders any burden for the exclusive advantage of the mother country. On the contrary, if the United Kingdom stood alone, as a mere speck in the northern sea, it is certain that its expenditure for these purposes of defence might be immensely curtailed. It is owing to its duties and obligations to its Colonies throughout the Empire ; it is owing to its trade with those Colonies, a trade in which of course they are equally interested with ourselves, that the necessity has been cast upon us to make these enormous preparations. And I think, therefore, you will agree with me that it is not unreasonable for us to call your serious

attention to a state of things which cannot be permanent. I hope that we are not likely to make upon you any demand which would seem to you to be excessive. We know perfectly well your difficulties, as you probably are acquainted with ours. Those difficulties are partly political, partly, principally probably, fiscal difficulties. The disproportion to which I have called your attention, cannot, under any circumstances, be immediately remedied, but I think that something may be done—I hope that something will be done—to recognise more effectually than has hitherto been done the obligation of all to contribute to the common weal. In respect to this matter we again owe it to the initiative of the Government of New Zealand that proposals have been laid before us for our consideration. I myself intend to circulate papers which bear upon the subject, and which will explain to you the views which are taken by the Admiralty and the War Office upon these matters, and at subsequent meetings of this Conference I shall, with your permission, invite the attendance of representatives of these Departments, and I hope at the same time you may see fit to bring with you any Ministers or other officials whose advice and assistance you would desire in the consideration of the matter.

I pass on, then, to the second point—the question of commercial relations, and in regard to this I wish to say, what I have already stated in answer to inquiries which I received before the Conference, that every question is an open question for full and free discussion. We rule nothing out of order. We do not pretend to bar the consideration of any subject whatever its purport may be, but we do not propose, ourselves, to formulate any proposals in the first instance. We think it is absolutely necessary in a matter of this kind which involves so many considerations of detail, that there should be in the first instance a free interchange of opinion in order that we may not put before you suggestions which perhaps we should find afterwards were altogether out of harmony with your views, but if it appears hereafter desirable, after full discussion, to make proposals, I have no doubt we shall be able to do so.

In reference to this matter, also I am placing papers before you which will give you a very full account of the present state of trade between the Colonies and the mother country, and also a matter which is very important for us to consider, of the condition of trade between the United Kingdom and foreign countries; and, without going into detail, I would say there are two salient facts which appear on the surface of these fuller returns which I shall put before you. The first is this. That if we chose—that is to say, if those whom we represent chose—the Empire might be self-sustaining. It is so wide; its products are so various; its climates so different, that there is absolutely nothing

which is necessary to our existence, hardly anything which is desirable as a luxury, which cannot be produced within the borders of the Empire itself. And the second salient fact is that the Empire at the present time, and especially the United Kingdom—which is the great market of the world—derives the greater part of its necessaries from foreign countries, and that it exports the largest part of its available produce—surplus produce—also to foreign countries. This trade might be the trade, the inter-imperial trade, of the Empire. It is at the present time, as I say, a trade largely between the Empire and foreign countries. Now, I confess that to my mind that is not a satisfactory state of things, and I hope that you will agree with me that everything which can possibly tend to increase the interchange of products between the different parts of the Empire is deserving of our cordial encouragement. What we desire, what His Majesty's Government has publicly stated to be the object for which they would most gladly strive, is a free interchange. If you are unable to accept that as a principle, then I ask you how far can you approach to it? If a free interchange between the different parts of the Empire could be secured it would then be a matter for separate consideration altogether what should be the attitude of the Empire, as a whole or of its several parts, towards foreign nations? The first thing we have to do, the thing which touches us most nearly, is to consider how far we can extend the trade between the different parts of the Empire—the reciprocal trade.

Our first object then, as I say, is free trade within the Empire. We feel confident—we think that it is a matter which demands no evidence or proof, that if such a result were feasible it would enormously increase our inter-imperial trade; that it would hasten the development of our Colonies; that it would fill up the spare places in your lands with an active, intelligent, and industrious, and, above all, a British, population; that it would make the mother country entirely independent of foreign food and raw material. But when I speak of free trade it must be understood that I do not mean by that the total abolition of Customs duties as between different parts of the Empire. I recognise fully the exigencies of all new countries, and especially of our self-governing Colonies. I see that your revenue must always, probably, and certainly for a long while to come, depend chiefly upon indirect taxation. Even if public opinion were to justify you in levying direct taxation, the cost of collecting it in countries sparsely populated might be so large as to make it impossible. But in my mind, whenever Customs duties are balanced by Excise duties, or whenever they are levied on articles which are not produced at home, the enforcement of such duties is no derogation whatever from the principles of Free Trade as I understand it. If, then,

even with this limitation, which is a very important one, which would leave it open to all Colonies to collect their revenues by Customs duties and indirect taxation, even if the proposal were accepted with that limitation, I think it would be impossible to over-estimate the mutual advantage which would be derived from it, the stimulus to our common trade and the binding force of the link which such a trade would certainly create.

But I am unfortunately aware that up to the present time no proposal so far-reaching has come to us from any of the Colonies. Three proposals have been made for the consideration of the present Conference, also on the initiative of New Zealand. The first and the most important one is that a preferential tariff should be arranged in favour of British goods which are now taxable in the respective Colonies and in the United Kingdom. And although no proposal comes to us from Canada, I am, of course, aware that similar questions have been recently specially discussed very actively and very intelligently in the Dominion, and that a strong opinion prevails there that the time is ripe for something of this kind. And, therefore, with your permission, I would propose to examine this proposition, not in details, but so far as its general principles are concerned. In 1897, I would remind you that the Premiers then unanimously undertook to consult with their colleagues, and to consider whether a preference might not be given on their Customs tariff for goods imported from the United Kingdom. This was a proposal without any reciprocal obligation. It was regarded by the Premiers at the time as a proposal which might be made in consideration of the fact that the United Kingdom was the largest and the best and the most open market in the world for all the products of the Colonies. But nothing whatever has come of the resolution up to the present time. No step has been taken to give any effect to it. That, I think, is due partly to circumstances which we could not have anticipated, partly, indeed, to the Federation of Australia, partly also to the existence of the war, but it is a question which, no doubt, may now be taken up with a greater hope of something coming from it.

But in Canada, before the Conference of 1897, the Canadian Government had decided to give us a preference which then amounted to 25 per cent. and this subsequently was increased to 33½ per cent. This was a preference voluntarily accorded by Canada on British taxable goods imported into the Dominion. Canada, therefore, has anticipated the general proposal of the Premiers, and the time which has elapsed has been sufficient to enable us to form a judgment of the effect of an arrangement of this kind, and I have to say to you that while I cannot but gratefully acknowledge the intention of this proposal and its sentimental



value as a proof of goodwill and affection, yet that its substantial results have been altogether disappointing to us, and I think they must have been equally disappointing to its promoters.

I shall circulate to you another paper which contains very fully the whole of the statistics showing the course of trade in Canada since 1897, and the results of the preferential tariff. But I may give you in a word or two the most important conclusions. I am comparing now the import trade of British goods into Canada in the year 1896-97, with the last year for which I have the returns—1900-1901. The total imports of Canada increased in that period £14,500,000 (sterling), at the rate of 62 per cent. That shows an enormously increased prosperity in the Dominion ; it shows how the energy of its inhabitants is developing its trade. Fourteen and a half millions and sixty-two per cent. ; if you will kindly bear in mind those figures as showing the total result of all the import trade. Of that the Free Trade, upon which no duty is levied and upon which therefore no preference is given to British goods, increased £6,250,000, or at the rate of 67 per cent. The general trade, that is the trade from foreign countries, which came under the general tariff, also increased £6,250,000 or at the rate of 62 per cent. But the preferential trade, the trade upon which this advantage had been given to British goods, only increased in the same time £2,000,000, and only at the rate of 55 per cent. So that the rate of increase under the preferential tariff was actually less than under the general tariff and also under the free tariff. Or taking it in another way, the total increase of the trade of Canada with foreigners during the period named, this is including both the trade subject to the tariff and also the free trade, was 69 per cent., while the total increase of British trade was only 48 per cent.

Well, now, what is the cause of this ? Up to 1885 British exports steadily increased to the Dominion of Canada. Then the Government of the day adopted a very severe protective tariff, which by the nature of things, perhaps, specially affected British goods. We are not the exporters, as a rule, of raw materials, or of food. We, therefore, do not export the articles which Canada freely imports. We export manufactured goods, and it was against manufactured goods that the tariff was intentionally, I suppose, directed. The result of that was, that there immediately set in a continuous and rapid decline in the importation of British goods into Canada. Now the preference which was given in 1897 has checked the decline, but there is very little increase. Practically the checking of that decline is the whole result which we can recognise as having followed the generous intentions of the Canadian Government. Foreign produce at the present time in Canada has still a lower average tariff than British produce, no doubt due to the fact that the

foreign produce is, as I have said, as a rule, of a character upon which lower duties are ordinarily levied ; but the result is that while foreign imports have largely increased, the British imports have largely decreased. But now I want to point out another thing which I think will be of great importance, and which I am sure the Government of Canada must have taken into their serious consideration. What return has been made to them by the foreigner for the advantage which the foreigner has derived from their tariff ? The exports from Canada to foreigners have decreased 40 per cent., while the exports from foreigners to Canada have, as I have said, largely increased. On the other hand, in spite of the tariff, in spite of everything in the natural course of trade and communication, the exports to the United Kingdom have increased 85 per cent. in 15 years, and the net result, which I desire to impress upon you, is that in spite of the preference which Canada has given us, their tariff has pressed, and still presses, with the greatest severity, upon its best customer, and has favoured the foreigner who is constantly doing his best to shut out her goods.

Now, what is the present position ? I believe it is true of Canada, it is true, I believe, of every Colony, we take already, by far, the largest proportion of Colonial exports, but there is not the least doubt that we might double or treble the amount that we take, but we cannot do so until we have the reciprocal advantage, and until you take in exchange a larger proportion of our goods, and so enable us to pay for the imports which we should receive from you. And I think the very valuable experience, somewhat disappointing and discouraging as I have already pointed out, but the very valuable experience which we have derived from the history of the Canadian tariff, shows that while we may most readily and most gratefully accept from you any preference which you may be willing voluntarily to accord to us, we cannot bargain with you for it ; we cannot pay for it unless you go much further and enable us to enter your home market on terms of greater equality. I am making that statement as a general statement, but I am well aware that the conditions of the Colonies vary immensely, and that a good deal of what I have said does not apply to the Colony of the Cape or the Colony of Natal. But so long as a preferential tariff, even a munificent preference, is still sufficiently protective to exclude us altogether, or nearly so, from your markets, it is no satisfaction to us that you have imposed even greater disability upon the same goods if they come from foreign markets, especially if the articles in which the foreigners are interested come in under more favourable conditions.

Now I have said that New Zealand has made three proposals for our consideration. As regards the other points they involve a great

deal of detail, and therefore I should wish to reserve any observations which I may have to make upon them, except to call special attention to the proposal of New Zealand, that we should consider the question of communications between the Colonies and the mother country. I think at the present time that is a question of supreme importance. The bounties which other countries are lavishly giving to their shipping, constitute a real danger to inter-imperial trade ; these bounties constitute an unfair competition. It has been said sometimes that the trade follows the flag, but that has been disputed. I am afraid it does not do so necessarily and certainly as we should desire, but trade does follow the shipping, and if by any cause and by any fault of ours the shipping transport between the Colonies and ourselves is allowed to get into foreign hands I can only say that, in my opinion, I think it will reduce materially the interchange of goods between ourselves and the Colonies, and from every point of view, therefore, I regard it as most important that the Conference should give special attention to this proposal of New Zealand.

I think I have said all, perhaps, even more, than I need to have said in opening this Conference. In conclusion, I would add that I cannot conceal from myself that very great anticipations have been formed as to the results which may accrue from our meeting. Possibly those anticipations are too sanguine ; possibly they have been formed by persons who are insufficiently acquainted with our difficulties, and do not make allowances for the obstacles in our way. The questions have, I think, occupied greater attention in this country than they have, perhaps, at present in the Colonies, which have been taken up with matters of more exclusively domestic concern. But, here, no doubt, there is a readiness, and I would say an anxiety, to see these important questions dealt with, and dealt with in a fashion which will bring us more closely together. We, in the United Kingdom, for centuries past have been holding our house like a strong man armed against all our enemies. We have felt throughout all the period the burdens as well as the privileges and advantages of empire. We see now that all other nations are also arming to the teeth. I want you to consider for a moment what is the present position of the smaller nations with whom in population you may more closely compare yourselves. What is the position of such nations in Europe as Greece, the Balkan States, or Holland, or the South American Republics ? Why ! they are absolutely independent nations, accordingly they have to bear burdens for their military or naval defences, or for both, as the case may be, to which yours bear no proportion whatever. I point out to you, therefore, that in the clash of nations you have hitherto derived great advantage, even from a purely material standpoint, from

being a part of a great Empire. But the privileges which we enjoy involve corresponding obligations. The responsibilities must be reciprocal and must be shared in common, and I do not think that any empire may be said to be on a sure foundation which is not based upon recognised community of sacrifices.

## SIR EDWARD COKE

(1552-1634).

**T**HE most celebrated of Sir Edward Coke's speeches, that in which he prosecuted Sir Walter Raleigh for treason, is grossly unjust to Raleigh, but it does equal violence to the true character of Coke himself. The speech shows a man insolent with the sense of authority, violent in his methods, and despotic in his habits of thought, while Coke, though in the case of Raleigh he may have exceeded the brutality which seems to have been expected of a prosecuting lawyer in his day, was essentially liberal in his construction of law and was so fearless in defending the common law of England and the liberties of the people against royal usurpation, that under Charles I. he was first imprisoned and then ordered into confinement at his house at Stoke Poges, "there to remain during his Majesty's pleasure."

Coke was born at Mileham, Norfolk, February 1st, 1552. He became Speaker of the House of Commons, 1593; Attorney-General, 1594; Chief-Justice of the Court of Common Pleas, 1606; and Chief-Justice of the King's Bench, 1613. As Chief-Justice of the King's Bench he fearlessly defended the common law against royal attempts to override it, and he was consequently removed November 15th, 1616. Elected to Parliament in 1620, he worked with Pym and Sir Robert Philips in favour of free speech, and was imprisoned with them in consequence. After his release he was one of those who drew up the Petition of Right. He died September 3rd, 1634. His speech against Raleigh and his brutal diplomacy in forcing on his young daughter Frances a purely political marriage with Sir John Villiers are blots upon his reputation, but he is justly ranked as one of the greatest men of England and one of the most learned lawyers of modern times.

### PROSECUTING SIR WALTER RALEIGH

(Delivered at the Trial of Sir Walter Raleigh for High Treason at Winchester, November 17th, 1603, Coke being then the King's Attorney-General).

**I** MUST first, my lords, before I come to the cause, give one caution, because we shall often mention persons of eminent places, some of them great monarchs; whatever we say of them we shall but repeat what others have said of them,—I mean the capital offenders in their

confession. We professing law must speak reverently of kings and potentates. I perceive these honourable lords and the rest of this great assembly are come to hear what hath been scattered upon the wrack of report. We carry a just mind to condemn no man but upon plain evidence. Here is mischief, mischief *in summo gradu*, exorbitant mischief. My speech shall chiefly touch these three points: imitation, supportation, and defence. The imitation of evil ever exceeds the precedent; as, on the contrary, imitation of good ever comes short. Mischief cannot be supported but by mischief; yea, it will so multiply that it will bring all to confusion. Mischief is ever underpropped by falsehood or foul practices; and because all these things did occur in this treason, you shall understand the main, as before you did the bye. The treason of the bye consisteth in these points: first that the Lords Grey, Brook, Markham, and the rest, intended by force in the night to surprise the King's Court; which was a rebellion in the heart of the realm, yea, in the heart of the heart, in the Court. They intended to take him that is a sovereign to make him subject to their power, purposing to open the doors with muskets and cavaliers, and to take also the Prince and the Council; then under the King's authority to carry the King to the Tower, and to make a stale of the admiral. When they had the King there to extort three things from him: First, a pardon for all their treasons; second, a toleration of the Roman superstition, which their eyes shall sooner fall out than they shall ever see,—for the King hath spoken these words in the hearing of many: “I will lose the crown and my life before ever I will alter religion.” And third, to remove counsellors. In the room of the Lord Chancellor they would have placed one Watson, a priest, absurd in humanity and ignorant in divinity. Brook, of whom I will speak nothing, was to be Lord Treasurer. The great Secretary must be Markham, *oculus patriæ*. A hole must be found in my Lord Chief-Justice's coat. Grey must be Earl-Marshal, and Master of the Horse, because he would have a table in the Court; marry, he would advance the Earl of Worcester to a higher place. All this cannot be done without a multitude; therefore Watson, the priest, tells a resolute man that the King was in danger of Puritans and Jesuits—so to bring him in blindfold into the action, saying, That the King is no king until he be crowned; therefore every man might right his own wrongs. But he is *rex natus*, his dignity descends as well as yours, my lords. Then Watson imposeth a blasphemous oath, that they should swear to defend the King's person; to keep secret what was given them in charge, and seek all ways and means to advance the Catholic religion. Then they intend to send for the Lord Mayor and the aldermen in the King's name to the Tower, lest they should make any resistance, and

then to take hostages of them, and to enjoin them to provide for them victuals and munition. Grey, because the King removed before midsummer, had a further reach, to get a company of sword-men to assist the action ; therefore he would stay till he had obtained a regiment from Ostend or Austria. So you see these treasons were like Sampson's foxes which were joined in their tails, though their heads were severed.

Raleigh—You, gentlemen of the jury, I pray remember, I am not charged with the Bye, that being the treason of the priest.

Coke—You are not. My lords, you shall observe three things in the Treasons : 1. They had a watchword (the King's safety) ; their Pretence was *Bonum in se* ; their Intent was *Malum in se*. 2. They avouched Scripture ; both the priests had *Scriptum est* ; perverting and ignorantly mistaking the Scriptures. 3. They avouched the common law to prove that he was no king until he was crowned, alleging a statute of 13 Elizabeth. This, by way of imitation, hath been the way of all traitors. In the 20th of Edward II., Isabella the Queen and the Lord Mortimer gave out that the King's person was not safe, for the good of the Church and the Commonwealth. The Bishop of Carlisle did preach on this text, " My head is grieved," meaning by the head the King ; that when the head began to be negligent, the people might reform what is amiss. In the 3rd of Henry IV., Sir Roger Clarendon, accompanied with two priests, gave out that Richard II. was alive when he was dead. Edward III. caused Mortimer's head to be cut off for giving counsel to murder the King. Sir Henry Stanley found the crown in the dust and set it on the King's head ; when Fitzwalter and Garret told him that Edward V. was alive he said, " If he be alive, I will assist him." But this cost him his head. Edmund de la Pole, Duke of Suffolk, killed a man in the reign of Henry VII. for which the king would have him hold up his hand at the bar, and then pardoned him. Yet he took such an offence thereat that he sent to the noblemen to help to reform the Commonwealth, and then said he would go to France and get power there. Sir Roger Compton knew all the treason, and discovered Windon and others that were attainted. He said there was another thing that would be stood upon, namely, that they had but one witness. Then he vouched one Appleyard's case, a traitor in Norfolk, who said a man must have two accusers. Helms was the man that accused him ; but Mr. Justice Catlin said that that statute was not in force at that day. His words were, " Thrust her into the ditch." Then he went on speaking of accusers, and made this difference : an accuser is a speaker by report, when a witness is he that upon his oath shall speak his knowledge of any man. A third sort of evidence there is likewise, and this is held more forcible than either of the other two ; and that is, when a man, by his

accusation of another, shall, by the same accusation, also condemn himself, and make himself liable to the same fault and punishment. This is more forcible than many witnesses. So then so much by way of imitation. (Then he defined Treason. Treason in the heart, in the hand, in the mouth, in consummation; comparing that *in corde*, to the root of a tree; *in ore*, to the bud; *in manu*, to the blossom; and that which is *in consummatione*, to the fruit.) Now I come to your charge, you of the jury, the greatness of treason is to be considered in these two things: *determinatione finis*, and *electione mediorum*. This treason excelleth in both, for that it was to destroy the king and his progeny. These treasons are said to be *crimen læsæ majestatis*; this goeth further, and may be termed *crimen extirpandæ regis majestatis et totius progeniei suæ*. I shall not need, my lords, to speak anything concerning the King, nor of the bounty and sweetness of his nature, whose thoughts are innocent, whose words are full of wisdom and learning, and whose works are full of honour, although it be a true saying, *Nunquam nimis quod nunquam satis*. But to whom do you bear malice? To the children? Raleigh—To whom speak you this? You tell me news I never heard of.

Coke—Oh, sir, do I? I will prove you the notoriousest traitor that ever came to the bar. After you have taken away the King, you would alter religion: as you, Sir Walter Raleigh, have followed them of the Bye in imitation; for I will charge you with the words.

Raleigh—Your words cannot condemn me; my innocency is my defence. Prove one of these things wherewith you have charged me, and I will confess the whole indictment, and that I am the horriblemst traitor that ever lived, and worthy to be crucified with a thousand thousand torments.

Coke—Nay, I will prove all; thou art a monster; thou hast an English face, but a Spanish heart. Now you must have money; Aremberg was no sooner in England (I charge thee Raleigh) but thou incitedst Cobham to go unto him for money, to bestow on discontented persons, to raise rebellion on the kingdom.

Raleigh—Let me answer for myself.

Coke—Thou shalt not.

Raleigh—It concerneth my life.

The Lord Chief-Justice—Sir Walter Raleigh, Mr. Attorney is but yet in the general; but when the King's counsel has given the evidence wholly you shall answer every particular.

Coke—Oh, do I touch you?

Lord Cecil—Mr. Attorney, when you have done with this general charge, do you not mean to let him answer every particular?



Coke—Yes, when we deliver the proofs to be read. Raleigh procured Cobham to go to Aremberg, which he did by his instigation ; Raleigh supped with Cobham before he went to Aremberg ; after supper, Raleigh conducted him to Durham House ; from thence Cobham went with Lawreny, a servant of Aremberg, unto him, and went in by a back way. Cobham could never be quiet until he had entertained this motion, for he had four letters from Raleigh. Aremberg answered : The money should be performed, but knew not to whom it should be distributed. Then Cobham and Lawreny came back to Durham House, where they found Raleigh. Cobham and Raleigh went up, and left Lawreny below, where they had secret conference in a gallery ; and after, Cobham and Lawreny departed from Raleigh. Your jargon was peace. What is that ? Spanish invasion, Scottish subversion ! And again, you are not a fit man to take so much money for procuring of a lawful peace, for peace procured by money is dishonourable. Then Cobham must go to Spain, and return by Jersey, where you were captain ; and then, because Cobham had not so much policy, or at least wickedness, as you, he must have your advice for the distribution of the money. Would you have deposed so good a king, lineally descended from Elizabeth, eldest daughter of Edward IV. ? Why then must you set up another ? I think you meant to make Arabella a titular queen, of whose title I will speak nothing ; but sure you meant to make her a stale. Ah, good lady you could mean her no good.

Raleigh—Did I ever speak with this lady ?

Coke—I will track you out before I have done. Englishmen will not be led by persuasion of words, but they must have books to persuade.

Raleigh—The book was written by a man of your profession, Mr. Attorney.

Coke—I would not have you impatient.

Raleigh—Methinks you fall out with yourself, I say nothing.

Coke—By this book you would persuade men that he is not the lawful king. Now let us consider some circumstances. My lords, you know my Lord Cobham (for whom we all lament and rejoice ; lament that his house, which hath stood so long unspotted, is now ruined ; rejoice, in that his treasons are revealed) ; Raleigh was both united in the cause with him, and therefore cause of his destruction. Another circumstance is the secret contriving of it. Humphry Stafford claimed sanctuary for treason. Raleigh in his Machiavellian policy hath made a sanctuary for treason. He must talk with none but Cobham ; because, saith he, one witness can never condemn me. For Brook said unto Sir Griffith Markham, “ Take heed how you do make my Lord Cobham acquainted ; for whatsoever he knoweth, Raleigh, the witch, will get it out of him.”

As soon as Raleigh was examined on one point of treason concerning my Lord Cobham, he wrote to him thus : " I have been examined of you, and confessed nothing." Further, you sent to him by your trusty Francis Kemish, that one witness could not condemn ; and therefore bade his lordship to be of good courage. Came this out of Cobham's quiver ? No ; but out of Raleigh's Machiavellian and devilish policy. Yea, but Cobham did retract it ; why then did ye urge it ? Now, then, see the most horrible practices that ever came out of the bottomless pit of the lowest hell. After that Raleigh had intelligence that Cobham had accused him, he endeavoured to have intelligence from Cobham, which he had gotten by young Sir John Payton ; but I think it was the error of his youth.

Raleigh—The lords told it me, or else I had not been sent to the Tower.

Coke—Thus Cobham, by the instigation of Raleigh, entered into these actions ; so that the question will be whether you are not the principal traitor, and he would nevertheless have entered into it. Why did Cobham retract all that same ? First, because Raleigh was so odious, he thought he should fare the worse for his sake. Second, he thought thus with himself : If he be free, I shall clear myself the better. After this Cobham asked for a preacher to confer with, pretending to have Doctor Andrews ; but, indeed, he meant not to have him, but Mr. Gallo-way, a worthy and reverend preacher, who can do more with the king (as he said) than any other ; that he, seeing his constant denial, might inform the king thereof. Here he plays with the preacher. If Raleigh could persuade the lords, that Cobham had no intent to travel, then he thought all should be well. Here is forgery. In the Tower, Cobham must write to Sir Thomas Vane, a worthy man, that he meant not to go into Spain ; which letter Raleigh devised in Cobham's name.

Raleigh—I will wash my hands of the indictment, and die a true man to the king.

Coke—You are the absolutest traitor that ever was.

Raleigh—Your phrases will not prove it.

Coke—Cobham writeth a letter to my Lord Cecil, and doth will Mellis's man to lay it in a Spanish Bible, and to make as though he found it by chance. This was after he had intelligence with this viper, that he was false.

Lord Cecil—You mean a letter intended to me ; I never had it.

Coke—No, my lord, you had it not. You, my masters of the jury, respect not the wickedness and hatred of the man, respect his cause ; if he be guilty, I know you will have care of it, for the preservation of the King, the continuance of the Gospel authorized, and the good of us all.

Raleigh—I do not hear yet, that you have spoken one word against me ; here is no treason of mine done ; if my Lord Cobham be a traitor, what is that to me ?

Coke—All that he did was by thy instigation, thou viper ; for I thou thee, thou traitor !

Raleigh—It becometh not a man of quality and virtue, to call me so ; but I take comfort in it, it is all you can do.

Coke—Have I angered you ?

Raleigh—I am in no case to be angry.

Chief-Justice Popham—Sir Walter Raleigh, Mr. Attorney speaketh out of the zeal of his duty, for the services of the king, and you for your life ; be valiant on both sides !

## THOMAS CRANMER

(1489-1556).

**P**ERHAPS in all English history there is nowhere else so striking an example of the sublimity of which human nature is capable in its utmost and most shameful weakness as that given by Cranmer in his speech at the stake. As a statesman he had vacillated and hesitated, sacrificing principle repeatedly for the sake of public policy or his own safety and immediate advantage. But it is hard to imagine a nobler death than his. In the full consciousness of his weakness, having put away completely his regard for public opinion, as well as what is generally considered self-respect, he used his last moments to exhort Englishmen who would survive him not to hate and hurt each other, and to entreat those who had "great substance and riches of this world," to have mercy on the weak. Then when no longer allowed to speak, and when the fire had been lighted, he gave the memorable exhibition of self-mastery, which redeemed him from surviving in history as a mere weakling, and made him one of the great heroic figures of the English race. The scene after he was silenced is thus described by his biographer, John Strype, writing in 1694, on the authority of eye-witnesses:—

"And here, being admonished of his recantation and dissembling, he said, 'Alas, my Lord, I have been a man that all my life loved plainness, and never dissembled till now against the truth; which I am most sorry for.' He added thereunto, that, for the sacrament, he believed as he had taught in his book against the Bishop of Winchester. And here he was suffered to speak no more.

"So that his speech contained chiefly three points: love to God, love to the King, love to the neighbour. In the which talk he held men in very suspense, which all depended upon the conclusion; where he so far deceived all men's expectations, that, at the hearing thereof, they were much amazed; and let him go on awhile, till my Lord Williams bade him play the Christian man, and remember himself. To whom he answered that he so did; for now he spake truth.

"Then he was carried away; and a great number, that did run to see him go so wickedly to his death, ran after him, exhorting him while time was to remember himself. And one Friar John, a godly and well-learned man, all the way travelled with him to reduce him. But it

would not be. What they said in particular I cannot tell, but the effect appeared in the end ; for at the stake he professed that he died in all such opinions as he had taught and oft repented him of his recantation.

“ Coming to the stake with a cheerful countenance and willing mind, he put off his garments with haste, and stood upright in his shirt ; and a bachelor of divinity, named Elye, of Brazen-nose College, laboured to convert him to his former recantation, with the two Spanish friars. But when the friars saw his constancy, they said in Latin one to another, ‘ Let us go from him ; we ought not to be nigh him ; for the Devil is with him.’ But the bachelor of divinity was more earnest with him ; unto whom he answered, that, as concerning his recantation, he repented it right sore, because he knew it was against the truth ; with other words more. Whereupon the Lord Williams cried, ‘ Make short, make short.’ Then the Bishop took certain of his friends by the hand. But the bachelor of divinity refused to take him by the hand, and blamed all others that so did, and said he was sorry that ever he came in his company. And yet again he required him to agree to his former recantation. And the Bishop answered (showing his hand), ‘ This is the hand that wrote it, and therefore shall it suffer first punishment.’

“ Fire being now put to him, he stretched out his right hand and thrust it into the flame, and held it there a good space, before the fire came to any other part of his body ; where his hand was seen of every man sensibly burning, crying with a loud voice, ‘ This hand hath offended.’ As soon as the fire got up, he was very soon dead, never stirring or crying all the while.”—(From ‘ Memorials of Thomas Cranmer,’ by John Strype, M.A. 1694.)

Three centuries after the best and greatest man of any period has done his work, the world can look back upon it and see that it is not given to any man to be “ eternally right ” in anything whatever except in such renunciation and self-sacrifice as Cranmer, the martyr, showed at the last in his condemnation of Cranmer, the statesman, Cranmer the prelate, and Cranmer the politician.

He was born at Aslockton, Nottinghamshire, July 2nd, 1489, and died at Oxford, March 21st, 1556. Educated at Cambridge, he became one of the most learned men of his day, and when, in 1529, he used his learning to enable Henry VIII. to divorce Catherine of Aragon, he came at once into high favour at court. Appointed the King’s chaplain, he was sent in 1532 on a mission to Germany and in 1533 was appointed Archbishop of Canterbury. He used that position, as was expected, against the rights of Queen Catherine. Under Edward VI., in 1553, he was induced to sign a patent excluding Mary and Elizabeth from the succession in favour

of Lady Jane Grey, and as a result, on the accession of Mary, daughter of Catherine of Aragon, he was sent to the tower for treason, and, subsequently, to the stake, on a charge of heresy ; though, of course, as generally happened in such cases during that period, the motive behind the charge of spiritual error was largely one of politics. Cranmer had pledged himself to respect the will of Henry VIII., by which the succession devolved upon Mary, and his breach of faith in violating this pledge has been called perjury, as his frequent shifting of position from the beginning of his political career up to the time when he collected all his faculties in his supreme effort at the stake has been called cowardice and lack of moral character. Macaulay denies, as others have done, his right to be called a martyr, but even if his life had been that of a coward in the last stages of moral infirmity up to the time when " with his hand seen by every one to be sensibly burning, he cried with a loud voice, ' This hand hath offended,' " and so died, his death would remain nevertheless one of the most admirable in history, so remarkable by reason of its very contrast with his life, that we can hardly imagine such strength possible for humanity, except as an antithesis to the extreme weakness, in repenting which Cranmer glorified himself and that common humanity of which his weaknesses were characteristic.

### HIS SPEECH AT THE STAKE

(As Reported in " The Memorials," by John Strype, 1694).

**G**OOD people, I had intended indeed to desire you to pray for me ; which because Mr. Doctor hath desired, and you have done already, I thank you most heartily for it. And now will I pray for myself as I could best devise for mine own comfort and say the prayer, word for word, as I have here written it.

[And he read it standing ; and afterwards kneeled down and said the Lord's Prayer, and all the people on their knees devoutly praying with him. His prayer was thus : ]

O Father of Heaven ; O Son of God, Redeemer of the World ; O Holy Ghost, proceeding from them both, three persons and one God, have mercy upon me, most wretched caitiff and miserable sinner. I, who have offended both heaven and earth, and more grievously than any tongue can express, whither then may I go, or whither should I fly for succour ? To heaven I may be ashamed to lift up mine eyes ; and in earth I find no refuge. What shall I then do ? Shall I despair ? God

forbid. O good God, thou art merciful, and refusest none that come unto thee for succour. To thee, therefore, do I run. To thee do I humble myself saying, O Lord God, my sins be great ; but yet have mercy upon me for Thy great mercy. O God the Son, Thou wast not made man, this great mystery was not wrought for few or small offences. Nor Thou didst not give Thy Son unto death, O God the Father, for our little and small sins only, but for all the greatest sins of the world, so that the sinner return unto Thee with a penitent heart, as I do here at this present. Wherefore have mercy upon me, O Lord, whose property is always to have mercy. For although my sins be great, yet Thy mercy is greater. I crave nothing, O Lord, for mine own merits, but for Thy Name's sake, that it may be glorified thereby, and for Thy Dear Son, Jesus Christ's sake.

[Then rising, he said :] All men desire, good people, at the time of their deaths, to give some good exhortation that others may remember after their deaths, and be the better thereby. So I beseech God grant me grace that I may speak something, at this my departing, whereby God may be glorified and you edified.

First, it is an heavy case to see that many folks be so much doted upon the love of this false world, and so careful for it, that for the love of God, or the love of the world to come, they seem to care very little or nothing therefor. This shall be my first exhortation. That you set not overmuch by this false glozing world, but upon God and the world to come ; and learn to know what this lesson meaneth, which St. John teacheth, that the love of this world is hatred against God.

The second exhortation is that next unto God you obey your King and Queen willingly and gladly, without murmur and grudging, and not for fear of them only, but much more for the fear of God, knowing that they be God's ministers, appointed by God to rule and govern you. And therefore whoso resisteth them, resisteth God's ordinance.

The third exhortation is, That you love altogether like brethren and sisters. For, alas ! pity it is to see what contention and hatred one Christian man hath toward another ; not taking each other as sisters and brothers, but rather as strangers and mortal enemies. But I pray you learn and bear well away this one lesson, To do good to all men as much as in you lieth, and to hurt no man, no more than you would hurt your own natural and loving brother or sister. For this you may be sure of, that whosoever hateth any person, and goeth about maliciously to hinder or hurt him, surely, and without all doubt, God is not with that man, although he think himself never so much in God's favour.

The fourth exhortation shall be to them that have great substance and riches of this world, that they will well consider and weigh those

sayings of the Scripture. One is of our Saviour Christ himself, who sayeth, It is hard for a rich man to enter into heaven ; a sore saying, and yet spoken by him that knew the truth. The second is of St. John, whose saying is this, He that hath the substance of this world and seeth his brother in necessity, and shutteth up his mercy from him, how can he say he loveth God ? Much more might I speak of every part ; but time sufficeth not. I do but put you in remembrance of these things. Let all them that be rich ponder well those sentences ; for if ever they had any occasion to show their charity they have now at this present, the poor people being so many, and victuals so dear. For though I have been long in prison, yet I have heard of the great penury of the poor. Consider that which is given to the poor is given to God ; whom we have not otherwise present corporally with us, but in the poor.

And now, for so much as I am come to the last end of my life, whereupon hangeth all my life passed and my life to come, either to live with my Saviour Christ in heaven in joy, or else to be in pain ever with wicked devils in hell ; and I see before mine eyes presently either heaven ready to receive me, or hell ready to swallow me up ; I shall therefore declare unto you my very faith, how I believe, without colour or dissimulation ; for now is no time to dissemble, whatsoever I have written in times past.

First, I believe in God the Father Almighty, Maker of heaven and earth, and every article of the Catholic faith, every word and sentence taught by our Saviour Christ, His Apostles and Prophets, in the Old and New Testaments.

And now I come to the great thing that troubleth my conscience, more than any other thing that ever I said or did in my life ; and that is, the setting abroad of writings contrary to the truth. Which here now I renounce and refuse, as things written with my hand, contrary to the truth which I thought in my heart, and writ for fear of death, and to save my life, if it might be ; and that is, all such bills, which I have written or signed with mine own hand since my degradation wherein I have written many things untrue. And forasmuch as my hand offended in writing contrary to my heart, therefore my hand shall be punished ; for if I may come to the fire it shall be first burned. And as for the Pope, I refuse him as Christ's enemy and Anti-christ with all his false doctrine.



## AGAINST THE FEAR OF DEATH

(From a Sermon preserved in Strype's " Memorials ").

**I**F death of the body were to be feared, then them which have power to kill the body should we fear, lest they do their exercise over us, as they may at their pleasure. But our Saviour forbids us to fear them, because when they have killed the body, then they can do no more to us. Wherefore it is plain that our Saviour would not that we should fear death. To die, saith St. John Chrysostom, is to put off our old garments, and death is a pilgrimage of the spirit from the body. (He means, for a time.) And a sleep, somewhat longer than the old custom. The fear of it, saith he, is nothing else than the fear of bugs, and a childish fear of that thing cannot harm thee. Remember holy St. Ambrose's saying, which St. Augustine, lying on his death-bed, ever had in his mouth, " I do not fear to die ; for we have a good and merciful Lord and Master." Lactantius, the great learned man, confirms the saying of Cicero to be true, which said, " that no man can be right wise, which feareth death, pain, banishment, or poverty : and that he is the honest and virtuous man, which regardeth not what he suffers, but how well he doth suffer." Sedulius defineth death to be the gate, by which lieth the straight way unto our reign and kingdom. Basilus, who as in name, so both in virtue and learning, was great, thus he exhorteth us : " O man," saith he, " shrink not to withstand your adversaries, to suffer labours ; abhor not death, for it destroys not, nor makes an end of you, but it is the beginning and occasion of life. Nor is death the destruction of all things, but a departing, and a translation unto honours." And St. Hierom, the strong and stout champion of Almighty God, saith, declaring this saying of holy Job, " the day of death is better than the day of birth," that is, saith he, because either that by death it is declared what we are, or else because our birth doth bind our liberty of the soul with the body, and death do loose it.

## FORGIVENESS OF INJURIES

(From a Sermon preserved in Strype's " Memorials ").

**T**HESSE two may stand both well together ; that we as private persons may forgive all such as have trespassed against us with all our heart, and yet that the public ministers of God may see a redress of the same trespasses that we have forgiven. For my forgiveness concerns

only mine own person, but I cannot forgive the punishment and correction that by God's ordinance is to be ministered by the superior power. For in so much as the same trespass, which I do forgive, may be the maintenance of vice, not only of the offender, but also of others taking evil example thereby, it lies not in me to forgive the same. For so should I enterprise in the office of another, which by the ordinance of God be deputed to the same. Yea, and that such justice may be ministered to the abolishment of vice and sin, I may, yea and rather as the cause shall require, I am bound to make the relation to the superior powers, of the enormities and trespasses done to me and others; and being sorry that I should have cause so to do, seek the reformation of such evil doers, not as desirous of vengeance, but of their amendment of their lives. And yet I may not the more cruelly prosecute the matter, because the offence is peradventure done towards me; but I am to handle it as if it were done to any other, only for the use of the extirpation of sin, the maintenance of justice and quietness; which may right well stand with the ferventness of charity, as the Scripture testifieth. *Non oderis fratrem tuum in corde tuo, sed publice argue eum, ne habeas super illo peccatum.* Lev. xix. So that this may stand with charity, and also the forgiveness that Christ requireth of every one of us.

And yet in this doing, I must forgive him with all my heart, as much as lies in me; I must be sorry, that sin should have so much rule in him. I must pray to God to give him repentance for his misdeeds; I must desire God, that for Christ's sake he will not impute the sin unto him, being truly repentant, and so to strengthen him in grace, that he fall not again so dangerously. I think I were no true Christian man, if I should not thus do. And what other thing is this, that as much as lieth in me, with all my heart to remit the trespass? But I may by the laws require all that is due unto me of right. And as for the punishment and correction, it is not in my power to enterprise therein; but that only belongeth to the superior powers, to whom, if the grievousness of the cause shall require by the commandment, which willet us to take away the evil from among us, we ought to show the offence and complain thereof. For he would not that we should take away the evil, but after a just and lawful means, which is only, by the ordinance of God, to show the same to the superior powers, that they may take an order in it, according to God's judgment and justice.

## CALEB CUSHING

(1800-1879).

**C**ALEB CUSHING represented a Massachusetts district in the Congress of the United States from 1835 to 1843; was United States Commissioner to China from 1843 to 1844; was a Colonel and Brigadier-General in the Mexican War; Attorney-General under the Pierce administration from 1853 to 1857; Counsel for the United States before the Geneva Arbitration Tribunal from 1871 to 1872, and Minister to Spain from 1874 to 1877. He was nominated by President Grant for Chief-Justice in 1873, but the nomination was withdrawn. He was a great lawyer who aimed to make out his case by precedents, documentary proofs, historical evidence, and close reasoning, rather than by appeals to feeling or sentiment. But in his most studied efforts of this kind he would sometimes be carried off, apparently against his will, into bursts of passionate eloquence. Active as he was in public affairs and in the practice of his profession, he found time to write a number of books. He was born at Salisbury, Massachusetts, January 17th, 1800, and died at Newburyport, Massachusetts, January 2nd, 1879.

### THE EXTERMINATION OF THE INDIANS

(Delivered in the House of Representatives, February 6th, 1837).

**T**HE fate of the Indians in every part of the United States has been a deplorable one, from the first day of our intercourse with them to the present hour. In Maine, the tribes so conspicuous once in the wars of New England and of Canada are sunk to a community of humble fishermen. In Massachusetts, in Rhode Island, in Connecticut, the Mohicans, the Pequots, the Narragansetts, names of pride and power, have dwindled to a wretched remnant. In New York, how few survive of that great and famous confederacy of the Six Nations! The Delawares and their kindred tribes have disappeared from Pennsylvania and Virginia. In the newer States, we see that process of decay or of extinction now going on which is consummated in the old ones; the Seminoles in arms on their native soil, fighting not for life or land, but

for vengeance, and vowed, it would seem, like the Pequots, to a war of self-extermination ; the Creeks, hurrying, in broken bands, to the West ; the Cherokees, the most cultivated of the Southern tribes, pausing over their doomed exile, like the waters of the cataract, which gather themselves on the edge of the precipice, ere they leap into the inevitable abyss.

Is there no responsibility devolved on us by this state of things ? That we are wholly responsible for it, I can by no means admit. The condition in which we see the Indians has arisen from the fact that they are savages ; that they are savages in contact with cultivated men ; that they have not had the institutions of civilized life to guard their nationality and their property against the frauds and the vices of rapacious traders and land pirates, nor the arts of civilized life wherewith to gain subsistence. These are obstacles to their preservation, which we, as a people, in our efforts for their advantage, have perseveringly, but as yet vainly, endeavoured to overcome. Wars between them and us have resulted almost inevitably from our contiguity. Yet those wars are not imputable to any general spirit of unkindness on our part ; and we have strenuously endeavoured to prevent their arming among themselves, to protect them against the frauds and injustice of the lawless of our own people, and to impart to them the blessings of civilization.

Still, indirectly, it is clear, we have to answer for the present degradation of the Indians, since we sought them, not they us ; and if no Europeans had come thither, the aboriginal inhabitants of the country would have retained their independence and their sovereignty. Abstractly considered, our conduct towards them, and the doctrines of public right which govern it, are marked by many traits of injustice. You take possession of their country by what you call " the right of discovery," or by conquest. " We pay them for it," do you say ? Yes, you purchase land enough for the domicile of a nation with a string of beads. And it is impossible to adjust to the standard of abstract justice a dominion built on the bones and cemented with the blood of vanquished and extinguished tribes. You must offend against their natural rights, when your power could not otherwise stand. They feel as did the Indian described by Erskine : " Who is it," said the jealous ruler of the desert, encroached upon by the restless foot of transatlantic adventurer—" who is it that causes this river to rise in the high mountains and to empty itself into the ocean ? Who is it that makes the loud winds of winter to blow, and that calms them again in the summer ? Who is it that rears up the shade of these lofty forests, and that blasts them with the quick lightning at his pleasure ? The same Being who gave to you a country beyond the water, and gave ours to us ! " " And by this title we will defend

it," said the warrior, throwing down his tomahawk on the ground and raising the war cry of his nation. These are the feelings of subjugated men everywhere, civilized or uncivilized. These are the feelings which produce the scenes now occurring in Florida. They are the feelings in violation of which our empire in the New World was founded. Yet, will you abandon the land now by nativity yours, the homes of your kindred and your affection? You will not. But your dominion over the country has no root in abstract equity, and it is extended and upheld only by your superior strength and art, not by their gratitude or their attachment for benefits received. And it behoves you to make reparation for the injury your very existence here inflicts on the Indian by promoting, in all possible ways, his welfare, civilization, and peace.

Every consideration of policy calls upon us to conciliate, if we may, the Indians within our jurisdiction. We have compacted together in the West emigrant Indians from various quarters, tribes unfriendly, inimical to each other, sections of tribes reciprocally hostile, and all embittered, more or less, against us, by whom they have been driven from their own ancient abodes and stripped of their long-descended independence. Can savage warriors, the captives of battle, transported to the West, as chiefs of the hostile Creeks have recently been, as prisoners of war in irons—can such men, constituted as they are, fail to nourish the vindictive and jealous feelings which belong to their nature? Will we take no pains to remove or allay these feelings of irritation? Will we deal justly with them hereafter? Will our equity and our mercy be manifested as signally as our power? Will we secure these victims of our destiny in their new lands; guard them against the intrusion of our own people, and from hostility among themselves? Will we redeem our promise of protection and political fellowship? It is but the question whether we shall enjoy peace and prosperity on our western frontier, or whether the Indian shall send his yell into the heart of our settlements, ravage our lands, burn our dwellings, massacre our wives and children. Would you rally his tribes to the flaming sign of war? Would you see the thirsty prairies soaked with the mingling blood of the red man and the white? If not, be warned in time by the spectacle of desolation and carnage in the South.

Is not East Florida laid waste? Have not millions upon millions been expended already in the as yet unavailing endeavour to subdue a fragment of the Seminoles? But what do we care for money? It is the sufferings of our own fellow-citizens, the lives of the brave men of our army and militia, perishing amid the pestilential swamps of that fatal region, the destruction of the deluded Indians themselves, the tarnished honour of our country, and not the treasure exhausted in war,

which I deplore. How many generals have left that field of war baffled, if not defeated? Nay, is not the whole army of the United States thrown into distraction, and half-dissolved by the contentions of rank, the competition of service, the criminations and recriminations which have sprung up in such rank abundance, like some noxious growth of the tropics, out of the soil of East Florida? and if the desperation of a few Seminoles, either by their own efforts or the contagion of their example, can excite a war that can summon regiment after regiment of troops, to the amount, it is reported to us first and last, of some twenty-five thousand men, what would be the consequence if injustice or mismanagement should kindle a similar flame among the Cherokees, the Creeks, and the great body of the emigrant Indians? God forbid that such a calamity should descend upon our beloved country!

Dictates of duty in this matter are not less imperative than arguments of policy. The Indians are in our hands. They have been sunk to what they are, if not by us, yet through us. We have assumed the guardianship of them, and have pledged ourselves by stipulation after stipulation to watch over their welfare. I invoke the faith of treaties, I appeal to the honour of the nation, I demand of its truth and justice, if there be any sense of right in civilized communities, that we act decidedly and promptly in the execution of some well-digested plan for the benefit of the Indians subject to our authority. Let us not speak to them only as conquerors and in the language of relentless vigour, but to the vigour that shall overawe and control, let us join the justice that shall command respect and the clemency that shall conciliate affection.

## RANDALL THOMAS DAVIDSON

(1848- ).

**R**ANDALL THOMAS DAVIDSON was born in Edinburgh and educated at Harrow and Trinity College, Oxford. He took orders in 1874, and held a curacy at Dartford in Kent till 1877, when he became resident chaplain and private secretary to Dr. Tait, Archbishop of Canterbury, a position which he held up to Dr. Tait's death, and retained for about a year under his successor, Dr. Benson.

In 1878 he married Edith, the second daughter of Archbishop Tait, whose "Life" he wrote in 1891. In 1882 he became honorary chaplain to Queen Victoria, and in 1883 Dean of Windsor and domestic chaplain to the Queen, who greatly valued his advice on state matters. From 1891 to 1903 he was clerk of the closet, first to Queen Victoria, then to King Edward VII.

He was made Bishop of Rochester in 1891, Bishop of Winchester in 1895, and in 1903 succeeded Dr. Temple as Archbishop of Canterbury. Though Dr. Davidson has not made any notable contributions to theological learning, his diplomatic abilities have found ample scope in dealing with the great questions that have marked the early part of the twentieth century.

In 1908 Dr. Davidson presided at the Pan-Anglican Congress held in London, and at the Lambeth Conference which followed. He had edited in 1889 "The Lambeth Conferences," an historical account of the conferences of 1867, 1878 and 1888. In 1920 he presided at the Lambeth Conference, which is noteworthy for having issued "An Appeal to All Christian People," with a view to promoting "a visible unity of the whole Church" of Christ.

## A SACRED TRUST

(Sermon preached in Canterbury Cathedral, September 29th, 1918).

“ Whoso is wise will ponder these things ; and they shall understand the loving-kindness of the Lord.”—Psalm 107, v. 43.

**W**HAT things ? Look quietly afterwards at this historic Psalm, and you will see how it pictures and handles the changes and chances, as we call them, of a people's life, and God's care for them through it all. It starts off with the call, “ O give thanks unto the Lord, for He is gracious and His mercy endureth for ever.” He has watched and guarded them throughout. They have troubles and tests without number. They fail and go wrong time after time. But He is there to forgive, to mend, to guide, to sustain. “ They went astray in the wilderness out of the way,” or “ He brought down their heart through heaviness. But when they cried unto the Lord in their trouble He delivered them out of their distress.” Read aright, it is the very picture of a nation's life, a nation with a chequered story of endeavours and failures—of progress and backsliding—but with some hold, after all, upon their God, and a belief, real though wayward, in His help. How the story rings out for us within walls like these, rich in their record of the shocks of change, sometimes the creeping palsy of somnolence and decay, and sometimes the buoyant and rightful hopefulness of recuperation and new start. “ O that men would therefore praise the Lord for His goodness, and declare the wonders that He doeth for the children of men.” “ Whoso is wise will ponder these things, and they shall understand the loving-kindness of the Lord.”

To-day we are giving thanks—in the midst of a great war. No, not the midst, for we may surely trust that we are well past that, but in the course of a great war (far the greatest and most terrible that has ever happened among men), we have come to a moment when we may give thanks. It stands, I suppose thus—after four years of unremitting stress and strain, relentless in its pressure and fearful in its cost of our best and bravest, we seem to see, not obscurely, what looks like the turning of the tide. There is certainly, I fear, of abundant strife to come for many and many a day yet ; there is every need for redoubling, not relaxing, our effort ; but yet we have a gleam, a vision of the steadier and more assured light for which we have—God knows how earnestly—longed and prayed, for the whole world's sake. It would be graceless, indeed, if at such an hour we failed to give thanks.



And it is surely neither a slight nor a fanciful thing to note that the brightening of our horizon lies in the direction where it does lie. Beyond question, I suppose, the gravest and more direct issues await solution in the vast battlefield of Western Europe, where the names of the little villages and hamlets have now, to most of us, associations of mingled sacredness and pride and horror. On those hills and fields and vineyards, or eastward from their border, must our main thoughts centre for long weeks or months to come. But though that is so, it must not disturb the vividness with which we realize the splendid achievements which in the last ten days have enriched the story of the most sacred land on earth. To the man whose eye can range along even the barest outline of the history of the Holy Land the dramatic force and glow of what he sees to-day is startling in its richness and almost overwhelming in the thoughts which it sets astir. The surf-beaten shore of Philistia and Sharon, and the ridges of rocky vineyard-hills in Samaria and Judæa, which make the backbone of the land, and the rich broad plain of Esdraelon carry a story of human life, and of the rise and fall and the comings and goings of peoples which is without parallel on earth. Does it seem to any here to be an ancient story, far-off from ourselves in Kent? It was closely enough in touch with us sometimes. When in 1174 Thomas Becket was murdered in that transept, or, more markedly still, when those Eastern arches rose into all their beauty, white from the mason's chisel, to make a worthy setting for his shrine, England and Palestine meant much to one another. The Crusaders, some of whom—including the Archbishop—had started from this very spot, were bearing rule upon those Judæan hills, and in 1190 two men successively Archbishops of Canterbury (one of them lies in that aisle) were themselves in Palestine building churches and monasteries like those of Normandy and Kent.

But it is not the Crusaders, that potent vision—a vision ennobling, yet strangely distorted—of what Christ wants of men, which gives so wonderful a glamour to what is happening in the Holy Land to-day. We have, of course, far deeper associations, far more sacred links, than that. The very earliest things we can remember—for some of us the lessons learned at our mother's knees—clustered round the names of Bethlehem and Nazareth, and the Sea of Galilee. We learned a little later, with Sunday story and picture-book, to think of Jacob at Bethel, and the little Samuel in the tent of Shiloh, and David and Goliath in that Vale of Elah, and Elijah and the prophets on Mount Carmel and the river roadway to Jezreel. And to-day, as men and women, we read with quickened pulse and glowing cheek of our outposts on Carmel, and our cavalry at Nazareth and Bethshan, and the fords of Jordan—

the very scene of Jephthah's shibboleth test—and the hills of Gilead, and the hollows round Megiddo. So we might run on. The very sight of these names in a General's despatch startles us into a wholly novel interest, and forces us, whether we will or not, to link in those Bible days with our own.

Yes, and "Whoso is wise will ponder these things : and they shall understand the loving-kindness of the Lord." For see. It tells both ways. God was helping men, then, as now, by human means to fight for what was true. And God is helping us, now, as then, to see the sacredness of a trust which can be wrought out for some of the most solemn of earthly obligations—honour and good faith, care for the oppressed, respect for righteousness in things great and small. And, be it reverently spoken, the sacred glow deepens as we link in the doings of to-day with what Shakespeare makes our Henry IV. call—

" those holy fields

Over whose acres walked those blessed feet,  
Which fourteen hundred years ago were nailed  
For our advantage on the bitter Cross."

These associations it was which, in some degree, gave its religious character to English chivalry. We could trace it, for example, in the life-story and the recorded sayings of the man who is pre-eminently the foremost figure in that field, Edward the Black Prince. It was on this day, the Festival of St. Michael and All Angels, that he was buried in this our famous tomb, 542 years ago, amid a concourse gathered in his honour which represented everything that was then best and most sacred in the contemporary life of England.

But it is time to turn from these associations, wonderful and inspiring as they are, to the more practical thought which belongs to us men and women of this year of Grace 1918, as we solemnly thank God together for these successes granted to our arms, and ask ourselves and one another before God what this new turn given to the war, and to our place in it, can and ought to mean. "Whoso is wise will ponder these things : and they shall understand the loving-kindness of the Lord." Obviously and without question this knowledge of glad successes gained by the skill and valour of our soldiers and our Allies deepens upon us, and in us the sense of high responsibility. It brings closer to us the vision of the hour when we shall have to bear our answerable part in garnering for the world's good the outcome of these horrible—yes, horrible—years of human strife and carnage. For the dauntless determination, and the splendid prowess of Navy and Armies on the tossing seas or on the Western front, or in the Holy Land, or on the plains of Tigris

and Euphrates, or in the Balkan mountains—for all these we do, with full heart, give thanks. Most of us can speak from intimate personal knowledge of the actual men who made the great, perhaps the supreme, sacrifice, their heroism even unto death in what marks, in clear and clearer outline, the road to victory.

But victory is not the goal, not the end towards which we strive. Victory is a means to that end. The end is something greater which lies beyond. The end is what? The bettering of the world. And to-day, as our path is gilded by the sunshine of those successes, we should be trying in the new light to see more clearly whereto our pathway leads. Our resolve grows steadily more unshakable that there must be no settlement till it is a clean and righteous settlement—a settlement worthy of that name. We can say that firmly and for everybody's sake. To attempt to see and measure its details now would be futile—perhaps much worse than futile. But there must be at least, and that speedily, some clearing of our own vision about it all. During the last forty-eight hours we have had from two clear-headed and well-informed thinkers on either side of the Atlantic words of weighty counsel. And from all such counsel there emerges this, at the very least, that we must have a wider than a merely national view; that, in the terse and cogent words of the President of the United States:—“No special or separate interest of any single nation or group of nations can be made the basis of any part of the settlement which is not consistepnt with the common interest of all.”

A trust of the vastest conceivable kind will be laid upon the victors in this strife, when the upheaval is over, and we are set, so far as God shall give us power thereto, to forecast the future, and to lay for it such foundations as may bear the structure of a new manner of life—national and international. Brothers and sisters in the Lord, try, however dimly, or on however small a scale, to face that outlook, and each of us in his or her own little way to prepare for it. To see it largely would overtax the power of the greatest and best men, whoever they be, now alive upon earth. To understand, however humbly, something of what it means is within everybody's reach. Let those on whom the planning of these momentous things will ultimately devolve feel and know that they have behind them a huge multitude of earnest, eager men and women who have thought and cared and said their prayers, and tried to understand something at least of the issues which are at stake.

We can all, who think even tentatively and timidly about these things, realize, if we try to do so, some of the projects which must be translated into fact. A vast catastrophe has occurred in the world's life; the material waste of the world's wealth—appalling as it is—matters

least. The cost in the lives of many of the best and bravest in every land is beyond all reckoning if we try to measure what is by what might have been. The moral injury that has been wrought is, I think, the greatest disaster of all. In reducing that loss, or guarding against its increase, we can every one of us bear our little part. Every home can do it—every man and woman.

And there are other issues wherein public opinion, that is to say, the common voice of thoughtful men and women, can do much to make strong the resolves and labour of our leaders. We shall all of us—yes all—have to take charge of the national problems left us by the war, such as the care of child races all the world over—the protection and training of backward peoples, and many other corporate duties of that kind. And in our home life. Those who are here to-night are as well able as other people to stand up for what is pure and lovely and of good report—to stand firm by the self-denial which the war has taught us—to condemn by word and act every sort of easy selfish indulgence which mars what might be our common buoyancy of hope and love.

## DEMOSTHENES

(384-322 B.C.).

THE Oration on the Crown has been called the greatest oration of the world's greatest orator. If it be so, it is because Demosthenes is defending civilization in defending himself as the champion of Athenian autonomy and liberty. The Athens of his day represented all that was highest in intellect, and in the application of intellect to art, to science, to philosophy, to moral force in government. Against it, threatening its overthrow, was the blind desire of empire, the primitive instinct of coercion, the savage pride in dominating the strong and subjugating the weak, represented by Philip and his Macedonians. Athens, a small state, forced to rely almost wholly on intellectual resources, had by virtue of them become the most conspicuous nation in Europe. Athenian diplomacy, the subtle, intangible, all-pervading forces of mind which Demosthenes and his work enable later generations to understand as essentially Attic qualities, influenced not only the policies of Greece, but those of every civilized people in the known world.

It must be kept in mind in reading every period of the 'Oration on the Crown,' that then, as always, when speaking on public affairs, the patriot staked fortune, honour, life, on his words. Between Æschines, the rival of Demosthenes, and Demosthenes himself, the issue is always possibly one of life and death—certainly of exile for the loser. But with Demosthenes, it is infinitely higher and broader. He feels that in controlling Athens he is moving Greece and the world. He is staking everything for his country and braving for his countrymen the certainty of ingratitude, treachery, and persecution, to save them and their civilization from being overcome by encircling and menacing barbarism.

As he came forward to deliver the 'Oration on the Crown,' Demosthenes stood for fruitless patriotism, defeated by the injustice of those it would save. Neither Sparta nor Athens was longer competent to lead Europe. The Macedonians, half Greek, half barbarian, represented the logic of the situation created by the fraud and force of the long struggle for the "hegemony" of Greece. The sovereignty of intellect which Athens might have held against the world was challenged. It was now a question of the Macedonian phalanx against oratory addressed

to a people so æsthetic as to be capable of protesting loudly against the use of a grave accent in place of an acute, but with none of that governing public conscience through which alone moral force can exercise itself.

## ON THE CROWN

(Introductory Note by Dr. Ernest Barker).

THE speech "On the Crown" was delivered in 330 B.C. Some six years before it was delivered a friend of Demosthenes, named Ctesiphon, had proposed that a crown should be conferred upon him in recognition of his services to the State, and particularly of his generosity in contributing from his own resources to the restoration of the city walls of Athens. Æschines, a political opponent of Demosthenes, had indicted the proposal on the ground that it was both illegal and unfounded; but he had not proceeded with the indictment, being content that it should be left pending, and that meanwhile the proposal should be indefinitely delayed. In 330, however, Æschines at last felt bold enough to prosecute the indictment. In a speech "Against Ctesiphon" (which we still possess) he began by attacking the proposal as illegal, and then proceeded to an attack upon the whole policy of Demosthenes, through all his career, in order to prove that the proposal to honour him by the gift of a crown of gold in the theatre was not only illegal, but was also unfounded. In his speech "On the Crown" Demosthenes replied to the attack upon his policy, and made, as it were, an *apologia pro vita sua*. Grote describes the speech as "the unapproachable masterpiece of Greek oratory . . . a retrospect of the efforts made by a patriot and a statesman to uphold the dignity of Athens and the autonomy of the Grecian world against the dangerous aggressor" (Philip of Macedon). Grote was an admirer of Demosthenes, and regarded him as the defender of the cause of liberty and democracy against a foreign tyrant, who ultimately subverted that cause. German historians of ancient Greece, and among English writers Professor Bury, have regarded Demosthenes as a misguided and belated politician, whose antiquated policy of defending the petty city-state against the inevitable and beneficent march of the Macedonian Empire was an attempt to set back the clock of history. On the whole issue the reader should consult the life of Demosthenes, in the "Heroes of the Nations" series, by A. W. Pickard, Cambridge.

The speech is naturally full of references to Greek history—more particularly from 346 to 336 B.C. In order to follow the argument

readers should consult a history of Greece, such as that of Professor Bury (chapter XVI., section 2, section 4-9)—remembering, however, that Professor Bury's verdict on Demosthenes has to be compared with the verdict of Grote. Whatever the verdict of later historians, Demosthenes gained the verdict of his fellow-countrymen. Æschines failed to obtain the votes of one-fifth of the judges, and under Athenian law he became liable to a heavy fine for bringing an indictment which did not gain the necessary quota of the votes. He went into exile and taught rhetoric. There is a tradition that he once declaimed his opponent's speech to his class: the class applauded: he rejoined—"Ah, but you should have heard the beast himself." Demosthenes continued to live at Athens; but owing to a victory of the Macedonian party, which threatened him with a violent death, he committed suicide in 322.

**I** BEGIN, men of Athens, by praying to every god and goddess that the same good-will which I have ever cherished toward the commonwealth and all of you, may be requited to me on the present trial. I pray likewise—and this specially concerns yourselves, your religion, and your honour—that the gods may put it in your minds not to take counsel of my opponent touching the manner in which I am to be heard,—that would indeed be cruel!—but of the laws and of your oath, wherein (besides the other obligations) it is prescribed that you shall hear both sides alike. This means not only that you must pass no pre-condemnation, not only that you must extend your good-will equally to both, but also that you must allow the parties to adopt such order and course of defence as they severally choose and prefer.

Many advantages hath Æschines over me on this trial; and two especially, men of Athens. First, my risk in the contest is not the same. It is assuredly not the same for me to forfeit your regard, as for my adversary not to succeed in his indictment. To me—but I will say nothing untoward at the outset of my address. The prosecution, however, is play to him. My second disadvantage is the natural disposition of mankind to take pleasure in hearing invective and accusation, and to be annoyed by those who praise themselves. To Æschines is assigned the part which gives pleasure; that which (I may fairly say) is offensive to all is left for me. And if, to escape from this, I make no mention of what I have done, I shall appear to be without defence against his charges, without proof of my claims to honour; whereas, if I proceed to give an account of my conduct and measures, I shall be forced to speak frequently of myself. I will endeavour, then, to do

so with all becoming modesty ; what I am driven to by the necessity of the case will be fairly chargeable to my opponent who has instituted such a prosecution.

I think, men of the jury, you will all agree that I, as well as Ctesiphon, am a party to this proceeding, and that it is a matter of no less concern to me. It is painful and grievous to be deprived of anything, especially by the act of one's enemy ; but your good-will and affection are the heaviest loss, precisely as they are the greatest prize to gain.

Such being the matters at stake in this cause, I conjure and implore you all alike to hear my defence to the charge in that fair manner which the laws prescribe—laws to which their author, Solon, a man friendly to you and to popular rights, thought that validity should be given, not only by the recording of them, but by the oath of you the jurors ; not that he distrusted you, as it appears to me ; but, seeing that the charges and calumnies, wherein the prosecutor is powerful by being the first speaker, cannot be got over by the defendant unless each of you jurors, observing his religious obligation, shall with like favour receive the arguments of the last speaker, and lend an equal and impartial ear to both, before he determines upon the whole case.

As I am, it appears, on this day to render an account both of my private life and my public measures, I would fain, as in the outset, call the gods to my aid, and in your presence I implore them first, that the good-will which I have ever cherished toward the commonwealth and all of you may be fully requited to me on the present trial ; next, that they may direct you to such a decision upon this indictment as will conduce to your common honour and to the good conscience of each individual.

Had Æschines confined his charge to the subject of the prosecution, I, too, would have proceeded at once to my justification of the decree. But since he has wasted no fewer words in the discussion of other matters, in most of them calumniating me, I deem it both necessary and just, men of Athens, to begin by shortly adverting to these points that none of you may be induced by extraneous arguments to shut your ears against my defence to the indictment.

To all his scandalous abuse of my private life, observe my plain and honest answer. If you know me to be such as he alleged—for I have lived nowhere else but among you—let not my voice be heard however transcendent my statesmanship ! Rise up this instant and condemn me ! But if, in your opinion and judgment, I am far better and of better descent than my adversary ; if (to speak without offence) I am not inferior, I or mine, to any respectable citizen, then give no credit to him for his other statements,—it is plain they were all equally



fictions,—but to me let the same good-will, which you have uniformly exhibited upon many former trials, be manifested now. With all your malice, Æschines, it was very simple to suppose that I should turn from the discussion of measures and policy to notice your scandal. I will do no such thing ; I am not so crazed. Your lies and calumnies about my political life I will examine forthwith ; for that loose ribaldry I shall have a word hereafter, if the jury desire to hear it.

The crimes whereof I am accused are many and grievous : for some of them the laws enact heavy—most severe penalties. The scheme of this present proceeding includes a combination of spiteful insolence, insult, railing, aspersion, and everything of the kind ; while for the said charges and accusations, if they were true, the state has not the means of inflicting an adequate punishment, or anything like it. For it is not right to debar another<sup>t</sup> of access to the people and privilege of speech ; moreover, to do so by way of malice and insult—by heaven ! is neither honest, nor constitutional, nor just. If the crimes which he saw *me* committing against the state were as heinous as he so tragically gave out, he ought to have enforced the penalties of the law against them at the time—if he saw me guilty of an impeachable offence,—by impeaching and so bringing me to trial before you ; if moving illegal decrees, by indicting me for them. For surely, if he can prosecute Ctesiphon on my account, he would not have forborne to indict me myself, had he thought he could convict me. In short, whatever else he saw me doing to your prejudice, whether mentioned or not mentioned in his catalogue of slander, there are laws for such things, and punishments, and trials, and judgments, with sharp and severe penalties ; all of which he might have enforced against me : and had he done so—had he thus pursued the proper method with me, his charges would have been consistent with his conduct. But now he has declined the straightforward and just course, avoided all proofs of guilt at the time, and, after this long interval, gets up, to play his part withal, a heap of accusation, ribaldry, and scandal. Then he arraigns me, but prosecutes the defendant. His hatred of me he makes the prominent part of the whole contest ; yet, without having ever met me upon that ground, he openly seeks to deprive a third party of his privileges. Now, men of Athens, besides all the other arguments that may be urged in Ctesiphon's behalf, this, methinks, may very fairly be alleged—that we should try our own quarrel by ourselves ; not leave our private dispute, and look what third party we can damage. That surely were the height of injustice.

It may appear from what has been said, that all his charges are alike unjust and unfounded in truth. Yet I wish to examine them

separately, and especially his calumnies about the peace and the embassy, where he attributed to me the acts of himself and Philocrates. It is necessary also, and perhaps proper, men of Athens, to remind you how affairs stood at those times, that you may consider every single measure in reference to the occasion.

When the Phocian War had broken out,—not through me, for I had not then commenced public life,—you were in this position: you wished the Phocians to be saved, though you saw they were not acting right—and would have been glad for the Thebans to suffer anything, with whom for a just reason you were angry, for they had not borne with moderation their good fortune at Leuctra. The whole of Peloponnesus was divided: they that hated the Lacedæmonians were not powerful enough to destroy them, and they that ruled before by Spartan influence were not masters of the States. Among them, as among the rest of the Greeks, there was a sort of unsettled strife and confusion. Philip, seeing this,—it was not difficult to see,—lavished bribes upon the traitors in every State, embroiled and stirred them all up against each other; and so, by the errors and follies of the rest, he was strengthening himself and growing up to the ruin of all. But when everyone saw that the then overbearing, but now unfortunate, Thebans, harassed by so long a war, must of necessity have recourse to you, Philip, to prevent this and obstruct the union of the States, offered to you peace, to them succour. What helped him then almost to surprise you in a voluntary snare? The cowardice, shall I call it? or ignorance—or both—of the other Greeks; who, while you were waging a long and incessant war, and that, too, for their common benefit, as the event has shown, assisted you neither with money nor men, nor anything else whatsoever. You, being justly and naturally offended with them, lent a willing ear to Philip.

The peace then granted was through such means brought about, not through me, as Æschines calumniously charged. The criminal and corrupt practices of these men during the treaty will be found on fair examination to be the cause of our present condition. The whole matter I am for truth's sake discussing and going through; for, let there appear to be ever so much criminality in these transactions, it is surely nothing to me. The first who spoke and mentioned the subject of peace was Aristodemus, the actor; the seconder and mover, fellow-hireling for that purpose with the prosecutor, was Philocrates the Agnusian—your associate, Æschines, not mine, though you should burst with lying. Their supporters—from whatever motives—I pass that by for the present—were Eubulus and Cephisophon. I had nothing to do with it.

Notwithstanding these facts, which I have stated exactly according to the truth, he ventured to assert—to such a pitch of impudence had he come—that I, besides being author of the peace, had prevented the country making it in a general council with the Greeks. Did *you*—I know not what name you deserve!—when you saw me robbing the state of an advantage and connection so important as you described just now, did you ever express indignation? Did you come forward to publish and proclaim what you now charge me with? If, indeed, I had been bribed by Philip to prevent the conjunction of the Greeks, it was your business not to be silent, but to cry out, to protest, and inform the people. But you never did so; your voice was never heard to such a purpose; and no wonder; for at that time no embassy had been sent to any of the Greeks; they had all been tested long before, and not a word of truth upon the subject has Æschines spoken.

Besides, it is the country that he most traduces by his falsehoods. For, if you were at the same time calling on the Greeks to take arms, and sending your own ambassadors to treat with Philip for peace, you were performing the part of an Eurybatus, not the act of a commonwealth, or of honest men. But it is false, it is false. For what purpose could ye have sent for them at that period? For peace? They all had it. For war? You were yourselves deliberating about peace. It appears, therefore, I was not the adviser or the author of the original peace; and none of his other calumnies against me are shown to be true.

Observe again, after the state had concluded the peace, what line of conduct each of us adopted. Hence, you will understand who it was that co-operated in everything with Philip; who that acted in your behalf, and sought the advantage of the commonwealth.

I moved in the council that our ambassadors should sail instantly for whatever place they heard Philip was in, and receive his oath; they would not, however, notwithstanding my resolution. What was the effect of this, men of Athens? I will explain. It was Philip's interest that the interval before the oaths should be as long as possible; yours, that it should be as short. Why? Because you discontinued all your warlike preparations, not only from the day of swearing peace, but from the day that you conceived hopes of it; a thing which Philip was from the beginning studious to contrive, believing—rightly enough—that whatever of our possessions he might take before the oath of ratification, he should hold securely, as none would break the peace on such account. I, men of Athens, foreseeing and weighing these consequences, moved the decree to sail for whatever place Philip was in, and receive his oath without delay, so that your allies, the Thracians, might be in possession of the places which Æschines ridiculed just now (Serrium,

Myrtium, and Ergisce), at the time of swearing the oaths; and that Philip might not become master of Thrace by securing the posts of vantage, nor provide himself with plenty of money and troops to facilitate his further designs. Yet this decree he neither mentions nor reads, but reproaches me, because, as councillor, I thought proper to introduce the ambassadors. Why, what should I have done? Moved not to introduce men who were come for the purpose of conferring with you? or ordered the manager not to assign them places at the theatre? They might have had places for their two obols if the resolution had not been moved. Was it my duty to guard the petty interests of the state, and have sold our main interests like these men? Surely not.

But notwithstanding that I had moved for the advantage of Athens, not that of Philip, our worthy ambassadors so little regarded it as to sit down in Macedonia three whole months, until Philip returned from Thrace after entirely subjugating the country, although they might in ten days, or rather in three or four, have reached the Hellespont and saved the fortresses, by receiving his oath before he reduced them: for he would never have touched them in our presence, or we should not have sworn him; and thus he would have lost the peace, and not have obtained both the peace and the fortresses.

Such was the first trick of Philip, the first corrupt act of these accursed miscreants, in the embassy: for which I avow that I was and am and ever will be at war and variance with them. But mark another and still greater piece of villainy immediately after. When Philip had sworn to the peace, having secured Thrace through these men disobeying my decree he again bribes them not to leave Macedonia, until he had got all ready for his expedition against the Phocians. His fear was, if they reported to you his design and preparation for marching, you might sally forth, sail round with your galleys to Thermopylæ as before, and block up the strait: his desire, that, the moment you received the intelligence from them, he should have passed Thermopylæ, and you be unable to do anything. And in such terror and anxiety was Philip, lest, notwithstanding he had gained these advantages, if you voted succour before the destruction of the Phocians, his enterprise should fail, that he hires this despicable fellow, no longer in common with the other ambassadors, but by himself individually, to make that statement and report to you, by which everything was lost.

What, then, were the statements made by Æschines, through which everything was lost? That you should not be alarmed by Philip's having passed Thermopylæ—that all would be as you desired, if you kept quiet; and in two or three days you would hear he was their friend to whom he had come as an enemy, and their enemy to whom

he had come as a friend—it was not words that cemented attachments (such was his solemn phrase), but identity of interest ; and it was the interest of all alike, Philip, the Phocians, and you, to be relieved from the harshness and insolence of the Thebans. His assertions were heard by some with pleasure, on account of the hatred which then subsisted against the Thebans. But what happened directly, almost immediately, afterward ? The wretched Phocians were destroyed, their cities demolished ; you that kept quiet, and trusted to Æschines, were shortly bringing in your effects out of the country, while Æschines received gold ; and yet more—while you got nothing but your enmity with the Thebans and Thessalians, Philip won their gratitude for what he had done. . . . He carried them away with him, insomuch that they had neither foresight nor sense of the consequences, but suffered him to get everything into his power ; hence the misfortunes under which those wretched people at present are. The agent and auxiliary who helped to win for him such confidence,—who brought false reports here and cajoled you,—he it is who now bewails the sufferings of the Thebans and dilates upon them so pathetically, he himself being the cause both of these calamities, and those in Phocis, and all the rest which the Greeks have sustained. Truly must you, Æschines, grieve at these events, and compassionate the Thebans, when you hold property in Bœotia and farm their lands ; and I rejoice at a work whose author immediately required me to be delivered into his hands.

But I have fallen upon a subject which it may be more convenient to discuss by and by. I will return then to my proofs, showing how the iniquities of these men have brought about the present state of things.

When you had been deceived by Philip through the agency of these men, who sold themselves in the embassies, and reported not a word of truth to you—when the unhappy Phocians had been deceived and their cities destroyed—what followed ? The despicable Thessalians and stupid Thebans looked on Philip as a friend, a benefactor, a saviour : he was everything to them—not a syllable would they hear from anyone to the contrary. You, though regarding his acts with suspicion and anger, still observed the peace ; for you could have done nothing alone. The rest of the Greeks, cheated and disappointed like yourselves, gladly observed the peace, though they also had in a manner been attacked for a long time. For when Philip was marching about, subduing Illyrians and Triballians and some also of the Greeks, and gaining many considerable accessions of power, and certain citizens of the states (Æschines among them) took advantage of the peace to go there and be corrupted, all people then against whom he was making such preparations, were

attacked. If they perceived it not, that is another question, no concern of mine. I was forever warning and protesting, both at Athens and wheresoever I was sent. But the States were diseased; one class in their politics and measures being venal and corrupt, while the multitude of private men either had no foresight, or were caught with the bait of present ease and idleness; and all were under some such influence, only they imagined each that the mischief would not approach themselves, but that by the peril of others, they might secure their own safety when they chose. The result, I fancy, has been that the people, in return for their gross and unseasonable indolence, have lost their liberty: the statesmen, who imagined they were selling everything but themselves, discovered they had sold themselves first; for, instead of friends, as they were named during the period of bribery, they are now called parasites and miscreants and the like befitting names. Justly. For no man, Athenians, spends money for the traitor's benefit, or, when he has got possession of his purchase, employs the traitor to advise him in future proceedings: else nothing could have been more fortunate than a traitor. But it is not so—it never could be—it is far otherwise. When the aspirant for power has gained his object, he is master also of those that sold it; and then—then, I say, knowing their baseness, he loathes and mistrusts and spurns them.

Consider only—for though the time of the events is past, the time for understanding them is ever present to the wise: Lasthenes was called the friend of Philip for a while, until he betrayed Olynthus; Timolaus for a while, until he destroyed Thebes; Rudicus and Simus of Larissa for a while, until they brought Thessaly under Philip's power. Since then the world has become full of traitors expelled and insulted and suffering every possible calamity. How fared Aristratus in Sicyon? how Perilaus in Megara? Are they not outcasts? Hence, one may evidently see, it is the vigilant defender of his country, the strenuous opponent of such men, who secures to you traitors and hirelings, Æschines, the opportunity of getting bribes; through the number of those that oppose your wishes you are in safety and in pay, for had it depended on yourselves you would have perished long ago.

Much more could I say about those transactions, yet methinks too much has been said already. The fault is my adversary's, for having spurted over me the dregs, I may say, of his own wickedness and iniquities, of which I was obliged to clear myself to those who are younger than the events. You, too, have probably been disgusted, who knew this man's venality before I spoke a word. He calls it friendship, indeed, and said somewhere in his speech—"the man who reproaches me with the friendship of Alexander." I reproach you with the friendship of

Alexander! Whence gotten, or how merited? Neither Philip's friend nor Alexander's should I ever call you; I am not so mad; unless we are to call reapers and other hired labourers the friends of those who hire them. That, however, is not so—how could it be? It is nothing of the kind. Philip's hireling I called you once, and Alexander's I call you now. So do all these men. If you disbelieve me, ask them; or rather I will do it for you. Athenians! is Æschines, think ye, the hireling or the friend of Alexander? You hear what they say.

I now proceed to my defence upon the indictment itself, and to the account of my own measures, that Æschines may hear, though he knows already, on what I found my title both to these which have been decreed and to far greater rewards. Take and read me the indictment itself.

#### THE INDICTMENT

“In the archonship of Chærondas, on the sixth of Elaphebolion, Æschines, son of Atrometus of Cothocidæ, preferred before the archon an indictment against Ctesiphon, son of Leosthenes of Anaphlystus, for an illegal measure: for that he proposed a decree against law, to wit, that it was right to crown Demosthenes, son of Demosthenes of Pæania, with a golden crown and to proclaim in the theatre at the great Dionysian festival, at the exhibition of the new tragedies, that the people crown Demosthenes, son of Demosthenes of Pæania, with a golden crown, on account of his virtue, and of the good-will which he has constantly cherished toward all the Greeks as well as toward the people of Athens, and of his integrity, and because he has constantly by word and deed promoted the advantage of the people, and is zealous to do whatever good he can: all which clauses are false and illegal; the laws enacting: firstly, that no false allegations shall be entered in the public records; secondly, that an accountable officer shall not be crowned (but Demosthenes is a conservator of the walls, and has charge of the theoric fund); thirdly, that the crown shall not be proclaimed in the theatre at the Dionysian festival, on the new exhibition of tragedies, but if the council confer a crown, it shall be published in the council-hall of the people, in the Pnyx at the assembly. Penalty, fifty talents. Witnesses to the summons, Cephisophon, son of Cephisophon of Rhamnus, Cleon, son of Cleon of Cothocidæ.”

The clauses of the decree which he prosecutes are these, men of Athens. Now from these very clauses I think I shall immediately make it clear to you that my whole defence will be just; for I shall take the charges in the same order as my adversary, and discuss them all one by one, without a single intentional omission.

With respect to the statement, "that I have constantly by word and deed promoted the advantage of the people, and am zealous to do whatever good I can," and the praising me on such grounds, your judgment, I conceive, must depend on my public acts; from an examination of which it will be discovered whether what Ctesiphon has alleged concerning me is true and proper, or false. As to his proposing to give the crown without adding "when he has passed his accounts," and to proclaim the crown in the theatre, I imagine that this also relates to my political conduct, whether I am worthy of the crown and the public proclamation, or not. However, I deem it necessary to produce the laws which justified the defendant in proposing such clauses.

Thus honestly and simply, men of Athens, have I resolved to conduct my defence. I now proceed to my own actual measures. And let no one suppose that I wander from the indictment, if I touch upon Grecian questions and affairs: he who attacks that clause of the decree, "that by word and deed I have promoted your good"—he who has indicted this for being false—he, I say, has rendered the discussion of my whole policy pertinent and necessary to the charge. Moreover, there being many departments of political action, I choose that which belonged to Grecian affairs: therefore, I am justified in drawing my proofs from them.

The conquests which Philip had got and held before I commenced life as a statesman and orator, I shall pass over, as I think they concern not me. Those that he was baffled in from the day of my entering on such duties, I will call to your recollection, and render an account of them; premising one thing only—Philip started, men of Athens, with a great advantage. It happened that among the Greeks—not some, but all alike—there sprang up a crop of traitors and venal wretches, such as in the memory of man had never been before. These he got for his agents and supporters: the Greeks, already ill-disposed and unfriendly to each other, he brought into a still worse state, deceiving this people, making presents to that, corrupting others in every way; and he split them into many parties, when they had all one interest to prevent his aggrandizement. While the Greeks were all in such a condition,—in such ignorance of the gathering and growing mischief,—you have to consider, men of Athens, what policy and measures it became the commonwealth to adopt, and of this to receive a reckoning from me; for the man who assumed that post in the administration was I.

Ought she, Æschines, to have cast off her spirit and dignity, and, in the style of Thessalians and Dolopians, helped to acquire for Philip the dominion of Greece, and extinguished the honours and rights of our ancestors? Or, if she did not this,—which would indeed have



been shameful,—was it right that what she saw would happen if unprevented, and was for a long time, it seems, aware of, she should suffer to come to pass ?

I would gladly ask the severest censorer of our acts, with what party he would have wished the commonwealth to side,—with those who contributed to the disgraces and disasters of the Greeks, the party, we may say, of the Thessalians, and their followers, or those who permitted it all for the hope of selfish advantage, among whom we may reckon the Arcadians, Messenians, and Argives ? But many of them, or rather all, have fared worse than ourselves. If Philip after his victory had immediately marched off and kept quiet, without molesting any either of his own allies or of the Greeks in general, still they that opposed not his enterprises would have merited some blame and reproach. But when he has stripped all alike of their dignity, their authority, their liberty,—nay, even of their constitutions, where he was able,—can it be doubted that you took the most glorious course in pursuance of my counsels ?

But I return to the question—What should the commonwealth, Æschines, have done, when she saw Philip establishing an empire and dominion over Greece ? Or what was your statesman to advise or move ?—I, a statesman at Athens—for this is most material—I who knew that from the earliest time until the day of my own mounting the platform, our country had ever striven for precedency and honour and renown, and expended more blood and treasure for the sake of glory and the general weal than the rest of the Greeks had expended on their several interests—who saw that in the strife for power and empire, Philip himself, with whom we were contending, had had his eye cut out, his collar bone fractured, his hand and leg mutilated, and was ready and willing to sacrifice any part of his body that fortune chose to take, provided he could live with the remainder in honour and glory ? Hardly will any one venture to say this—that it became a man bred at Pella, then an obscure and inconsiderable place, to possess such inborn magnanimity as to aspire to the mastery of Greece and form the project in his mind, while you, who were Athenians, day after day in speeches and in dramas reminded of the virtue of your ancestors, should have been so naturally base as of your own free will and accord to surrender to Philip the liberty of Greece. No man will say this !

The only course then that remained was a just resistance to all his attacks upon you. Such course you took from the beginning, properly and becomingly ; and I assisted by motions and counsels during the period of my political life :—I acknowledge it. But what should I have done ? I put this question to you, dismissing all else : Amphipolis, Pydna, Potidæa, Halonnesus—I mention none of them : Serrium,

Doriscus, the ravaging of Peparethus, and any similar wrongs which the country has suffered—I know not even of their occurrence. You, indeed, said that by talking of these I had brought the people into a quarrel, although the resolutions respecting them were moved by Eubulus and Aristophon and Diopithes—not by me, you ready utterer of what suits your purpose! Neither will I speak of these now. But I ask—the man who was appropriating to himself Eubœa, and making it a fortress against Attica, and attempting Megara, and seizing Oreus, and razing Porthmus, and setting up Philistides a tyrant in Oreus, Clitarchus in Eretria, and subjugating the Hellespont, and besieging Byzantium, and destroying some of the Greek cities, restoring exiles to others—was he by all these proceedings committing injustice, breaking the truce, violating the peace, or not? Was it meet that any of the Greeks should rise up to prevent these proceedings, or not? If not—if Greece were to present the spectacle (as it is called) of a Mysian prey, while Athenians had life and being, then I have exceeded my duty in speaking on the subject—the commonwealth has exceeded her duty, which followed my counsels—I admit that every measure has been a misdeed, a blunder of mine. But if someone ought to have arisen to prevent these things, who but the Athenian people should it have been? Such, then, was the policy which I espoused. I saw him reducing all men to subjection, and I opposed him: I continued warning and exhorting you not to make these sacrifices to Philip.

First I proposed the embassy to Peloponnesus, when into Peloponnesus he began to steal; next that to Eubœa, when on Eubœa he was laying his hands; then the expedition (no longer an embassy) to Oreus, and that to Eretria, when he established rulers in those cities. Afterward I dispatched all the armaments, by which Chersonesus was preserved, and Byzantium, and all our allies; whence to you there accrued the noblest results—praises, eulogies, honours, crowns, thanks from those you succoured; while the people attacked—those that trusted you then obtained deliverance, those that disregarded you have had often to remember your warnings and to be convinced that you were not only their friends, but wise men also and prophets: for all that you predicted has come to pass.

That Philistides would have given a great deal to keep Oreus—Clitarchus a great deal to keep Eretria—Philip himself a great deal to have these vantage-posts against you, and in other matters to avoid exposure, and any inquiry into his wrongful acts in general—no man is ignorant, and least of all you. For the ambassadors who came here then from Clitarchus and Philistides lodged with you, Æschines, and you were their host. The commonwealth regarded them as enemies,

whose offers were neither just nor advantageous, and expelled them ; but they were your friends. None of their designs then were accomplished ; you slanderer—who say of me that I am silent when I have got something, and bawl when I have spent it ! That is not your custom. You bawl when you have something, and will never stop, unless the jury stop you by disfranchisement to-day.

When you crowned me then for those services, and Aristonicus drew up the same words that Ctesiphon here has now drawn up, and the crown was proclaimed in the theatre,—for this now is the second proclamation in my favour,—Æschines, being present, neither opposed it, nor indicted the mover.

Is there one of you that knows of any disgrace falling on the state by reason of that decree, or any scorn or ridicule—consequences which this man now predicts, if I be crowned ? It is when acts are recent and notorious that, if good, they obtain reward, if the contrary, punishment ; and it appears that I then obtained reward, not blame or punishment. So, up to the period of those transactions, I am acknowledged on all occasions to have promoted the interests of the state—because my speeches and motions prevailed in your councils—because my measures were executed, and procured crowns for the commonwealth and for me and all of you—because you have offered sacrifices and thanksgivings to the gods for their success.

When Philip therefore was driven out of Eubœa, with arms by you, with counsels and decrees—though some persons there should burst !—by me, he sought some new position of attack upon Athens. Seeing that we use more foreign corn than any people, and wishing to command the passage of the corn trade, he advanced to Thrace ; the Byzantines being his allies, he first required them to join in the war against you, and when they refused, saying (truly enough) that they had not made alliance on such terms, he threw up intrenchments before the city, planted batteries, and laid siege to it. What course hereupon it became you to take, I will not ask again ; it is manifest to all. But who was it that succoured the Byzantines and rescued them ? Who prevented the alienation of the Hellespont at that crisis ? You, men of Athens. When I say you, I mean the commonwealth. But who advised, framed, executed the measures of state, devoted himself wholly and unreservedly to the public business ?—I !—What benefits thence accrued to all, you need no further to be told ; you have learned by experience. For the war which then sprang up, besides that it brought honour and renown, kept you in a cheaper and more plentiful supply of all the necessaries of life than does the present peace, which these worthies maintain to their country's prejudice in the hope of

something to come. Perish such hope! Never may they share the blessings for which you men of honest wishes pray to the gods, nor communicate their own principles to you!

Thus the saving of Chersonesus and Byzantium, the preventing Philip's conquest of the Hellespont, and the honours therefore bestowed on this country, were the effects of my policy and administration; and more than this—they proved to all mankind the generosity of Athens and the baseness of Philip. He, the ally and friend of the Byzantines, was before all eyes besieging them—what could be more shameful or outrageous? You, who might justly on many grounds have reproached them for wrongs done you in former times, instead of bearing malice and abandoning the oppressed, appeared as their deliverers,—conduct which procured you glory, good-will, honour from all men. That you have crowned many of your statesmen, everyone knows, but through what other person (I mean what minister or orator) besides myself, the commonwealth has been crowned, no one can say.

To prove how the malignity of those calumnies, which he urged against the Eubœans and Byzantines, reminding you of any unkindness which they had done you—prove it I shall, not only by their falsehood which I apprehend you know already, but (were they ever so true) by showing the advantages of my policy—I wish to recount one or two of the noble acts of your own state, and to do it briefly; for individuals as well as communities, should ever strive to model their future conduct by the noblest of their past.

Well, then, men of Athens, when the Lacedæmonians had the empire of land and sea, and held the country round Attica by governors and garrisons, Eubœa, Tanagra, all Bœotia, Megara, Ægina, Cleonæ, the other islands; when our state possessed neither ships nor walls you marched out to Haliartus, and again not many days after to Corinth; albeit the Athenians of that time had many causes of resentment against both Corinthians and Thebans for their acts in the Decelean war; but they showed no resentment, none. And yet neither of these steps took they, Æschines, for benefactors, nor were they blind to the danger; but they would not for such reasons abandon people who sought their protection; for the sake of renown and glory they willingly exposed themselves to peril. Just and noble was their resolve! For to all mankind the end of life is death, though one keep oneself shut up in a closet; but it becomes brave men to strive always for honour, with good hope before them, and to endure courageously whatever the Deity ordains.

Thus did your ancestors, thus the elder among yourselves. For, though the Lacedæmonians were neither friends nor benefactors, but had done many grievous injuries to our state, yet when the Thebans,

victorious at Leuctra, sought their destruction you prevented it, not fearing the power and reputation then possessed by the Thebans, nor reckoning up the merits of those for whom you were about to fight. And so you demonstrated to all the Greeks that, however any people may offend you, you reserve your anger against them for other occasions ; but should their existence or liberty be imperilled, you will not resent your wrongs or bring them into account.

And not in these instances only hath such been your temper. Again, when the Thebans were taking possession of Eubœa, you looked not quietly on, you remembered not the wrongs done you by Themison and Theodorus in the affair of Oropus, but assisted even them. It was the time when the volunteer captains first offered themselves to the state, of whom I was one ; but of this presently. However, it was glorious that you saved the island, but far more glorious that, when you had got their persons and their cities in your power, you fairly restored them to the people who had ill-used you, and made no reckoning of your wrongs in an affair where you were trusted.

Hundreds of cases which I could mention I pass over—sea fights, land marches, campaigns, both in ancient times and in your own, all of which the commonwealth has undertaken for the freedom and safety of the Greeks in general. Then, having observed the commonwealth engaging in contests of such number and importance for the interests of others, what was I to urge, what course to recommend her when the question in a manner concerned herself? To revive grudges, I suppose, against people who wanted help, and to seek pretences for abandoning everything. And who might not justly have killed me, had I attempted even by words to tarnish any of the honours of Athens? For the thing itself, I am certain, you would never have done—had you wished, what was to hinder you? any lack of opportunity?—had you not these men to advise it?

I must return to the next in date of my political acts ; and here again consider what was most beneficial for the state. I saw, men of Athens, that your navy was decaying, and that, while the rich were getting off with small payments, citizens of moderate or small fortunes were losing their substance, and the state, by reason thereof, missing her opportunities of action. I therefore proposed a law, by which I compelled the one class (the rich) to perform their duty, and stopped the oppression of the poor ; and—what was most useful to the country—I caused her preparations to be made in time. And being indicted for it, I appeared on the charge before you, and was acquitted ; and the prosecutor did not get his portion of the votes. But what sums, think ye, the chief men of the boards, or those in the second and third

degrees, offered me, first, not to propose that law, second, when I had recorded it, to drop it on the abatement oath? Such sums, men of Athens, as I should be afraid to tell you. And no wonder they did so; for under the former laws they might divide the charge between sixteen, spending little or nothing themselves, and grinding down the needy citizens; whereas under my law every one had to pay a sum proportioned to his means, and there was a captain for two ships, where before there was a partner with fifteen others for one ship—for they were calling themselves not captains any longer, but partners. They would have given anything then to get these regulations annulled, and not be obliged to perform their duties.

Think ye, I but slightly helped the poor of Athens, or that the rich would have spent but a trifling sum to escape the doing what was right? I glory, however, not only in having refused this compromise, and having been acquitted on the indictment, but because my law was beneficial, and I have proved it so by trial. For during the whole war, while the armaments were shipped off according to my regulations, no captain ever appealed to you against oppression, or took sanctuary at Munychia, or was imprisoned by the clearing officers; no galley was lost to the state by capture abroad, or left behind from unfitness to go to sea. Under the former laws all these things happened—because the burden was put upon the poor, and therefore difficulties frequently arose. I transferred the charge from the poor to the wealthy, and then every duty was done. For this itself, too, I deserve praise, that I adopted all such measures as brought glory and honour and power to the state: there is no envy, spite, or malice in any measure of mine, nothing sordid or unworthy of Athens. The same character is apparent in my home and in my foreign policy. At home, I never preferred the favour of the wealthy to the rights of the many: abroad, I valued not the presents or the friendship of Philip above the general interests of Greece.

I conceive, it remains for me to speak of the proclamation and the accounts: for that I acted for the best—that I have throughout been your friend and zealous in your service, is proved abundantly, methinks, by what I have said already. The most important part of my policy and administration I pass by, considering that I have in regular course to reply to the charge of illegality; and besides—though I am silent as to the rest of my political acts—the knowledge you all have will serve me equally well.

As to the arguments which he jumbled together about the counter-written laws, I hardly suppose you comprehend them—I myself could not understand the greater part. However I shall argue a just case in a straightforward way. So far from saying that I am not accountable,

as the prosecutor just now falsely asserted, I acknowledge that I am all my life accountable for what as your statesman I have undertaken or advised ; but for what I have voluntarily given to the people out of my own private fortune, I deny that I am any day accountable,—do you hear, *Æschines*?—nor is any other man, let him even be one of the nine archons. For what law is so full of injustice and inhumanity as to enact that one who has given of his private means and done an act of generosity and munificence, instead of having thanks, shall be brought before malignants, appointed to be the auditors of his liberality ? None. If he says there is, let him produce it, and I will be content and hold my tongue. But there is none, men of Athens. The prosecutor in his malice, because I gave some of my own money when I superintended the theoric fund, says, “The council praised him before he had rendered his account.” Not for any matters of which I had an account to render, but for what I spent of my own, you malignant !

“Oh, but you were a Conservator of Walls !” says he. Yes ; and for that reason was I justly praised, because I gave the sums expended, and did not charge them. A charge requires auditing and examiners ; a donation merits thanks and praise ; therefore the defendant made this motion in my favour.

That this is a settled principle in your hearts as well as in the laws, I can show by many proofs easily. First, *Nausicles* has often been crowned by you for what he expended out of his own funds while he was general. Secondly, *Diotimus* was crowned for his present of shields ; and *Charidemus* too. Again, *Neoptolemus* here, superintendent of divers works, has been honoured for his donations. It would, indeed, be cruel if a man holding an office should either, by reason of his office, be precluded from giving his own money to the state, or have, instead of receiving thanks, to render an account of what he gave.

Each of these men, *Æschines*, was accountable for the office which he held, but not accountable for the matters in respect of which he was crowned. No more than am I ; for surely I have the same rights, under the same circumstances, as other men. Have I given money ? I am praised for that, not being accountable for what I gave. Did I hold office ? Yes ; and I have rendered an account of my official acts, not of my bounties. Oh, but I was guilty of malpractices in office ! And you, present when the auditors brought me up, accused me not ?

[Demosthenes proceeds to cite a document proving that he had given donations for the repair of the Walls, and in aid of the Religious Services, and that he had been crowned accordingly.]

These were my donations ; none of which have you indicted ; the rewards which the council says I deserve for them are what you arraign.

To receive the gifts then you confess to be legal ; the requital of them you indict for illegality. In the name of heaven ! what sort of person can a monster of wickedness and malignity be, if not such a person as this ?

Concerning the proclamation in the theatre, I pass over the fact that thousands of thousands have been proclaimed, and I myself have been crowned often before. But by the gods ! are you so perverse and stupid, Æschines, as not to be able to reflect that the party crowned has the same glory from the crown wherever it be published, and that the proclamation is made in the theatre for the benefit of those who confer the crown ? For the hearers are all encouraged to render service to the state, and praise the parties who show their gratitude more than the party crowned. Therefore has our commonwealth enacted this law.

“ Whensoever any of the townships bestow crowns, proclamations thereof shall be made by them in their several townships, unless where any are crowned by the people of Athens or the council ; and it shall be lawful for them to be proclaimed in the theatre at the Dionysian festival.”

Do you hear, Æschines, the law distinctly saying “ unless where any are voted by the people or the council,” such may be proclaimed ? Why, then, wretched man, do you play the pettifogger ? Why manufacture arguments ? Why don't you take hellebore for your malady ? Are you not ashamed to bring on a cause for spite and not for any offence ? To alter some laws and to garble others, the whole of which should in justice be read to persons sworn to decide according to the laws ? And you that act thus describe the qualities which belong to a friend of the people, as if you had ordered a statue according to contract, and received it without having what the contract required ; or as if friends of the people were known by words, and not by acts and measures ! And you bawl out, regardless of decency, a sort of cart-language, applicable to yourself and your race, not to me.

Again, men of Athens, I conceive abuse to differ from accusation in this, that accusation has to do with offences for which the laws provide penalties, abuse with the scandal which enemies speak against each other according to their humour. And I believe our ancestors built these courts, not that we should assemble you here and bring forth the secrets of private life for mutual reproach, but to give us the means of convicting persons guilty of crimes against the state. Æschines knew this as well as I, and yet he chose to rail rather than to accuse.



Even in this way he must take as much as he gives ; but before I enter upon such matters, let me ask him one question—Should one call you the state's enemy or mine, Æschines? Mine, of course. Yet, where you might, for any offence which I committed, have obtained satisfaction for the people according to the laws, you neglected it—at the audit, on the indictments and other trials ; but where I in my own person am safe on every account, by the laws, by time, by prescription, by many previous judgments on every point, by my never having been convicted of a public offence—and where the country must share, more or less, in the repute of measures which were her own—here it is you have encountered me. See if you are not the people's enemy, while you pretend to be mine !

Thus, therefore, the righteous and true verdict is made clear to all ; but I must, it seems,—though not naturally fond of railing, yet on account of the calumnies uttered by my opponent,—in reply to so many falsehoods, just mention some leading particulars concerning him, and show who he is, and from whom descended, that so readily begins using hard words—and what language he carps at, after uttering such as any decent man would have shuddered to pronounce. Why, if my accuser had been Æacus, or Rhadamanthus, or Minos, instead of a prater, a hack of the market, a pestilent scribbler, I don't think he would have spoken such things, or found such offensive terms, shouting, as in a tragedy, " O Earth ! O Sun ! O Virtue ! " and the like ; and again appealing to intelligence and education, by which the honourable is distinguished from the base :—all this you undoubtedly heard from his lips. Accursed one ! What have you or yours to do with virtue ? How should you discern what is honourable or otherwise ? How were you ever qualified ? What right have you to talk about education ? Those who really possess it would never say as much of themselves, but rather blush if another did : those who are destitute like you, but make pretensions to it from stupidity, annoy the hearers by their talk, without getting the reputation which they desire.

I am at no loss for materials concerning you and your family, but am in doubt what to mention first—whether how your father Tromes, being servant to Elpias, who kept a reading-school in the temple of Theseus, wore a weight of fetters and a collar ; or how your mother, by her morning spousals in the cottage of Hero Calamites, reared you up, the beautiful statue, the eminent third-rate actor !

But all know without my telling these things ; or how the galley piper Phormio, the slave of Dion of Phrearrii, removed her from that honourable employment. But, by Jupiter and the gods ! I fear, in saying what is proper about you, I may be thought to have chosen

topics unbecoming to myself. All this, therefore, I shall pass by, and commence with the acts of his own life ; for, indeed, he came not of common parents, but of such as are execrated by the people. Very lately,—lately do I say?—it is but yesterday that he has become both an Athenian and an orator—adding two syllables, he converted his father from Tromes to Atrometus, and dignified his mother by the name of Glaucothea, who (as every one knows) was called Empusa ; having got that title (it is plain) from her doing and submitting to anything—how else could she have got it? However, you are so ungrateful and wicked by nature, that after being raised through the people from servitude to freedom, from beggary to affluence, instead of returning their kindness, you work against them as a hireling politician.

Of the speeches, which it may possibly be contended he has made for the good of the country, I will say nothing : of the acts which he was clearly proved to have done for the enemy, I will remind you.

What man present but knows of the outcast Antiphon, who came into the city under promise to Philip that he would burn your arsenal? I found him concealed in Piræus, and brought him before the Assembly ; when this mischief-maker, shouting and clamouring that it was monstrous in a free state that I should ill-treat unfortunate citizens, and enter houses without warrant, procured his release. And had not the Council of Areopagus, discovering the fact, and perceiving your ill-timed error, made search after the man, seized, and brought him before you, a fellow like that would have been rescued, would have slipped through the hands of justice, and been sent out of the way by this declaimer. As it was, you put him to torture and to death, as you ought this man also. The Council of Areopagus were informed what Æschines had done, and therefore, though you had elected him for your advocate on the question of the Delian temple, in the same ignorance by which you have sacrificed many of the public interests, as you referred the matter to the council, and gave them full powers, they immediately removed him for his treason, and appointed Hyperides to plead ; for which purpose they took their ballots from the altar, and not a single ballot was given for this wretch.

A vast deal besides that I could say about him I omit. For thus (methinks) it is. I could produce many more such cases, where Æschines was discovered at that period assisting the enemy and harassing me. But these things are not treasured up by you for careful remembrance, or proper resentment. You have, through evil custom, given large licence to any one that chooses to supplant and calumniate your honest counsellors, exchanging the interest of the state for the pleasure and

gratification of hearing abuse ; and so it is easier and safer always to be a hireling serving your enemies, than a statesman attached to you.

That he should co-operate openly with Philip before the war was shocking—O heaven and earth ! could it be otherwise ?—against his country ! Yet allow him if you please, allow him this. But when the ships had openly been made prize, Chersonesus was ravaged, the man was marching against Attica, matters were no longer doubtful, war had begun—nothing that he ever did for you can this malicious iambic-mouther show—not a resolution has Æschines, great or small, concerning the interests of the state. If he assert it, let him prove it now while my water-glass is running. But there is none. He is reduced to an alternative ; either he had no fault to find with my measures and therefore moved none against them, or he sought the good of the enemy and therefore would not propose any better.

Did he abstain from speaking as well as moving when any mischief was to be done to you ? Why, no one else could speak a word. Other things, it appears, the country could endure, and he could accomplish without detection ; but one last act he achieved, O Athenians, which crowned all he had done before ; on which he lavished that multitude of words, recounting the decrees against the Amphissian Locrians in hopes of distorting the truth. But the thing admits it not. No ! never will you wash yourself clean from your performances there—talk as long as you will !

In your presence, men of Athens, I invoke all the gods and goddesses to whom the Attic territory belongs, and Pythian Apollo, the father god of our State ; and I implore them all ! As I shall declare the truth to you, as I declared it in your assembly at the time, the very moment I saw this wretch putting his hand to the work,—for I perceived, instantly perceived it,—so may they grant me favour and protection ! If from malice or personal rivalry I bring a false charge against my opponent, may they cut me off from every blessing !

But wherefore this imprecation, this solemn assurance ? Because, though I have documents lying in the public archives, from which I shall clearly prove my assertions, though I know you remember the facts, I fear this man may be considered unequal to the mischiefs which he has wrought ; as before happened, when he caused the destruction of the unhappy Phocians by his false reports to you.

The Amphissian war, I say,—which brought Philip to Elatea, which caused him to be chosen general of the Amphictyons, which ruined everything in Greece,—was this man's contrivance. He is the single author of all our heaviest calamities. I protested at the time, and cried out in the assembly : " You are bringing a war, Æschines,

into Attica, an Amphictyonic war"—but his packed party would not let me be heard; the rest wondered, and supposed that I was bringing an idle charge against him out of personal enmity. However, the real character of those transactions, the purpose for which they were got up, the manner in which they were accomplished, hear ye now, men of Athens, as ye were prevented then. You will see that the thing was well concerted, and it will help you much to get a knowledge of public affairs, and what craftiness there was in Philip you will observe.

Philip could neither finish nor get rid of the war with Athens, unless he made the Thebans and Thessalians her enemies. Though your generals fought against him without fortune or skill, yet from the war itself and the cruisers he suffered infinite damage. He could neither export any of the produce of his country, nor import what he needed. He was not then superior to you at sea, nor able to reach Attica, unless the Thessalians followed him and the Thebans gave him a passage; so that, while he overcame in war the generals whom you sent out,—such as they were—I say nothing about that,—he found himself distressed by the difference of your local position and means. Should he urge either Thessalians or Thebans to march in his own quarrel against you, none, he thought, would attend to him: but should he, under the pretence of taking up their common cause, be elected general, he trusted partly by deceit and partly by persuasion to gain his ends more easily. He sets to work therefore—observe how cleverly—to get the Amphictyons into a war, and create a disturbance in the congress. For this he thought they would immediately want him. Now, if any of the envoys commissioned by himself or any of his allies brought it forward, he imagined that both Thebans and Thessalians would suspect the thing and would all be on their guard; whereas, if the agent were an Athenian and commissioned by you, his opponents, it would easily pass unnoticed. And thus it turned out.

How did he effect his purpose? He hires the prosecutor. No one (I believe) was aware of the thing or attending to it, and so—just as these things are usually done at Athens—Æschines was proposed for Pylæan deputy, three or four held up their hands for him, and his election was declared. When clothed with the dignity of the state he arrived among the Amphictyons, dismissing and disregarding all besides, he hastened to execute what he was hired for. He makes up a pretty speech and story, showing how the Cirrhæan plain came to be consecrated; reciting this to the envoys, men unused to speeches and unsuspecting of any consequences, he procures a vote from them to walk round the district, which the Amphissians maintained they had a right to cultivate, but which he charged to be parcel of the sacred plain. The Locrians were

not then instituting any suit against us, or any such proceeding as Æschines now falsely alleges. This will show you it was impossible (I fancy) for the Locrians to carry on process against our commonwealth without a citation. Who summoned us then? In whose archonship? Say who knows—point him out. You cannot. Your pretence was flimsy and false.

When the Amphictyons at the instance of this man walked over the plain, the Locrians fell upon them and well-nigh speared them all; some of the envoys they carried off captives. Complaints having followed, and war being stirred up against the Amphyssians, at first Cottyphus led an army composed entirely of Amphictyons; but as some never came, and those that came did nothing, measures were taken against the ensuing congress by an instructed gang, the old traitors of Thessaly and other States, to get the command for Philip. And they had found a fair pretext: for it was necessary, they said, either to subsidize themselves and maintain a mercenary force and fine all recusants, or to elect him. What need of many words? He was thereupon chosen general; and immediately afterward collecting an army, and marching professedly against Cirrha, he bids a long farewell to the Cirrhæans and Locrians, and seizes Elatea. Had not the Thebans, upon seeing this, immediately changed their minds and sided with us, the whole thing would have fallen like a torrent upon our country. As it was, they for the instant stopped him; chiefly, O Athenians, by the kindness of some divinity to Athens, but secondly, as far as it could depend on a single man, through me.

But who was it that helped him to his contrivance—that lent him his excuses? Who is most to blame for the misfortunes which have happened? Surely Æschines. Then go not about saying, "O Athenians, that one man has inflicted these calamities on Greece!" Heaven and earth! It was not a single man, but a number of miscreants in every state. Æschines was one of them; and, were I obliged to speak the truth without reserve, I should not hesitate to call him the common pest of all that have since been ruined, men, places, cities: for whoever supplies the seed, to him the crop is owing. I marvel, indeed, you turned not your faces away the moment you beheld him. But there is a thick darkness, it seems, between you and the truth.

The mention of this man's treasonable acts brings me to the part which I have myself taken in opposition to him. It is fair you should hear my account of it for many reasons, but chiefly, men of Athens, because it would be a shame, when I have undergone the toil of exertions on your behalf, that you should not endure the bare recital of them.

When I saw that the Thebans, and I may add the Athenians were so led away by Philip's partisans and the corrupt men of either state, as to disregard and take no precaution against a danger which menaced both, and required the utmost precaution (I mean the suffering Philip's power to increase), and were readily disposed to enmity and strife with each other, I was constantly watchful to prevent it, not only because in my own judgment I deemed such vigilance expedient, but knowing that Aristophon, and again Eubulus, had all along desired to bring about that union, and, while they were frequently opposed upon other matters, were always agreed upon this. Men whom in their life-time—you reptile!—you pestered with flattery, yet see not that you are accusing them in their graves; for the Theban policy that you reproach me with is a charge less affecting me than them who approved that alliance before I did. But I must return. I say, when Æschines had excited the war in Amphissa, and his coadjutors had helped to establish enmity with Thebes, Philip marched against us,—that was the object for which these persons embroiled the states,—and had we not roused up a little in time we could never have recovered ourselves; so far had these men carried matters. In what position you then stood to each other, you will learn from the recital of these decrees and answers. Here, take and read them.

[Two Decrees and two Answers of Philip are read.]

Philip having thus disposed the States toward each other by his contrivances, and being elated by these decrees and answers, came with his army and seized Elatea, confident that, happen what might, you and the Thebans could never again unite. What commotion there was in the city you all know; but let me just mention the most striking circumstances.

It was evening. A person came with a message to the presidents, that Elatea was taken. They rose from supper immediately, drove off the people from their market stalls, and set fire to the wicker-frames; others sent for the generals and called the trumpeter, and the city was full of commotion. The next morning at daybreak the presidents summoned the council to their hall, and you went to the assembly, and before they could introduce or prepare the question, the whole people were up in their seats. When the council had entered, and the presidents had reported their intelligence and presented the courier, and he had made his statement, the crier asked: "Who wishes to speak?" and no one came forward. The crier put the question repeatedly—still no man rose, though all the generals were present and all the orators, and our country with her common voice called for some one to speak and save

her—for when the crier raises his voice according to law, it may justly be deemed the common voice of our country. If those of greatest wealth, the three hundred—if those who were both friendly to the state and wealthy, the men who afterward gave such ample donations; for patriotism and wealth produced the gift,—if those who desired the salvation of Athens were the proper parties to come forward, all of you and the other Athenians would have risen and mounted the platform; for I am sure you all desired her salvation. But that occasion, that day, as it seems, called not only for a patriot and a wealthy man, but for one who had closely followed the proceedings from their commencement, and rightly calculated for what object and purpose Philip carried them on. A man who was ignorant of these matters, or had not long and carefully studied them, let him be ever so patriotic or wealthy, would neither see what measures were needful, nor be competent to advise you.

Well, then, I was the man called for upon that day. I came forward and addressed you. What I said, I beg you for two reasons attentively to hear; firstly, to be convinced that of all your orators and statesmen I alone deserted not the patriot's post in the hour of danger, but was found in the very moment of panic speaking and moving what your necessities required; secondly, because at the expense of a little time you will gain large experience for the future in all your political concerns.

I said those who were in such alarm under the idea that Philip had got the Thebans with him did not, in my opinion, understand the position of affairs; for I was sure, had that really been so, we should have heard not of his being at Elatea, but upon our frontiers; he was come, however, I knew for certain, to make all right for himself in Thebes. "Let me inform you," said I, "how the matter stands." All the Thebans whom it was possible either to bribe or deceive he has at his command; those who have resisted him from the first, and still oppose him, he can in no way prevail upon; what then, is his meaning and why has he seized upon Elatea? He means, by displaying a force in the neighbourhood, and bringing up his troops, to encourage and embolden his friends, to intimidate his adversaries, that they may either concede from fear what they now refuse, or be compelled. "Now," said I, "if we determine on the present occasion to remember any unkindness which the Thebans have done us, and to regard them in the character of enemies with distrust, in the first place, we shall be doing just what Philip would desire; in the next place, I fear his present adversaries embracing his friendship and all Philippizing with one consent, they will both march against Attica. But if you will hearken to me, and be pleased to examine (not cavil at) what I say, I believe it will meet your approval, and I shall

dispel the danger impending over Athens. What, then, do I advise? First, away with your present fear; and rather fear all of you for the Thebans; they are nearer harm than we are; to them the peril is more immediate. Next, I say march to Eleusis, all the fighting men and the cavalry, and show yourselves to the world in arms, that your partisans in Thebes may have equal liberty to speak up for the good cause, knowing that as the faction who sell their country to Philip have an army to support them at Elatea, so the party that will contend for freedom have your assistance at hand if they be assailed.

“Further, I recommend you to elect ten ambassadors and empower them in conjunction with the generals to fix the time for going there and for the out march. When the ambassadors have arrived at Thebes, how do I advise that you should treat the matter? Pray attend particularly to this. Ask nothing of the Thebans (it would be dishonourable at this time); but offer to assist them if they require it, on the plea that they are in extreme danger, and we see the future better than they do. If they accept this offer and hearken to our counsels, so shall we have accomplished what we desire, and our conduct will look worthy of the state; should we miscarry, they will have themselves to blame for any error committed now, and we shall have done nothing dishonourable or mean.”

This and more to the like effect I spoke, and left the platform. It was approved by all; not a word was said against me. Nor did I make the speech without moving, nor make the motion without undertaking the embassy, nor undertake the embassy without prevailing on the Thebans. From the beginning to the end, I went through it all; I gave myself entirely to your service to meet the dangers which encompassed Athens.

Produce me the decree which then passed. Now, Æschines, how would you have me describe you, and how myself, upon that day? Shall I call myself Batalus, your nickname of reproach, and you not even a hero of the common sort, but one of those upon the stage, Cresphontes or Creon, or the Cœnomaus whom you execrably murdered once at Colyttus? Well, upon that occasion, I, the Batalus of Pæania, was more serviceable to the state than you, the Cœnomaus of Cothocidæ. You were of no earthly use; I did everything which became a good citizen. Read the decree.

[The Decree is Read.]

That was the commencement and first step in the negotiation with Thebes: before then the countries had been led by these men into discord, and hatred, and jealousy. That decree caused the peril which then surrounded us to pass away like a cloud. It was the duty of a good



citizen, if he had any better plan, to disclose it at the time, not to find fault now. A statesman and a pettifogger, while in no other respect are they alike, in this most widely differ. The one declares his opinion before the proceedings and makes himself responsible to his followers, to fortune, to the times, to all men : the other is silent when he ought to speak ; at any untoward event he grumbles.

Now, as I said before, the time for a man who regarded the commonwealth, and for honest counsel, was then : however, I will go to this extent—if anyone now can point out a better course, or, indeed, if any other were practicable but the one which I adopted, I confess that I was wrong. For if there be any measure now discovered, which (executed then) would have been to our advantage, I say, it ought not to have escaped me. But if there is none, if there was none, if none can be suggested even at this day, what was a statesman to do ? Was he not to choose the best measures within his reach and view ? That did I, Æschines, when the crier asked, “ Who wishes to speak ? ”—not, “ Who wishes to complain about the past or to guarantee the future ? ” While you on those occasions sat mute in the assembly, I came forward and spoke. However, as you omitted then, tell us now. Say, what scheme that I ought to have devised, what favourable opportunity was lost to the state by my neglect ?—what alliance was there, what better plan, to which I should have directed the people ? But no ! The past is with all the world given up ; no one even proposes to deliberate about it : the future it is, or the present, which demands the action of a counsellor. At the time, as it appeared, there were dangers impending, and dangers at hand. Mark the line of my policy at that crisis ; don't rail at the event. The end of all things is what the Deity pleases ; His line of policy it is that shows the judgment of the statesman. Do not then impute it as a crime to me that Philip chanced to conquer in battle : that issue depended not on me, but on God. Prove that I adopted not all measures that according to human calculation were feasible—that I did not honestly and diligently and with exertions beyond my strength carry them out—or that my enterprise were not honourable and worthy of the state, and necessary. Show me this, and accuse me as soon as you like. But if the hurricane that visited us hath been too powerful, not for us only, but for all Greece besides, what is the fair course ? As if a merchant, after taking every precaution, and furnishing his vessel with everything that he thought would insure her safety, because afterward he met with a storm and his tackle was strained or broken to pieces, should be charged with the shipwreck ! “ Well, but I was not the pilot,” he might say, just as I was not the general. “ Fortune was not under my control : all was under hers.”

Consider and reflect upon this—If, with the Thebans on our side, we were destined so to fare in the contest, what was to be expected, if we had never had them for allies, but they had joined Philip, as he used every effort of persuasion to make them do? And if, when the battle was fought three days' march from Attica, such peril and alarm surrounded the city, what must we have expected, if the same disaster had happened in some part of our territory? As it was (do you see?) we could stand, meet, breathe; mightily did one, two, three days, help to our preservation: in the other case—but it is wrong to mention things of which we have been spared the trial by the favour of some Deity, and by our protecting ourselves with the very alliance which you assail.

All this, at such length, have I addressed to you, men of the jury, and to the outer circle of hearers; for, as to this contemptible fellow, a short and plain argument would suffice.

If the future was revealed to you, Æschines, alone, when the state was deliberating on these proceedings, you ought to have forewarned us at the time. If you did not foresee it, you are responsible for the same ignorance as the rest. Why, then, do you accuse me on this behalf, rather than I you? A better citizen have I been than you in respect of the matters of which I am speaking (others I discuss not at present), inasmuch as I gave myself up to what seemed for the general good, not shrinking from any personal danger, nor having thought of any; while you neither suggested better measures (or mine would not have been adopted), nor lent any aid in the prosecuting of mine: exactly what the basest person and worst enemy of the state would do, are you found to have done after the event; and at the same time Aristratus in Naxos and Aristolaus in Thasos, the deadly foes of our state, are bringing to trial the friends of Athens, and Æschines at Athens is accusing Demosthenes. Surely the man who waited to found his reputation upon the misfortunes of the Greeks deserves rather to perish than to accuse another; nor is it possible that one who has profited by the same conjunctures as the enemies of the commonwealth can be a well-wisher of his country. You show yourself by your life and conduct, by your political action, and even your political inaction. Is anything going on that appears good for the people? Æschines is mute. Has anything untoward happened or amiss? Forth comes Æschines; just as fractures and sprains are put in motion, when the body is attacked by disease.

But since he insists so strongly on the event, I will even assert something of a paradox: and I beg and pray of you not to marvel at its boldness but kindly to consider what I say. If, then, the results had been foreknown to all, if all had foreseen them, and you, Æschines, had foretold them and protested with clamour and outcry,—you that never opened

your mouth,—not even then should the commonwealth have abandoned her design, if she had any regard for glory, or ancestry, or futurity. As it is, she appears to have failed in her enterprise, a thing to which all mankind are liable, if the Deity so wills it : but then—claiming precedency over others, and afterwards abandoning her pretensions—she would have incurred the charge of betraying all to Philip. Why, had we resigned without a struggle that which our ancestors encountered every danger to win, who would not have spit upon you ? Let me not say the commonwealth or myself ! With what eyes, pray, could we have beheld strangers visiting the city, if the result had been what it is, and Philip had been chosen leader and lord of all, but other people without us had made the struggle to prevent it ; especially when in former times our country had never preferred an ignominious security to the battle for honour ? For what Grecian or what barbarian is ignorant that by the Thebans, or by the Lacedæmonians who were in might before them, or by the Persian king, permission would thankfully and gladly have been given to our commonwealth, to take what she pleased and hold her own, provided she would accept foreign law and let another power command in Greece ?

But, as it seems, to the Athenians of that day such conduct would not have been national, or natural, or endurable ; none could at any period of time persuade the commonwealth to attach herself in secure subjection to the powerful and unjust : through every age has she persevered in a perilous struggle for precedency, and honour, and glory. And this you esteem so noble and congenial to your principles that among your ancestors you honour most those who acted in such a spirit ; and with reason. For who would not admire the virtue of those men who resolutely embarked in their galleys, and quitted country and home rather than receive foreign law, choosing Themistocles who gave such counsel for their general, and stoning Cyrsilus to death who advised submission to the terms imposed—not him only, but your wives also stoning his wife ? Yes, the Athenians of that day looked not for an orator or a general who might help them to a pleasant servitude : they scorned to live, if it could not be with freedom. For each of them considered that he was not born to his father or mother only, but also to his country. What is the difference ? He that thinks himself born for his parents only, waits for his appointed or natural end ; he that thinks himself born for his country also, will sooner perish than behold her in slavery, and will regard the insults and indignities, which must be borne in a commonwealth enslaved, as more terrible than death.

Had I attempted to say that I instructed you in sentiments worthy of your ancestors, there is not a man who would not justly rebuke me.

What I declare is that such principles are your own. I show that before my time such was the spirit of the commonwealth ; though certainly in the execution of the particular measures I claim a share also for myself. The prosecutor, arraigning the whole proceedings, and embittering you against me as the cause of our alarms and dangers, in his eagerness to deprive me of honour for the moment, robs you of the eulogies that should endure forever. For should you, under a disbelief in the wisdom of my policy, convict the defendant, you will appear to have done wrong, not to have suffered what befell you by the cruelty of fortune. But never, never can you have done wrong, O Athenians, in undertaking the battle for the freedom and safety of all ! I swear it by your forefathers—those that met the peril at Marathon, those that took the field at Plataea, those in the sea fight at Salamis, and those at Artemisium, and many other brave men who repose in the public monuments, all of whom alike, as being worthy of the same honour, the country buried, Æschines, not only the successful or victorious ! Justly ! For the duty of brave men has been done by all : their fortune has been such as the Deity assigned to each.

Accursed scribbler ! you, to deprive me of the approbation and affection of my countrymen, speak of trophies and battles and ancient deeds, with none of which had this present trial the least concern ; but I !—Oh, you third-rate actor !—I, that rose to counsel the state how to maintain her pre-eminence ! in what spirit was I to mount the hustings ? In the spirit of one having unworthy counsel to offer ?—I should have deserved to perish ! You yourselves, men of Athens, may not try private and public causes on the same principles ; the compacts of every-day life you are to judge of by particular laws and circumstances ; the measures of statesmen, by reference to the dignity of your ancestors. And if you think it your duty to act worthily of them, you should every one of you consider, when you come into court to decide public questions, that, together with your staff and ticket, the spirit of the commonwealth is delivered to you.

But in touching upon the deeds of your ancestors, there were some decrees and transactions which I omitted. I will return from my digression.

On our arrival at Thebes, we found ambassadors there from Philip, from the Thessalians, and from his other allies ; our friends in trepidation, his friends confident. To prove that I am not asserting this now to serve my own purposes, read me the letter which we ambassadors dispatched on the instant. So outrageous is my opponent's malignity, that, if any advantage was procured, he attributes it to the occasion, not to me ; while all miscarriages he attributes to me and my fortune,

and according to him it seems I, the orator and adviser, have no merit in results of argument and counsel, but am the sole author of misfortunes in arms and strategy. Could there be a more brutal calumniator or a more execrable? Read the letter.

[The letter is read.]

On the convening of the assembly, our opponents were introduced first, because they held the character of allies. And they came forward, and spoke in high praise of Philip, and disparagement of you; bringing up all the hostilities that you ever committed against the Thebans. In fine, they urged them to show their gratitude for the services done by Philip, and to avenge themselves for the injuries which you had done them, either—it mattered not which—by giving them a passage against you, or by joining in the invasion of Attica; and they proved, as they fancied, that by adopting their advice the cattle and slaves and other effects of Attica would come into Bœotia, whereas by acting as they said we should advise, Bœotia would suffer pillage through the war. And much they said besides, tending all to the same point. The reply that we made I would give my life to recapitulate, but I fear, as the occasion is past, you will look upon it as if a sort of deluge had overwhelmed the whole proceedings, and regard any talk about them, as a useless troubling of you. Hear, then, what we persuaded them, and what answer they returned. Take and read this.—

[The answer of the Thebans is read.]

After this they invited and sent for you. You marched to their succour, and—to omit what happened between—their reception of you was so friendly, that, while their infantry and cavalry were outside the walls, they admitted your army into their houses and citadel, among their wives and children, and all that was most precious. Why, upon that day three of the noblest testimonies were before all mankind borne in your favour by the Thebans, one to your courage, one to your justice, one to your good behaviour. For when they preferred fighting on your side to fighting against you, they held you to be braver and juster in your demands than Philip; and when they put under your charge what they and all men are most watchful to protect, their wives and children, they showed that they had confidence in your good behaviour. In all which, men of Athens, it appeared they had rightly estimated your character. For after your forces entered the city, not so much as a groundless complaint was preferred against you by anyone, so discreetly did you behave yourselves; and twice arrayed on their side in the earlier battles, that by the river and the winter battle, you proved yourselves not irreproachable only, but admirable in your discipline, your equipments, and your zeal, which called forth eulogies from other men to you,

sacrifice and thanksgiving from you to the gods. And I would gladly ask Æschines—while these things were going on, and the city was full of enthusiasm and joy and praise, whether he joined with the multitude in sacrifice and festivity, or sat at home sorrowing, and moaning, and repining, at the public success. For if he were present and appeared with the rest, is not his conduct monstrous, or rather impious, when measures, which he himself called the gods to witness were excellent, he now requires you to condemn—you that have sworn by the gods? If he were not present, does he not deserve a thousand deaths for grieving to behold what others rejoiced at? Read me now the decrees.

[The decrees for sacrifice are read.]

We thus were engaged in sacrifice; the Thebans were in the assurance that they had been saved through us, and it had come about that a people, who seemed likely to want assistance through the practices of these men, were themselves assisting others in consequence of my advice which you followed. What language Philip then uttered, and in what trouble he was on this account, you shall learn from his letters which he sent to Peloponnesus. Take and read them, that the jury may know what my perseverance, and journey, and toils, and the many decrees which this man just now pulled to pieces accomplished.

Athenians, you have had many great and renowned orators before me; the famous Callistratus, Artistophon, Cephalus, Thrasybulus, hundreds of others; yet none of them ever thoroughly devoted himself to any measure of state; for instance, the mover of a resolution would not be ambassador; the ambassador would not move a resolution; each one left for himself some relief, and also, should anything happen, an excuse. How, then, it may be said did you so far surpass others in might and boldness as to do everything yourself? I don't say that; but such was my conviction of the danger impending over us, that I considered it left no room or thought for individual security; a man should have been only too happy to perform his duty without neglect. As to myself, I was persuaded, perhaps foolishly, yet I was persuaded, that none would move better resolutions than myself, none would execute them better, none as ambassador would show more zeal and honesty. Therefore I undertook every duty myself. Read the letters of Philip.

[The letters are read.]

To this did my policy, Æschines, reduce Philip. This language he uttered through me, he that before had lifted his voice so boldly against Athens! For which I was justly crowned by the people; and you were present and opposed it not, and Diondas who preferred an indictment obtained not his share of the votes. Here, read me the decrees which were then absolved, and which this man never indicted.

[The decrees are read.]

These decrees, men of Athens, contain the very words and syllables which Aristonicus drew up formerly, and Ctesiphon, the defendant, has now. And Æschines neither arraigned these himself, nor aided the party who preferred an indictment. Yet, if his present charge against me be true, he might then have arraigned Demomeles the mover and Hyperides with more show of reason than he can the defendant. Why? Because Ctesiphon may refer to them, and to the decisions of the courts, and to the fact of Æschines not having accused them, although they moved the same decrees which he has now, and to the laws which bar any further proceedings in such a case, and to many points besides:—whereas then the question would have been tried on its own merits, before any such advantages had been obtained. But then, I imagine, it would have been impossible to do what Æschines now does—to pick out of a multitude of old dates and decrees what no man knew before, and what no man would have expected to hear to-day, for the purpose of slander—to transpose dates and assign measures to the wrong causes instead of the right, in order to make a plausible case. That was impossible then. Every statement must have been according to the truth, soon after the facts, while you still remembered the particulars and had them almost at your finger ends. Therefore it was, that he shunned all investigation at the time, and has come at this late period; thinking, as it appears to me, that you would make it a contest of orators instead of an inquiry into political conduct; that words would be criticized, and not interests of State.

Then he plays the sophist, and says you ought to disregard the opinion of us which you came from home with—that, as when you audit a man's account under the impression that he has a surplus, if it cast up right and nothing remain, you allow it, so should you now accept the fair conclusion of the argument. Only see how rotten in its nature (and justly so) is every wicked contrivance! For by this very cunning simile he has now acknowledged it to be your conviction that I am my country's advocate and he is Philip's. Had not this been your opinion of each, he would not have tried to persuade you differently. That he has, however, no reasonable ground for requiring you to change your belief, I can easily show, not by casting accounts,—for that mode of reckoning applies not to measures,—but by calling the circumstances briefly to mind, taking you that hear me both for auditors and witnesses.

Through my policy which he arraigns, instead of the Thebans invading this country with Philip, as all expected, they joined our ranks and prevented him; instead of the war being in Attica, it took place seven hundred furlongs from the city on the confines of Bœotia;

instead of corsairs issuing from Eubœa to plunder us, Attica was in peace on the coast-side during the whole war ; instead of Philip being master of the Hellespont by taking Byzantium, the Byzantines were our auxiliaries against him. Does this computation of services, think you, resemble the casting of accounts ? Or should we strike these out on a balance, and not look that they be kept in everlasting remembrance ? I will not set down that of the cruelty, remarkable in cases where Philip got people all at once into his power, others have had the trial ; while of the generosity, which, casting about for his future purposes, he assumed toward Athens, you have happily enjoyed the fruits. I pass that by.

Yet this I do not hesitate to say : that anyone desirous of truly testing an orator, not of calumniating him, would never have made the charges that you advanced just now, inventing similes, mimicking words and gestures ; (doubtless it hath determined the fortune of Greece, whether I spoke this word or that, whether I moved my hand one way or the other) no ! he would have examined the facts of the case, what means and resources our country possessed, when I entered on the administration, what, when I applied myself to it, I collected for her, and what was the condition of our adversaries. Then, if I had lessened her resources, he would have shown me to be guilty ; if I had greatly increased them, he would not have calumniated me. However, as you have declined this course, I will adopt it. See if I state the case fairly.

For resources, our country possessed the islanders,—not all, but the weakest, for neither Chios, nor Rhodes, nor Corcyra was with us ; subsidies she had amounting to five-and-forty talents, and they were anticipated ; infantry or cavalry, none besides the native. But what was most alarming and wrought most in favour of the enemy, these men had got all our neighbours to be hostile rather than friendly to us—Megarians, Thebans, Eubœans. Such were the circumstances of our state ; no man can say anything to the contrary ; look now at those of Philip, whom we had to contend with. In the first place, he ruled his followers with unlimited sway, the most important thing for military operations ; in the next place, they had arms always in their hands ; besides, he had plenty of money and did what he pleased, not giving notice by decrees, not deliberating openly, not brought to trial by calumniators, not defending indictments for illegal measures, not responsible to anyone, but himself absolute master, leader, and lord of all. I, who was matched against him,—for it is right to examine this,—what had I under my control ? Nothing. Public speech, for instance, the only thing open to me—even to this you invited his hirelings as well as myself ; and whenever they prevailed over me (as often happened



for some cause or other), your resolutions were passed for the enemy's good. Still, under these disadvantages, I got you for allies Eubœans, Achæans, Corinthians, Thebans, Megarians, Leucadians, Corcyræans from whom were collected fifteen thousand mercenaries and two thousand horses, besides the national troops. Of money, too, I procured as large a contribution as possible.

If you talk about just conditions with the Thebans, Æschines, or with the Byzantines or Eubœans, or discuss now the question of equal terms, first, I say, you are ignorant that of those galleys formerly which defended Greece, being three hundred in number, our commonwealth furnished two hundred, and never (as it seemed) thought herself injured by having done so, never prosecuted those who advised it or expressed any dissatisfaction,—shame on her if she had!—but was grateful to the gods, that when a common danger beset the Greeks, she alone furnished double what the rest did for the preservation of all. Besides, it is but a poor favour you do your countrymen by calumniating me. For what is the use of telling us now what we should have done?—Why, being in the city and present, did you not make your proposals then; if, indeed, they were practicable at a crisis when we had to accept, not what we liked, but what the circumstances allowed? Remember, there was one ready to bid against us, to welcome eagerly those that we rejected, and give money into the bargain.

But if I am accused for what I have actually done, how would it have been, if, through my hard bargaining, the states had gone off and attached themselves to Philip, and he had become master at the same time of Eubœa, Thebes, and Byzantium? What, think ye, these impious men would have said or done? Said, doubtless, that the states were abandoned—that they wished to join us and were driven away—that he had got command of the Hellespont by the Byzantines, and become master of the corn trade of Greece—that a heavy neighbour war had by means of the Thebans been brought into Attica—that the sea had become unnavigable by the excursion of pirates from Eubœa! All this, would they have said sure enough, and a great deal besides. A wicked, wicked thing, O Athenians, is a calumniator always, every way spiteful and fault-finding. But this creature is a reptile by nature, that from the beginning never did anything honest or liberal; a very ape of a tragedian, village (Enomaus, counterfeit orator! What advantage has your eloquence been to your country? Now do you speak to us about the past? As if a physician should visit his patients, and not order or prescribe anything to cure the disease, but on the death of anyone, when the last ceremonies were performing, should follow

him to the grave and expound, how, if the poor fellow had done this and that he never would have died ! Idiot ! do you speak now ?

Even the defeat—if you exult in that which should make you groan, you accursed one !—by nothing that I have done will it appear to have befallen us. Consider it thus, O Athenians. From no embassy on which I was commissioned by you did I ever come away defeated by the ambassadors of Philip—neither from Thessaly, nor from Ambracia, nor from the kings of Thrace, nor from Byzantium, nor from any other place, nor on the last recent occasion from Thebes ; but where his ambassadors were vanquished in argument, he came with arms and carried the day. And for this you call me to account and are not ashamed to jeer the same person for cowardice, whom you require single-handed to overcome the might of Philip—and that, too, by words ! For what else had I at my command ? Certainly not the spirit of each individual, nor the fortune of the army, nor the conduct of the war, for which you would make me accountable ; such a blunderer are you !

Yet understand me. Of what a statesman may be responsible for, I allow the utmost scrutiny ; I deprecate it not. What are his functions ? To observe things in the beginning, to foresee and foretell them to others—this I have done. Again, wherever he finds delays, backwardness, ignorance, jealousies, vices inherent and unavoidable in all communities, to contract them into the narrowest compass and, on the other hand, to promote unanimity and friendship and zeal in the discharge of duty. All this, too, I have performed ; and no one can discover the least neglect on my part. Ask any man by what means Philip achieved most of his successes, and you will be told by his army, and by his bribing and corrupting men in power. Well ; your forces were not under my command or control ; so that I cannot be questioned for anything done in that department. But by refusing the price of corruption I have overcome Philip ; for as the offerer of a bribe, if it be accepted, has vanquished the taker, so the person who refuses it and is not corrupted has vanquished the person offering. Therefore is the commonwealth undefeated as far as I am concerned.

These, and such as these (besides many others) are the grounds furnished by myself to justify the defendant's motion in my behalf. Those which you, you fellow-citizens, furnished, I will proceed to mention. Immediately after the battle, the people, knowing and having witnessed everything which I did, in the very midst of their alarm and terror, when it would not have been surprising if the great body of them had even treated me harshly, passed my resolutions for the safety of the country ; all their measures of defence, the disposition of the garrisons, the trenches, the levies for our fortifications, were carried on under

my decrees ; and further, upon the election of a commissioner of grain, they chose me in preference to all. Afterwards, when those who were bent to do me a mischief conspired and brought indictments, audits, impeachments, and the rest of it against me, not at first in their own persons, but in such names as they imagined would most effectually screen themselves (for you surely know and remember that every day of that first period I was arraigned, and neither the desperation of Sosicles, nor the malignity of Philocrates, nor the madness of Diondas and Melantus, nor anything else was left untried by them against me) ; on all those occasions, chiefly through the gods, secondly through you and the other Athenians, I was preserved. And with justice ! Yes, that is the truth, and to the honour of the juries who so conscientiously decided. Well, then, on the impeachments, when you acquitted me and gave not the prosecutors their share of the votes, you pronounced that my policy was the best ; by my acquittal on the indictments, my counsels and motion were shown to be legal ; by your passing of my accounts, you acknowledged my whole conduct to have been honest and incorruptible. Under these circumstances, what name could Ctesiphon with decency or justice give to my acts ? [What could he give if not] that which he saw the people give, which he saw the jurors give, which saw truth establish to the world ?

Aye, says he, that was a fine thing of Cephalus, never to have been indicted. Yes, and a lucky one too. But why should a man, who has often been charged, but never convicted of crime, be a whit the more liable to reproach ? However, men of Athens, against my opponent I have a right to use the boast of Cephalus, for he never preferred or prosecuted any indictment against me ; therefore I am a citizen as good as Cephalus, by his admission.

From many things one may see his unfeelingness and malignity, but especially from his discourse about fortune. For my part, I regard anyone who reproaches his fellow-man with fortune, as devoid of sense. He that is best satisfied with his condition, he that deems his fortune excellent, cannot be sure that it will remain so until the evening ; how, then, can it be right to bring it forward, or upbraid another man with it ? As Æschines, however, has on this subject (besides many others) expressed himself with insolence, look, men of Athens, and observe how much more truth and humanity there shall be in my discourse upon fortune than in his.

I hold the fortune of our commonwealth to be good, and so I find the oracles of Dodonæan Jupiter and Pythian Apollo declaring to us. The fortune of all mankind, which now prevails, I consider cruel and dreadful : for what Greek, what barbarian, has not in these times

experienced a multitude of evils? That Athens chooses the noblest policy, that she fares better than those very Greeks who thought, if they abandoned us, they should abide in prosperity, I reckon as part of her good fortune: if she suffered reverses, if all happened not to us as we desired, I conceive she has had that share of the general fortune which fell to our lot. As to my fortune (personally speaking) or that of any individual among us, it should, as I conceive, be judged of in connection with personal matters. Such is my opinion upon the subject of fortune, a right and just one, as it appears to me, and I think you will agree with it. Æschines says that my individual fortune is paramount to that of the commonwealth, the small and mean to the good and great. How can this possibly be?

However, if you are determined, Æschines, to scrutinize my fortune, compare it with your own, and if you find my fortune better than yours, cease to revile it. Look, then, from the very beginning. And I pray and entreat that I may not be condemned for bad taste. I do not think any person wise who insults poverty or who prides himself on having been bred in affluence; but by the slander and malice of this cruel man I am forced into such a discussion, which I will conduct with all the moderation which circumstances allow.

I had the advantage, Æschines, in my boyhood, of going to proper schools and having such allowance as a boy should have who is to do nothing mean from indigence. Arrived at man's estate, I lived suitably to my breeding; was choirmaster, ship commander, ratepayer; backward in no acts of liberality, public or private, but making myself useful to the commonwealth and to my friends. When I entered upon state affairs, I chose such a line of politics that both by my country and many people of Greece I have been crowned many times, and not even you, my enemies, venture to say that the line I chose was not honourable. Such, then, has been the fortune of my life—I could enlarge upon it, but I forbear, lest what I pride myself in should give offence.

But you, the man of dignity, who spit upon others, look what sort of fortune is yours compared with mine. As a boy you were reared in abject poverty, waiting with your father on the school, grinding the ink, sponging the benches, sweeping the room, doing the duty of a menial rather than a freeman's son. After you were grown up you attended your mother's initiations, reading her books and helping in all the ceremonies; at night wrapping the novitiates in fawn skin, swilling, purifying and scouring them with clay and bran, raising them after the lustration, and bidding them say, "Bad I have scaped, and better I have found;" priding yourself that no one ever howled so lustily—and I believe him! for do not suppose that he who speaks so loud

is not a splendid howler ! In the daytime you led your noble orgiasts, crowned with fennel and poplar, through the highways, squeezing the big-cheeked serpents and lifting them over your head, and shouting *Evœ Sabae*, and capering to the words *Hyes Attes, Attes Hyes*, saluted by the beldames as leader, conductor, chest bearer, fan bearer, and the like, getting as your reward tarts and biscuits and rolls ; for which any man might well bless himself and his fortune.

When you were enrolled among your fellow-townsmen,—by what means I stop not to inquire,—when you were enrolled, however, you immediately selected the most honourable of employments, that of clerk and assistant to our petty magistrates. From this you were removed after a while, having done yourself all that you charge others with ; and then, sure enough, you disgraced not your antecedents by your subsequent life, but hiring yourself to those ranting players, as they were called, *Simylus* and *Socrates*, you acted third parts, collecting figs and grapes and olives like a fruiterer from other men's farms, and getting more from them than from the playing, in which the lives of your whole company were at stake, for there was an implacable and incessant war between them and the audience, from whom you received so many wounds, that no wonder you taunt as cowards people inexperienced in such encounters.

But passing over what may be imputed to poverty, I will come to the direct charges against your character. You espoused such a line of politics (when at last you thought of taking to them), that, if your country prospered, you lived the life of a hare, fearing and trembling and ever expecting to be scourged for the crimes of which your conscience accused you, though all have seen how bold you were during the misfortunes of the rest. A man who took courage at the death of a thousand citizens—what does he deserve at the hands of the living ? A great deal more that I could say about him I shall omit ; for it is not all I can tell of his turpitude and infamy which I ought to let slip from my tongue, but only what is not disgraceful to myself to mention.

Contrast now the circumstances of your life and mine, gently and with temper, *Æschines*, and then ask these people whose fortune they would each of them prefer. You taught reading, I went to school ; you performed initiations, I received them ; you danced in the chorus, I furnished it ; you were assembly clerk, I was a speaker ; you acted third parts, I heard you ; you broke down, and I hissed ; you have worked as a statesman for the enemy, I for my country. I pass by the rest ; but this very day I am on my probation for a crown, and am acknowledged to be innocent of all offence, while you are already judged

to be a pettifogger, and the question is, whether you shall continue that trade or at once be silenced by not getting a fifth part of the votes. A happy fortune, do you see, you have enjoyed, that you should denounce mine as miserable!

Come, now, let me read the evidence to the jury of public services which I have performed. And by way of comparison do you recite me the verses which you murdered:—

“From Hades and the dusky realms I come.”

And

“Ill news, believe me, I am loth to bear.”

Ill betide thee, say I, and may the gods, or at least the Athenians, confound thee for a vile citizen and a vile third-rate actor!

Read the evidence. [The evidence is read.]

Such has been my character in political matters. In private, if you do not all know that I have been liberal and humane and charitable to the distressed, I am silent; I will say not a word; I will offer no evidence on the subject, either of persons whom I ransomed from the enemy, or of persons whose daughters I helped to portion, or anything of the kind. For this is my maxim. I hold that the party receiving an obligation should ever remember it, the party conferring should forget it immediately, if the one is to act with honesty, the other without meanness. To remind and speak of your own bounties is next door to reproaching. I will not act so; nothing shall induce me. What ever my reputation is in these respects, I am content with it.

I will have done then with private topics, but say another word or two upon public. If you can mention, Æschines, a single man under the sun, whether Greek or barbarian, who has not suffered by Philip's power formerly and Alexander's now, well and good; I concede to you that my fortune, or misfortune (if you please), has been the cause of everything. But if many that never saw me or heard my voice have been grievously afflicted, not individuals only, but whole cities and nations, how much juster and fairer is it to consider that to the common fortune apparently of all men, to a tide of events overwhelming and lamentable, these disasters are to be attributed. You, disregarding all this, accuse me whose ministry has been among my countrymen, knowing all the while that a part (if not the whole) of your calumny falls upon the people, and yourself in particular. For if I assumed the sole and absolute direction of our counsels, it was open to you, the other speakers, to accuse me; but if you were constantly present in all the assemblies, if the State invited public discussion of what was expedient, and if these measures were then believed by all to be the

best, and especially by you (for certainly from no good-will did you leave me in possession of hopes and admiration and honours, all of which attended on my policy, but doubtless because you were compelled by the truth and had nothing better to advise); is it not iniquitous and monstrous to complain now of measures, than which you could suggest none better at the time?

Among all other people I find these principles in a manner defined and settled—Does a man wilfully offend? He is the object of wrath and punishment. Hath a man erred unintentionally? There is pardon instead of punishment for him. Hath a man devoted himself to what seemed for the general good, and without any fault or misconduct been in common with all disappointed of success? Such an one deserves not obloquy or reproach, but sympathy. These principles will not be found in our statutes only; Nature herself has defined them by her unwritten laws, and the feelings of humanity. Æschines, however, has so far surpassed all men in brutality and malignity, that even things which he cited himself as misfortunes he imputes to me as crimes.

And besides,—as if he himself had spoken everything with candour and good-will,—he told you to watch me, and mind that I did not cajole and deceive you, calling me a great orator, a juggler, a sophist, and the like: as though, if a man say of another what applies to himself, it must be true, and the hearers are not to inquire who the person is that makes the charge. Certain am I that you are all acquainted with my opponent's character, and believe these charges to be more applicable to him than to me. And of this I am sure, that my oratory,—let it be so; though, indeed, I find that the speaker's power depends for the most part on the hearers; for according to your reception and favour it is that the wisdom of a speaker is esteemed,—if I however possess any ability of this sort, you will find it has been exhibited always in public business on your behalf, never against you or on personal matters; whereas that of Æschines has been displayed not only in speaking for the enemy, but against all persons who ever offended or quarrelled with him. It is not for justice or the good of the commonwealth that he employs it. A citizen of worth and honour should not call upon judges impanelled in the public service to gratify his anger or hatred or anything of that kind; nor should he come before you upon such grounds. The best thing is not to have these feelings; but, if it cannot be helped, they should be mitigated and restrained.

On what occasions ought an orator and statesman to be vehement? Where any of the commonwealth's main interests are in jeopardy, and he is opposed to the adversaries of the people. Those are the occasions, for a generous and brave citizen. But for a person who never

sought to punish me for any offence, either public or private, on the state's behalf or on his own, to have got up an accusation because I am crowned and honoured and to have expended such a multitude of words—this is a proof of personal enmity and spite and meanness, not of anything good. And then his leaving the controversy with me, and attacking the defendant, comprises everything that is base.

I should conclude, Æschines, that you undertook this cause to exhibit your eloquence and strength of lungs, not to obtain satisfaction for any wrong. But it is not the language of an orator, Æschines, that has any value, nor yet the tone of his voice, but his adopting the same views with the people, and his hating and loving the same persons that his country does. He that is thus minded will say everything with loyal intention : he that courts persons from whom the commonwealth apprehends danger to herself rides not on the same anchorage with the people, and therefore has not the same expectations of safety. But—do you see ?—I have : for my objects are the same with those of my countrymen ; I have no interest separate or distinct. Is that so with you ? How can it be—when immediately after the battle you went as ambassador to Philip, who was at that period the author of your country's calamities, notwithstanding that you had before persisted in refusing that office, as all men know ?

And who is it that deceives the State ? Surely the man who speaks not what he thinks. On whom does the crier pronounce a curse ? Surely on such a man. What greater crime can an orator be charged with than that his opinions and his language are not the same ? Such is found to be your character. And yet you open your mouth, and dare to look these men in the face ! Do you think they don't know you ?—or are sunk all in such slumber and oblivion as not to remember the speeches which you delivered in the assembly, cursing and swearing that you had nothing to do with Philip, and that I brought that charge against you out of personal enmity, without foundation ? No sooner came the news of the battle than you forgot all that ; you acknowledged and avowed that between Philip and yourself there subsisted a relation of hospitality and friendship—new names these for your contract of hire. For upon what plea of equality or justice could Æschines, son of Glaucothea the timbrel player, be the friend or acquaintance of Philip ? I cannot see. No ! You were hired to ruin the interests of your countrymen ; and yet, though you yourself have been caught in open treason, and informed against yourself after the fact, you revile and reproach me for things which you will find any man is chargeable with sooner than I.



Many great and glorious enterprises has the commonwealth, Æschines, undertaken and succeeded in through me ; and she did not forget them. Here is the proof. On the election of a person to speak the funeral oration immediately after the event, you were proposed, but the people would not have you, notwithstanding your fine voice, nor Demades, though he had just made the peace, nor Hegemon, nor any other of your party—but me. And when you and Pythocles came forward in a brutal and shameful manner (O merciful heaven !) and urged the same accusations against me which you now do, and abused me, they elected me all the more. The reason—you are not ignorant of it—yet I will tell you. The Athenians knew as well the loyalty and zeal with which I conducted their affairs as the dishonesty of you and your party ; for what you denied upon oath in our prosperity, you confessed in the misfortunes of the republic. They considered, therefore, that men who got security for their politics by the public disasters had been their enemies long before, and were then avowedly such. They thought it right, also, that the person who was to speak in honour of the fallen and celebrate their valour should not have sat under the same roof or at the same table with their antagonists ; that he should not revel there and sing a pæan over the calamities of Greece in company with their murderers, and then come here and receive distinction ; that he should not with his voice act the mourner of their fate, but that he should lament over them with his heart. This they perceived in themselves and in me, but not in any of you : therefore they elected me, and not you. Nor, while the people felt thus, did the fathers and brothers of the deceased, who were chosen by the people to perform their obsequies, feel differently. For having to order the funeral banquet (according to custom) at the house of the nearest relative to the deceased, they ordered it at mine. And with reason : because, though each to his own was nearer of kin than I was, none was so near to them all collectively. He that had the deepest interest in their safety and success had upon their mournful disaster the largest share of sorrow for them all.

Read him this epitaph, which the State chose to inscribe on their monument, that you may see even by this, Æschines, what a heartless and malignant wretch you are. Read.

“ These are the patriots brave, who side by side  
 Stood to their arms, and dash'd the foeman's pride,  
 Firm in their valour, prodigal of life,  
 Hades they chose the arbiter of strife ;  
 That Greeks might ne'er to haughty victors bow,

Nor thralldom's yoke, nor dire oppression know ;  
 They fought, they bled, and on their country's breast  
 (Such was the doom of heaven) these warriors rest.  
 Gods never lack success, nor strive in vain,  
 But man must suffer what the fates ordain."

Do you hear, Æschines, in this very inscription, that " gods never lack success, nor strive in vain ? " Not to the statesman does it ascribe the power of giving victory in battle, but to the gods. Wherefore, then, execrable man, do you reproach me with these things ? Wherefore utter such language ? I pray that it may fall upon the heads of you and yours !

Many other accusations and falsehoods he urged against me, O Athenians, but one thing surprised me more than all, that, when he mentioned the late misfortunes of the country, he felt not as became a well-disposed and upright citizen ; he shed no tear, experienced no such emotion ; with a loud voice exulting, and straining his throat he imagined apparently that he was accusing me, while he was giving proof against himself that our distresses touched him not in the same manner as the rest. A person who pretends as he did, to care for the laws and constitution, ought at least to have this about him, that he grieves and rejoices for the same cause as the people, and not by his politics to be enlisted in the ranks of the enemy, as Æschines has plainly done, saying that I am the cause of all, and that the commonwealth has fallen into troubles through me, when it was not owing to my views or principles that you began to assist the Greeks ; for, if you conceded this to me, that my influence caused you to resist the subjugation of Greece, it would be a higher honour than any that you have bestowed upon others. I myself would not make such an assertion—it would be doing you injustice—nor would you allow it, I am sure ; and Æschines, if he acted honestly, would never, out of enmity to me, have disparaged and defamed the greatest of your glories.

But why do I censure him for this when with calumny far more shocking has he assailed me ? He that charges me with Philippizing—\* O heaven and earth—what would he not say ? By Hercules and the gods ! if one had honestly to inquire, discarding all expression of spite and falsehood, who the persons really are on whom the blame of what has happened may by common consent fairly and justly be thrown, it would be found they are persons in the various states like Æschines, not like me—persons who, while Philip's power was feeble and exceedingly small, and we were constantly warning and exhorting and giving salutary

\* Espousing the cause of Philip of Macedon

counsel, sacrificed the general interests for the sake of selfish lucre, deceiving and corrupting their respective countrymen, until they made them slaves. The day will not last me to recount the names of the traitors. All these, O Athenians, are men of the same politics in their own countries as this party among you,—profligates and parasites and miscreants, who have each of them crippled their fatherlands; toasted away their liberty, first to Philip and last to Alexander; who measure happiness by their belly and all that is base, while freedom and independence, which the Greeks of olden time regarded as the test and standard of well-being, they have annihilated.

Of this base and infamous conspiracy and profligacy,—or rather, O Athenians, if I am to speak in earnest, of this betrayal of Grecian liberty,—Athens is by all mankind acquitted, owing to my counsels; and I am acquitted by you. Then do you ask me, Æschines, for what merit I claim to be honoured? I will tell you. Because, while all the statesmen in Greece, beginning with yourself, have been corrupted formerly by Philip and now by Alexander, me neither opportunity, nor fair speeches, nor large promises, nor hope, nor fear, nor anything else, could tempt or induce to betray aught that I considered just and beneficial to my country. Whatever I have advised my fellow-citizens, I have never advised like you men, leaning as in a balance to the side of profit; all my proceedings have been those of a soul upright, honest, and incorrupt; intrusted with affairs of greater magnitude than any of my contemporaries, I have administered them all honestly and faithfully. Therefore do I claim to be honoured.

As to this fortification, for which you ridiculed me, of the wall and fosse, I regard them as deserving of thanks and praise, and so they are; but I place them nowhere near my acts of administration. Not with stones nor with bricks did I fortify Athens, nor is this the ministry on which I most pride myself. Would you view my fortifications aright, you will find arms and states and posts and harbours and galleys and horses and men for their defence. These are the bulwarks with which I protected Attica as far as was possible by human wisdom; with these I fortified our territory, not the circle of Piræus or the city. Nay, more; I was not beaten by Philip in estimates or preparations; far from it; but the generals and forces of the allies were overcome by his fortune. Where are the proofs of this? They are plain and evident. Consider.

What was the course becoming a loyal citizen—a statesman serving his country with all possible forethought and zeal and fidelity? Should he not have covered Attica on the seaboard with Eubœa, on the midland frontier with Bœotia, on the Peloponnesian with the people of that confine? Should he not have provided for the conveyance of corn

along a friendly coast all the way to Piræus? preserved certain places that belonged to us by sending off succours, and by advising and moving accordingly,—Proconnesus, Chersonesus, Tenedos? brought others into alliance and confederacy with us,—Byzantium, Abydus, Eubœa, cut off the principal resources of the enemy, and supplied what the commonwealth was deficient in? All this has been accomplished by my decrees and measures; and whoever will examine them without prejudice, men of Athens, will find they were rightly planned and faithfully executed, that none of the proper seasons were lost or missed or thrown away by me; nothing which depended on one man's ability and prudence was neglected. But if the power of some deity or fortune, or the worthlessness of commanders, or the wickedness of you that betrayed your countries, or all these things together, injured and eventually ruined our cause, of what is Demosthenes guilty? Had there been in each of the Greek cities one such man as I was in my station among you, or, rather, had Thessaly possessed one single man, and Arcadia one, of the same sentiments as myself, none of the Greeks either beyond or within Thermopylæ would have suffered their present calamities; all would have been free and independent, living prosperously in their own countries with perfect safety and security, thankful to you and the rest of the Athenians for such manifold blessings through me.

To show you that I greatly understate my services for fear of giving offence, here—read me this—the list of auxiliaries procured by my decrees.

[The list is read.]

These and the like measures, Æschines, are what become an honourable citizen (by their success—O earth and heaven!—we should have been the greatest of people incontestably, and deserved to be so, even under their failure the result is glory, and no one blames Athens or her policy: all condemn fortune that so ordered things); but never will he desert the interests of the commonwealth, nor hire himself to her adversaries, and study the enemy's advantage instead of his country's, nor on a man who has courage to advise and propose measures worthy of the state, and resolution to persevere in them, will he cast an evil eye, and, if any one privately offend him, remember and treasure it up; no, nor keep himself in a criminal and treacherous retirement, as you so often do. There is, indeed, a retirement just and beneficial to the state, such as you, the bulk of my countrymen, innocently enjoy: that, however, is not the retirement of Æschines; far from it. Withdrawing himself from public life when he pleases,—and that is often,—he watches for the moment when you are tired of a constant speaker, or when some reverse of fortune has befallen you, or anything untoward has happened (and many are the casualties of human life); at such a crisis he

springs up as an orator, rising from his retreat like a wind ; in full voice, with words and phrases collected, he rolls them out audibly and breathlessly, to no advantage or good purpose whatsoever, but to the detriment of some or other of his fellow-citizens, and to the general disgrace.

Yet from this labour and diligence, Æschines, if it proceeded from an honest heart, solicitous for your country's welfare, the fruits should have been rich and noble and profitable to all—alliances of states, supplies of money, conveniences of commerce, enactment of useful laws, opposition to our declared enemies. All such things were looked for in former times,—and many opportunities did the past afford for a good man and true to show himself,—during which time you are nowhere to be found, neither first, second, third, fourth, fifth, nor sixth—not in any rank at all—certainly on no service by which your country was exalted. For what alliance has come to the state by your procurement ? What succours, what acquisition of good-will or credit ? What embassy or agency is there of yours, by which the reputation of the country has been increased ? What concern domestic, Hellenic or foreign, of which you have had the management, has improved under it ? What galleys ? what ammunition ? what arsenals ? what repair of walls ? what cavalry ? What in the world are you good for ? What assistance in money have you ever given, either to the rich or the poor, out of public spirit or liberality ? None. But, good sir, if there is nothing of this, there is at all events zeal and loyalty. Where ? when ? You infamous fellow ! Even at a time when all who ever spoke upon the platform gave something for the public safety, and last Aristonicus gave the sum which he had amassed to retrieve his franchise, you neither came forward nor contributed a mite—not from inability—no ! for you have inherited above five talents from Philo, your wife's father, and you had a subscription of two talents from the chairmen of the boards for what you did to cut up the navy law. But, that I may not go from one thing to another and lose sight of the question, I pass this by. That it was not poverty prevented your contributing, already appears ; it was, in fact, your anxiety to do nothing against those to whom your political life is subservient. On what occasions, then, do you show your spirit ? When do you shine out ? When ought it to be spoken against your countrymen !—then it is you are splendid in voice, perfect in memory, an admirable actor, a tragic Theocrines.

You mention the good men of olden times ; and you are right so to do. Yet it is hardly fair, O Athenians, that he should get the advantage of that respect which you have for the dead, to compare and contrast me with them,—me who am living among you, for what mortal is

ignorant that toward the living there exists always more or less of ill-will, whereas the dead are no longer hated even by an enemy? Such being human nature, am I to be tried and judged by the standard of my predecessors? Heaven forbid! It is not just or equitable, Æschines. Let me be compared with you, or any persons you like of your party who are still alive. And consider this—whether it is more honourable and better for the state, that because of the services of a former age, prodigious though they are beyond all power of expression, those of the present generation should be unrequited and spurned, or that all who give proof of their good intentions should have their share of honour and regard from the people. Yet, indeed,—if I must say so much,—my politics and principles, if considered fairly, will be found to resemble those of the illustrious ancients, and to have had the same objects in view, while yours resemble those of their calumniators; for it is certain there were persons in those times who ran down the living, and praised people dead and gone, with a malignant purpose like yourself.

You say that I am nothing like the ancients. Are you like them, Æschines? Is your brother, or any of our speakers? I assert that no one is. But pray, my good fellow (that I may give you no other name), try the living with the living and with his competitors, as you would in all cases—poets, dancers, athletes. Philammon did not, because he was inferior to Glaucus of Carystus and some other champions of a bygone age, depart uncrowned from Olympia, but, because he beat all who entered the ring against him, was crowned and proclaimed conqueror. So I ask you to compare me with the orators of the day, with yourself, with anyone you like: I yield to none. When the commonwealth was at liberty to choose for her advantage, and patriotism was a matter of emulation, I showed myself a better counsellor than any, and every act of state was pursuant to my decrees and laws and negotiations; none of your party was to be seen, unless you had to do the Athenians a mischief. After that lamentable occurrence, when there was a call no longer for advisers, but for persons obedient to command, persons ready to be hired against their country and willing to flatter strangers, then all of you were in occupation, grand people with splendid equipages; I was powerless, I confess, though more attached to my countrymen than you.

Two things, men of Athens, are characteristic of a well-disposed citizen,—so may I speak of myself and give the least offence:—In authority, his constant aim should be the dignity and pre-eminence of the commonwealth; in all times and circumstances his spirit should be loyal. This depends upon nature; power and might upon other things. Such a spirit, you will find, I have ever sincerely cherished.

Only see. When my person was demanded—when they brought Amphictyonic suits against me—when they menaced—when they promised—when they set these miscreants like wild beasts upon me—never in any way have I abandoned my affection for you. From the very beginning I chose an honest and straightforward course in politics, to support the honour, the power, the glory of my fatherland, these to exalt, in these to have my being. I do not walk about the market place gay and cheerful because the stranger has prospered, holding out my right hand and congratulating those whom I think will report it yonder, and on any news of our own success shudder and groan and stoop to the earth like these impious men who rail at Athens, as if in so doing they did not rail at themselves ; who look abroad, and if the foreigner thrive by the distresses of Greece, are thankful for it, and say we should keep him so thriving to all time.

Never, O ye gods, may those wishes be confirmed by you ! If possible, inspire even in these men a better sense and feeling ! But if they are, indeed, incurable, destroy them by themselves ; exterminate them on land and sea ; and for the rest of us, grant that we may speedily be released from our present fears, and enjoy a lasting deliverance !

## ROBERT EMMET

(1778-1803).

**R**OBERT EMMET'S death on the scaffold at the age of twenty-five made him one of the most romantic figures in the history of nineteenth-century revolt, and one of its greatest moral forces as well. The recollection of his tragic story and the delivery of his remarkable speech before Lord Norbury have had a far-reaching influence in animating the demand for Home Rule, which was so insistently urged. It is as an orator, however, and by reason of this single speech, that Emmet has become the most memorable of the many martyrs of Ireland. As a revolutionist, he never made himself formidable, and it has been said that the rising he attempted to head in Dublin hardly reached the respectability of a riot.

Born in Dublin in 1778 of a family of high standing, he was sent to Trinity College, Dublin, which expelled him in 1798 before his graduation, because of his membership in the society of United Irishmen. After spending some time on the Continent, he returned secretly to Dublin, and on July 23rd, 1803, made an attempt to seize Dublin Castle and the arsenal. His supporters, however, scattered at the first volley from the English troops, and Emmet was obliged to make the best of his way from the city into the Wicklow Mountains. There he might have remained in hiding and escaped finally to the Continent, had he not returned to Dublin to say farewell to his betrothed, the daughter of the famous orator, John Philpot Curran. The visit cost him his life, for he was arrested, tried for treason, and on September 20th, 1803, hanged in St. Thomas Street, Dublin. Moore, who was his schoolfellow, wrote the poem, 'Oh! Breathe Not His Name,' on his death, and the even more celebrated melody, 'She Is Far from the Land Where Her Young Hero Sleeps,' on Miss Curran, who was sent to Sicily in the hope that the change of scene might save her life. She did not long survive her lover.



## HIS PROTEST AGAINST SENTENCE AS A TRAITOR

(Delivered at his Trial before Lord Norbury, Dublin, September 19th, 1803).

I AM asked what have I to say why sentence of death should not be pronounced on me, according to law. I have nothing to say that can alter your predetermination, nor that it will become me to say, with any view to the mitigation of that sentence which you are to pronounce, and I must abide by. But I have that to say which interests me more than life, and which you have laboured to destroy. I have much to say why my reputation should be rescued from the load of false accusation and calumny which has been cast upon it. I do not imagine that, seated where you are, your mind can be so free from prejudice as to receive the least impression from what I am going to utter. I have no hopes that I can anchor my character in the breast of a court constituted and trammelled as this is. I only wish, and that is the utmost that I expect, that your lordships may suffer it to float down your memories untainted by the foul breath of prejudice, until it finds some more hospitable harbour to shelter it from the storms by which it is buffeted. Were I only to suffer death, after being adjudged guilty by your tribunal, I should bow in silence, and meet the fate that awaits me without a murmur ; but the sentence of the law which delivers my body to the executioner, will, through the ministry of the law, labour in its own vindication to consign my character to obloquy ; for there must be guilt somewhere ; whether in the sentence of the court, or in the catastrophe, time must determine. A man in my situation has not only to encounter the difficulties of fortune, and the force of power over minds which it has corrupted or subjugated, but the difficulties of established prejudice. The man dies, but his memory lives. That mine may not perish, that it may live in the respect of my countrymen, I seize upon this opportunity to vindicate myself from some of the charges alleged against me. When my spirit shall be wafted to a more friendly port—when my shade shall have joined the bands of those martyred heroes who have shed their blood on the scaffold and in the field, in the defence of their country and of virtue, this is my hope : I wish that my memory and my name may animate those who survive me, while I look down with complacency on the destruction of that perfidious government which upholds its domination by blasphemy of the Most High ; which displays its power over man, as over the beasts of the forest ; which sets man upon his brother, and lifts his hand, in the

name of God, against the throat of his fellow who believes or doubts a little more or a little less than the government standard—a government which is steeled to barbarity by the cries of the orphans and the tears of the widows it has made.

I appeal to the immaculate God—I swear by the throne of Heaven, before which I must shortly appear—by the blood of the murdered patriots who have gone before me—that my conduct has been, through all this peril, and through all my purposes, governed only by the conviction which I have uttered, and by no other view than that of the emancipation of my country from the superinhuman oppression under which she has so long and too patiently travailed; and I confidently hope that, wild and chimerical as it may appear, there is still union and strength in Ireland to accomplish this noblest of enterprises. Of this I speak with the confidence of intimate knowledge, and with the consolation that appertains to that confidence. Think not, my lords, I say this for the petty gratification of giving you a transitory uneasiness. A man who never yet raised his voice to assert a lie will not hazard his character with posterity by asserting a falsehood on a subject so important to his country, and on an occasion like this. Yes, my lords, a man who does not wish to have his epitaph written until his country is liberated will not leave a weapon in the power of envy, or a pretence to impeach the probity which he means to preserve, even in the grave to which tyranny consigns him.

I have always understood it to be the duty of a judge, when a prisoner has been convicted, to pronounce the sentence of the law. I have also understood that judges sometimes think it their duty to hear with patience and to speak with humanity; to exhort the victim of the laws, and to offer, with tender benignity, their opinions of the motives by which he was actuated in the crime of which he was adjudged guilty. That a judge has thought it his duty so to have done, I have no doubt; but where is the boasted freedom of your institutions—where is the vaunted impartiality, clemency, and mildness of your courts of justice, if an unfortunate prisoner, whom your policy, and not justice, is about to deliver into the hands of the executioner, is not suffered to explain his motives sincerely and truly, and to vindicate the principles by which he was actuated? My lords, it may be a part of the system of angry justice to bow a man's mind by humiliation to the purposed ignominy of the scaffold; but worse to me than the purposed shame or the scaffold's terrors would be the shame of such foul and unfounded imputations as have been laid against me in this court. You, my lord, are a judge; I am the supposed culprit. I am a man; you are a man also. By a revolution of power we might change places, though we never could

change characters. If I stand at the bar of this court and dare not vindicate my character, what a farce is your justice! If I stand at this bar and dare not vindicate my character, how dare you calumniate it? Does the sentence of death which your unhallowed policy inflicts on my body, condemn my tongue to silence and my reputation to reproach? Your executioner may abridge the period of my existence; but while I exist, I shall not forbear to vindicate my character and motives from your aspersions; and, as a man, to whom fame is dearer than life, I will make the last use of that life in doing justice to that reputation which is to live after me, and which is the only legacy I can leave to those I honour and love, and for whom I am proud to perish. As men, my lords, we must appear on the great day at one common tribunal; and it will then remain for the Searcher of all hearts to show a collective universe who was engaged in the most virtuous actions, or swayed by the purest motive—my country's oppressors, or—

[Here he was interrupted, and told to listen to the sentence of the law.]

My lords, will a dying man be denied the legal privilege of exculpating himself in the eyes of the community from an undeserved reproach, thrown upon him during his trial, by charging him with ambition, and attempting to cast away for a paltry consideration the liberties of his country? Why did your lordships insult me? Or rather, why insult justice, in demanding of me why sentence of death should not be pronounced against me? I know, my lords, that form prescribes that you should ask the question. The form also presents the right of answering. This, no doubt may be dispensed with, and so might the whole ceremony of the trial, since sentence was already pronounced at the Castle before the jury were empanelled. Your lordships are but the priests of the oracle, and I insist on the whole of the forms.

I am charged with being an emissary of France. An emissary of France! and for what end? It is alleged that I wish to sell the independence of my country; and for what end? Was this the object of my ambition? And is this the mode by which a tribunal of justice reconciles contradiction? No; I am no emissary; and my ambition was to hold a place among the deliverers of my country, not in power nor in profit, but in the glory of the achievement. Sell my country's independence to France! and for what? Was it a change of masters? No, but for ambition. Oh, my country! was it personal ambition that could influence me? Had it been the soul of my actions, could I not, by my education and fortune, by the rank and consideration of my family, have placed myself amongst the proudest of your oppressors? My

country was my idol! To it I sacrificed every selfish, every endearing sentiment; and for it I now offer up myself to God! No, my lords; I acted as an Irishman, determined on delivering my country from the yoke of a foreign and unrelenting tyranny, and the more galling yoke of a domestic faction, which is its joint partner and perpetrator in the patricide, from the ignominy existing with an exterior of splendour and a conscious depravity. It was the wish of my heart to extricate my country from this doubly riveted despotism—I wished to place her independence beyond the reach of any power on earth. I wished to exalt her to that proud station in the world. Connection with France was, indeed, intended, but only as far as mutual interest would sanction or require. Were the French to assume any authority inconsistent with the purest independence, it would be the signal for their destruction. We sought their aid—and we sought it as we had assurance we should obtain it—as auxiliaries in war, and allies in peace. Were the French to come as invaders or enemies, uninvited by the wishes of the people, I should oppose them to the utmost of my strength. Yes! my countrymen, I should advise you to meet them upon the beach with a sword in one hand, and a torch in the other. I would meet them with all the destructive fury of war. I would animate my countrymen to immolate them in their boats, before they had contaminated the soil of my country. If they succeeded in landing, and if forced to retire before superior discipline, I would dispute every inch of ground, burn every blade of grass, and the last entrenchment of liberty should be my grave. What I could not do myself, if I should fall, I should leave as a last charge to my countrymen to accomplish; because I should feel conscious that life, any more than death, is unprofitable when a foreign nation holds my country in subjection. But it was not as an enemy that the succours of France were to land. I looked, indeed, for the assistance of France; but I wished to prove to France and to the world that Irishmen deserved to be assisted; that they were indignant at slavery, and ready to assert the independence and liberty of their country. I wished to procure for my country the guarantee which Washington procured for America; to procure an aid which, by its example, would be as important as its valour; disciplined, gallant, pregnant with science and experience; that of a people who would perceive the good, and polish the rough points of our character. They would come to us as strangers, and leave us as friends, after sharing in our perils and elevating our destiny. These were my objects: not to receive new taskmasters, but to expel old tyrants. It was for these ends I sought aid from France; because France, even as an enemy, could not be more implacable than the enemy already in the bosom of my country.

I have been charged with that importance in the emancipation of my country as to be considered the keystone of the combination of Irishmen ; or as your lordship expressed it, " the life and blood of the conspiracy." You do me honour overmuch : you have given to the subaltern all the credit of a superior. There are men engaged in this conspiracy who are not only superior to me, but even to your own conceptions of yourself, my lord—men before the splendour of whose genius and virtues I should bow with respectful deference, and who would think themselves disgraced by shaking your blood-stained hand.

What, my lord, shall you tell me, on the passage to the scaffold, which that tyranny (of which you are only the intermediary executioner) has erected for my murder, that I am accountable for all the blood that has been and will be shed in this struggle of the oppressed against the oppressor—shall you tell me this, and must I be so very a slave as not rebel it ? I do not fear to approach the Omnipotent Judge to answer for the conduct of my whole life ; and am I to be appalled and falsified by a mere remnant of mortality here ? By you, too, although, if it were possible to collect all the innocent blood that you have shed in your unhallowed ministry in one great reservoir, your lordship might swim in it.

Let no man dare, when I am dead, to charge me with dishonour ; let no man attaint my memory, by believing that I could have engaged in any cause but that of my country's liberty and independence ; or that I could have become the pliant minion of power, in the oppression and misery of my country. The proclamation of the provisional government speaks for our views ; no inference can be tortured from it to countenance barbarity or debasement at home, or subjection, humiliation, or treachery from abroad. I would not have submitted to a foreign oppressor, for the same reason that I would resist the foreign and domestic oppressor. In the dignity of freedom, I would have fought upon the threshold of my country, and its enemy should enter only by passing over my lifeless corpse. And am I, who lived but for my country, and who have subjected myself to the dangers of the jealous and watchful oppressor, and the bondage of the grave, only to give my countrymen their rights, and my country her independence,—am I to be loaded with calumny, and not suffered to resent it ? No ; God forbid !

[Here Lord Norbury told Mr. Emmet that his sentiments and language disgraced his family and his education, but more particularly his father, Doctor Emmet, who was a man, if alive, that would not countenance such opinions. To which Emmet replied :—]

If the spirits of the illustrious dead participate in the concerns and cares of those who were dear to them in this transitory life, Oh, ever dear

and venerated shade of my departed father ! look down with scrutiny upon the conduct of your suffering son, and see if I have, even for a moment, deviated from those principles of morality and patriotism which it was your care to instil into my youthful mind, and for which I am now about to offer up my life. My lords, you are impatient for the sacrifice. The blood which you seek is not congealed by the artificial terrors which surround your victim—it circulates warmly and unruffled through the channels which God created for noble purposes, but which you are now bent to destroy for purposes so grievous that they cry to heaven. Be yet patient ! I have but a few more words to say—I am going to my cold and silent grave—my lamp of life is nearly extinguished—my race is run—the grave opens to receive me, and I sink into its bosom. I have but one request to ask at my departure from this world : it is—the charity of its silence. Let no man write my epitaph ; for, as no man who knows my motives dares now vindicate them, let not prejudice or ignorance asperse them. Let them and me rest in obscurity and peace, and my tomb remain uninscribed, and my memory in oblivion, until other times and other men can do justice to my character. When my country takes her place among the nations of the earth, then, and not till then, let my epitaph be written. I have done.

## FREDERICK WILLIAM FARRAR

(1831-1903).

**A** PPOINTED Canon of Westminster in 1876, Archdeacon in 1883, and Dean of Canterbury in 1895, Doctor Farrar became famous not only because of his position, but by reason of his learning, of his numerous contributions to current literature, and of such striking eloquence as he illustrates in his eulogy of General Grant. He was born in Bombay, August 7th, 1831, and was educated at the University of London and at Cambridge. From 1871 until appointed Canon of Westminster Abbey, he was head master of Marlborough College. Before his death, March 22nd, 1903, he had become known and admired for his eloquence in every country of the English-speaking world.

### FUNERAL ORATION ON GENERAL GRANT

(Delivered in Westminster Abbey, August 4th, 1885).

**E**IGHT years have not passed since the Dean of Westminster, whom Americans so much loved and honoured, was walking round this Abbey with General Grant, and explaining to him its wealth of great memorials. Neither of them had attained the allotted span of human life, and for both we might have hoped that many years would elapse before they went down to the grave, full of years and honours. But this is already the fourth summer since the Dean fell asleep, and to-day we are assembled at the obsequies of the great soldier whose sun has gone down while it yet was day, and at whose funeral service in America tens of thousands are assembled at this moment to mourn with his widow, family, and friends. Yes; life at the best is but as a vapour that passeth away. The glories of our birth and state are shadows, not substantial things. But when death comes, what nobler epitaph can any man have than this, that, having served his generation, by the will of God he fell asleep? Little can the living do for the dead. The pomps and ceremonies of earthly grandeur have lost their significance, but when our soul shall leave its dwelling the story of one fair and virtuous

action is above all the escutcheons on our tombs or silken banners over us. I would desire to speak simply and directly, and, if with generous appreciation, yet with no idle flattery, of him whose death has made a nation mourn. His private life, the faults and failings of his character, whatever they may have been, belong in no sense to the world. They are for the judgment of God, whose merciful forgiveness is necessary for the best of what we do and are. We touch only on his public actions and services, the record of his strength, his magnanimity, his self-control, his generous deeds. His life falls into four marked divisions, of which each has its own lesson for us. He touched on them himself in part when he said :—

“ Bury me either at West Point, where I was trained as a youth ; or in Illinois, which gave me my first commission ; or in New York, which sympathised with me in my misfortunes.”

His wish has been respected, and on the cliff overhanging the Hudson, his monument will stand, to recall to the memory of future generations those dark days of a nation's history which he did so much to close. First came the early years of growth and training, of poverty and obscurity, of struggle and self-denial. Poor and humbly born, he had to make his own way in the world. God's unseen providence, which men nickname chance, directed his boyhood. A cadetship was given him at the Military Academy of West Point, and after a brief period of service in the Mexican War, in which he was three times mentioned in dispatches, seeing no opening for a soldier in what seemed likely to be days of unbroken peace, he settled down to a humble life in a provincial town. Citizens of St. Louis will remember the rough backwoodsman who sold cord wood from door to door, and who afterwards became a leather-seller in the obscure town of Galena. Those who knew him in those days have said that if any one had predicted that the silent, unprosperous, unambitious man, whose chief aim was to get a plank road from his shop to the railway depot, would become twice President of the United States, and one of the foremost men of his day, the prophecy would have seemed extravagantly ridiculous. But such careers are the glory of the American continent. They show that the people have a sovereign insight into intrinsic force. If Rome told with pride how her dictators came from the ploughtail, America too may record the answer of the President who, in being asked what would be his coat of arms, answered, proudly mindful of his early struggles, “ A pair of shirt sleeves.” The answer showed a noble sense of the dignity of labour, the noble superiority to the vanities of feudalism, a strong conviction that men are to be honoured simply as men and not for the prizes of birth and accident, which are without them. You have of late years had two martyr Presidents, both men, sons of the people. One was the homely



man, who at the age of seven was a farm lad, at seventeen a rail splitter, at twenty a boatman on the Mississippi, and who in manhood proved to be one of the most honest and God-fearing of modern rulers. The other grew up from a shoeless child in a log-hut on the prairies, round which the wolves prowled in the winter snow, to be a humble teacher in Hiram Institute. With these Presidents America need not blush to name also the leather-seller of Galena. Every true man derived his patent of nobleness direct from God.

Did not God choose David from the sheepfold, from following the ewes great with young ones, to make him the ruler of his people Israel? Was not the Lord of life and all the worlds for thirty years a carpenter at Nazareth? Do not such things illustrate the prophecy of Solomon :—

“ Seest thou a man diligent in his business? He shall stand before kings; he shall not stand before mean men.”

When Abraham Lincoln sat, book in hand, day after day, under the tree, moving round it as the shadow crossed, absorbed in mastering his task; when James Garfield rang the bell at Hiram Institute on the very stroke of the hour, and swept the schoolroom as faithfully as he mastered his Greek lesson; when Ulysses Grant, sent with his team to meet some men who came to load his cart with logs, and, finding no men, loaded the cart with his own boy's strength, they showed in the conscientious performance of duty the qualities which were to raise them to become kings of men. When John Adams was told that his son, John Quincy Adams, had been elected President of the United States, he said: “ He has always been laborious, child and man, from infancy.”

But the youth was not destined to die in the deep valley of obscurity and toil, in which it is the lot—and perhaps the happy lot—of most of us to spend our little lives. The hour came; the man was needed. In 1861 there broke out that most terrible war of modern days. Grant received a commission as Colonel of Volunteers, and in four years the struggling toiler had been raised to the chief command of a vaster army than has ever been handled by any mortal man. Who could have imagined that four years would make that enormous difference? But it is often so. That great men needed for some tremendous crisis have stepped often, as it were, out of a door in the wall which no man had noticed; and, unannounced, unheralded, without prestige, have made their way silently and single-handed to the front. And there was no luck in it. It was a work of inflexible faithfulness, of indomitable resolution, of sleepless energy, and iron purpose and tenacity. In the

campaigns at Fort Donelson ; in the desperate battle at Shiloh ; in the siege of Corinth ; in the successful assaults at Pittsburg ; in battle after battle, in siege after siege ; whatever Grant had to do, he did it with his might. Other generals might fail—he would not fail. He showed what a man could do whose will was strong. He undertook, as General Sherman said of him, what no one else would have ventured, and his very soldiers began to reflect something of his indomitable determination. His sayings revealed the man. “ I have nothing to do with opinions,” he said, at the outset, “ and shall only deal with armed rebellion.” “ In riding over the field,” he said at Shiloh, “ I saw that either side was ready to give way, if the other showed a bold front. I took the opportunity and ordered an advance along the whole line.” “ No terms,” he wrote to General Buckner at Fort Donelson (and it is pleasant to know that General Buckner stood as a warm friend beside his dying bed) ; “ no terms other than unconditional surrender can be accepted.” “ My headquarters,” he wrote from Vicksburg, “ will be on the field.” With a military genius which embraced the vastest plans while attending to the smallest details, he defeated, one after another, every great general of the Confederates, except General Stonewall Jackson. The Southerners felt that he held them as in the grasp of a vice ; that this man could neither be arrested nor avoided. For all this he has been severely blamed. He ought not to be blamed. He has been called a butcher, which is grossly unjust. He loved peace ; he hated bloodshed ; his heart was generous and kind. His orders were to save lives, to save treasure, but at all costs to save his country—and he did save his country. His army cheerfully accepted the sacrifice, wrote its farewells, buckled its belts, and stood ready. The struggle was not for victory ; it was for existence. It was not for glory ; it was for life and death. Grant had not only to defeat armies, but to annihilate their forces ; to leave no choice but destruction or submission. He saw that the brief ravage of the hurricane is infinitely less ruinous than the interminable malignity of the pestilence, and in the colossal struggle, victory, swift, decisive, overwhelming, was the truest mercy. In silence and with determination, and with clearness of insight, he was like your Washington and our Wellington. He was like them also in this, that the word “ cannot ” did not exist in his soldier’s dictionary, and what he achieved was achieved without bluster. In the hottest fury of all his battles, his speech was never known to be more than “ yea, yea,” and “ nay, nay.” He met General Lee at Appomattox. He received his surrender with faultless delicacy. He immediately issued an order that the Confederates should be supplied with rations. Immediately his enemies surrendered, he gave them terms as simple and as generous as a brother

could have given them—terms which healed differences ; terms of which they freely acknowledged the magnanimity. Not even entering the capitol, avoiding all ostentation, unelated by triumph, as unruffled by adversity, he hurried back to stop recruits and to curtail the vast expenses of the country. After the surrender at Appomattox Court House, the war was over. He had put his hand to the plough and had not looked back. He had made blow after blow, each following where the last had struck ; he had wielded like a hammer the gigantic forces at his disposal, and had smitten opposition into the dust. It was a mighty work, and he had done it well. Surely history has shown that for the future destinies of a mighty nation it was a necessary and blessed work ! The Church utters her most indignant anathema at an unrighteous war, but she has never refused to honour the faithful soldiers who fight in the cause of their country and God. The gentlest and most Christian of modern poets has used the tremendous thought :—

“ God’s most dreaded instrument  
 In working out a pure intent  
 Is man arrayed for mutual slaughter,  
 Yea, Carnage is his daughter ! ”

We shudder even as we quote the words, but yet the cause for which General Grant fought—the honour of a great people, and the freedom of a whole race of mankind—was a great and noble cause. And the South accepted that desperate and bloody arbitrament. Two of the Southern generals, we rejoice to hear, will bear General Grant’s funeral pall. The rancour and ill-feeling of the past are buried forever in oblivion ; true friends have been made out of brave foemen. Americans are no longer Northerners and Southerners, Federals and Confederates, but they are Americans. “ Do not teach your children to hate,” said General Lee to an American lady, “ teach them that they are Americans. I thought that we were better off as one nation than as two, and I think so now.” “ The war is over,” said Grant, “ and the best sign of rejoicing after victory will be to abstain from all demonstrations in the field.” “ Let us have peace,” were the memorable words with which he ended his brief Inaugural Address as President. On the rest of the great soldier’s life, we will only touch in very few words. As Wellington became Prime Minister of England, and lived to be hooted in the streets of London, so Grant, more than half against his will, became President, and for a time lost much of his popularity. He foresaw it all, but it is not for a man to choose ; it is for a man to accept his destiny. What verdict history may pronounce on him as a politician I know not ; but here, and

now, the voice of censure, deserved or undeserved, is silent. When the great Duke of Marlborough died and one began to speak of his avarice, "He was so great a man," said Bolingbroke, "I had forgotten that he had that fault."

It was a fine and delicate rebuke, and we do not intend to rake up a man's faults and errors. Those errors, whatever they may have been, we leave to the mercy of the Merciful and the atoning blood of his Saviour. Beside the open grave, we speak only in gratitude of his great achievements. Let us record his virtues in brass, for men's examples; but let his faults, whatever they may have been, be writ in water. Some may think that it would have been well for Grant if he had died in 1865, when steeples clanged and cities were illuminated and congregations rose in his honour. Many and dark clouds overshadowed the last of his days—the blow of financial ruin; the dread that men should suppose that he had a tarnished reputation; the terrible agony of an incurable disease. But God's ways are not our ways. To bear that sudden ruin, and that speechless agony, required a courage nobler and greater than that of the battlefield, and human courage grows magnificently to the height of human need. "I am a man," said Frederick the Great, "and therefore born to suffer." On the long agonizing death-bed, Grant showed himself every inch a hero, bearing his agonies and trials without a murmur, with rugged stoicism, in unflinching fortitude; yes, and we believe in a Christian's patience and a Christian's prayers. Which of us can tell whether those hours of torture and misery may not have been blessings in disguise; whether God may not have been refining the gold from the brass, and the strong man had been truly purified by the strong agony? We are gathered here in England to do honour to his memory and to show our sympathy with the sorrow of a great sister nation. Could we be gathered in a more fitting place? We do not lack here memorials to recall the history of your country. There is the grave of Andre; there is the monument raised by grateful Massachusetts to the gallant Howe; there is the temporary resting-place of George Peabody; there is the bust of Longfellow; over the Dean's grave there is the faint semblance of Boston Harbour. We add another memory to-day. Whatever there may have been between the two nations to forget and forgive, it is forgotten and forgiven. "I will not speak of them as two peoples," said General Grant at Newcastle in 1877, "because, in fact, we are one people, with a common destiny, and that destiny will be brilliant in proportion to the friendship and co-operation of the brethren dwelling on each side of the Atlantic." Oh! if the two peoples, which are one people, be true to their duty, and true to their God, who can doubt that in their hands are the destinies of the

world? Can anything short of utter dementation ever thwart a destiny so manifest? Your founders were our sons; it was from our past that your present grew. The monument of Sir Walter Raleigh is not that nameless grave in St. Margaret's; it is the State of Virginia. Yours and ours alike are the memories of Captain John Smith and of the Pilgrim Fathers, of General Oglethorpe's strong benevolence of soul, of the apostolic holiness of Berkeley, and the burning zeal of Wesley and Whitefield. Yours and ours alike are the plays of Shakespeare and the poems of Milton; ours and yours alike are all that you have accomplished in literature or in history—the songs of Longfellow and Bryant, the genius of Hawthorne and of Irving, the fame of Washington, Lee, and Grant. But great memories imply great responsibilities. It was not for nothing that God has made England what she is; not for nothing that the free individualism of a busy multitude, the humble traders of a fugitive people, snatching the New World from feudalism and bigotry, from Philip II. and Louis XIV., from Menendez and Montcalm, from the Jesuit and the Inquisition, from Torquemada, and from Richelieu, to make it the land of the Reformation and the Republic of Christianity and of Peace. "Let us auspicate all our proceedings in America," said Edmund Burke, "with the old Church cry, *Sursum corda!*" But it is for America to live up to the spirit of such words, not merely to quote them with proud enthusiasm. We have heard of—

"New times, new climes, new lands, new men, but still  
The same old tears, old crimes, and oldest ill."

It is for America to falsify the cynical foreboding. Let her take her place side by side with England in the very van of freedom and of progress, united by a common language, by common blood, by common measures, by common interests, by a common history, by common hopes; united by the common glory of great men, of which this great temple of silence and reconciliation is the richest shrine. Be it the steadfast purpose of the two peoples who are one people to show all the world not only the magnificent spectacle of human happiness, but the still more magnificent spectacle of two peoples which are one people, loving righteousness and hating iniquity, inflexibly faithful to the principles of eternal justice which are the unchanging laws of God.

## SIR HENEAGE FINCH

(1621-1682).

**I**N opening the case against Major-General Harrison and the other regicides, in 1660, Solicitor-General Finch had one of the greatest oratorical opportunities of modern history. It can be said of his speech as of that of Deseze defending Louis XVI., that it has in it something of the dignity of the occasion, without its inspiration. Finch was an able lawyer, and a still abler courtier who expected, in prosecuting the King's enemies, the promotion which would come from the King's favour. He had no difficulty in convicting Harrison, and his promotion thereafter was steady. In 1673, he was made Lord Keeper of the Seals; in 1674, Lord Chancellor; and in 1681, Earl of Nottingham. He died December 18th, 1682, at the age of sixty-one.

### THE PROSECUTIONS FOR REGICIDE UNDER CHARLES II.

(Delivered at the Trial of Thomas Harrison for killing Charles I.—Sessions House of the Old Bailey, London, October 11th, 1660).

**M**AY it please your lordships, we bring before your lordships into judgment this day the murderers of a King. A man would think the laws of God and men had so fully secured these sacred persons, that the sons of violence should never approach to hurt them. For, my lord, the very thought of such an attempt hath ever been presented by all laws in all ages, in all nations of the world, as a most unpardonable treason. My lord, this is that which brought the two eunuchs in the Persian court to their just destruction; *Voluerunt insurgere*, says the text, and yet that was enough to attain them. And so, my lords, it was by the Roman laws too, as Tacitus observes: *Qui deliberant, desciverunt*. To doubt or hesitate in a point of allegiance is direct treason and apostasy. And upon this ground it is that the statute upon which your lordships are now to proceed hath these express words: "If a man doth compass or imagine the death of the King," etc. Kings, who are "God's vicegerents upon the earth," have thus far a kind of resemblance of the

divine majesty, that their subjects stand accountable to them for the very thoughts of their hearts. Not that any man can know the heart, save God alone ; but because when the wicked heart breaks out into any open expressions, by which it may be judged, it is the thoughts of the heart which make the treason ; the overt act is but the evidence of it.

My lords, this care and caution is not so to be understood, as if it were the single interest of one royal person only. The law doth wisely judge and foresee that upon the life of the King depend the laws and liberties, the estates and properties, the wealth and peace, the religion, and, in sum, the glory of the nation.

My lords, this judgment of the law has been verified by a sad experience ; for when that blessed King (whose blood we are now making inquisition for) was untimely taken away, religion and justice both lay buried in the same grave with him ; and there they had slept still, if the miraculous return of our gracious sovereign had not given them a new resurrection.

My lords, my Lord Coke in his comment upon this statute has one conceit, which is somewhat strange ; I am sure it is very new ; he seems to think that it would have added to the perfection of this law, if there had been a time limited for the party to be accused. But certainly the work of this day has quite confuted that imagination. For here is a treason that has so long outfaced the law and the justice of this kingdom, that if there had been any time of limitation in the statute, there would have been no time nor place left for punishment. And if this treason had but once grown up to an impunity, it might, perhaps, have drawn the guilt of that innocent blood, and with it the vengeance due to it, upon the whole nation.

The scope of this indictment is for compassing the death of the King. The rest of the indictment, as the usurping authority over the King's person, the assembling, sitting, judging, and killing of the King, are but so many several over-acts to prove the intention of the heart. We are not bound, under favour, to prove every one of these against every particular person that is indicted ; for he that is in at one, is guilty, in law, of all the rest, as much as if he had struck the fatal stroke itself ; nay, under favour, if we can prove any other over-act besides what is laid in the indictment, as the encouraging of the soldiers to cry out " Justice ! justice ! " or preaching to them to go on in this work, as godly and religious, or any other act of all that catalogue of villainies, for which the story will be forever infamous, this may be given in evidence to prove the compassing and imagining the King's death. The conclusion of this indictment alleges the fact done to be to the great

displeasure of Almighty God, and to the disgrace of the people of England—a truth so clear and known, that it can neither be heightened by any aggravation, nor lessened by any excuse.

As for the fact itself, with the manner of it, I shall not need to open it at large, for these things were not done in a corner ; every true English heart still keeps within itself a bleeding register of this story ; only, my lords, in the way to our evidence with your lordships' favour, this I think, may be fit to be said :—

First, for the year 1648 (for that was the fatal year of that King, and beyond that year we shall not now inquire), I say, whatsoever in the year 1648 could have been done by a Parliament to save the life of a King was done in this case.

They opened the way to the treaty in spite of the army ; and while these sons of Zeruiah, who were too hard for them, were engaged in service in the remoter parts, they hastened the treaty as much as possible ; the debates upon his Majesty's concessions were voted a good ground for peace ; notwithstanding the remonstrances of the army still flew about their ears, and notwithstanding the oppositions of a fearful and unbelieving party of the House of Commons, whom the army had frightened into an awful and a slavish dependence upon them. And when nothing else could be done for him, they were so true to the obligations they lay under, that they resolved to fall with him, and they did so. For the army, who saw the treaty proceed so fast, made as great haste to break it. They seize upon the blessed person of our sacred King by force and bring him to London ; and here they force the Parliament, shut out some Members, imprison others, and then call this wretched little company which was left a Parliament. By this, and before they had taken upon them the boldness to dissolve the House of Peers, they pass a law, and erect, forsooth ! “ a High Court of Justice ” (as they call it ! A shambles of justice !), appoint judges, advocates, officers, and ministers, to sit upon the life of the King. Now they speak out and expound their own declarations, and tell us what that was which before they had demanded in obscure terms when they called for justice against all delinquents. Now they speak plainly what they mean, and call this blessed King, this glorious saint, “ the Grand Delinquent.”

My lords, when they had thus proceeded to appoint their judges, officers, and court, then they called this person, their only liege-lord and sovereign, to the bar, and by a formal pageantry of justice proceeded to sit upon him, arraign, try, sentence, condemn, and kill—I had almost said “ crucify ”—him, whom they could not but know to be their King ! And all this against the clearest light, the sharpest checks, and most thorough convictions of conscience that ever men resisted. And yet,



in this moment of time, such was the majesty and innocence of our gracious sovereign, that the people followed him with tears in their eyes, and acclamations in their mouths, "God save the King!" even then, when the soldiers were ready to fire upon them who did either look sadly or speak affectionately. And yet it will appear upon our evidence, too, that so few of the very common soldiers could be brought to approve these proceedings, or to cry out "Justice!" that their officers were fain by money or blows, or both, to bring a great many to it.

My lords, the actors in this tragedy were many, very many,—so many, that sure their name is legion, or rather many legions. And certainly, my lords, when we shall consider the things that they have done, we cannot but look upon it as a villainy which had in it all the ingredients to make it detestable, that it was possible for the counsel of men, or devils either, to put together. But yet, if anything can be of a deeper dye than the guilt of that sacred blood wherewith they stand polluted, methinks their impudence should make them more odious than their treason. It was the destruction of God's Anointed, in the name of the Lord. It was the murder of a most blessed and beloved prince, in the name of his people. Him whom they had taken the transcendent boldness to imprison, as the author of the war, they put to death, because he would have been the author of our peace; and that with so much scorn and indignity, that some of them were not ashamed to spit in the face of our lord and sovereign. And when they had thus quenched the light of Israel, darkness and confusion did overspread the face of the land; many poor subjects at home, and some Protestants in foreign nations, at the very news of it fell down dead; as if this excellent King had been in a natural as well as a religious sense, the breath of our nostrils, the Anointed of the Lord, who was taken in their pits. The judges, officers, and other immediate actors in this pretended court were in number about fourscore; of these some four or five and twenty are dead, and gone to their own place. The God of recompenses hath taken the matter so far into his own hands; and who knows but that it might be one dreadful part of his vengeance that they died in peace? Some six or seven of them, who were thought to have sinned with less malice, have their lives spared indeed, but are like to be brought to a severe repentance by future penalties. Some eighteen or nineteen have fled from justice, and wander to and fro about the world with the mark of Cain upon them, and perpetual trembling, lest every eye that sees them, and every hand that meets them, should fall upon them. Twenty-nine persons do now expect your justice. Amongst them, the first that is brought is the prisoner at the bar, and he deserves to be the first; for if any person now left alive ought to be styled the conductor,

leader, and captain of all this work, that is the man. He, my lord, brought the King up a prisoner from Windsor ; but how, and in what manner, with how little duty, nay, with how little civility, to a common person, you will hear in time. He sat upon him, sentenced him, he signed the warrant first to call that court together, then the bloody warrant to cut off his sacred head. Against him, as against all the rest, our evidence will be of two sorts ; witnesses *viva voce*, that shall first prove to your lordships that every person now in question did sit in that court, when their King stood as a prisoner at the bar. We shall prove that the precept by which this pretended court was summoned was not obeyed and executed, till it had had the hands and seals of most of the pretended judges ; among the rest the hand of the prisoner at the bar will be found there. We shall prove his hand to the bloody warrant for severing the sacred head of our blessed sovereign from the body, and then some circumstances of his malice and of his demeanour. And after we have done with our witnesses *viva voce*, if we have occasion to use records of Parliament, we shall show them too,—for we have the originals or authentic copies. But now we shall proceed to our evidence.

## CHARLES JAMES FOX

(*For Biographical Note see Section i.*)

### ON PEACE

(Delivered in the House of Commons, February 3rd, 1800).

**A**T so late an hour of the night I am sure you will do me the justice to believe that I do not mean to go at length into the discussion of this great question. Exhausted as the attention of the House must be, and unaccustomed as I have been of late to attend in my place, nothing but a deep sense of my duty could have induced me to trouble you at all, and particularly to request your indulgence at such an hour. Sir, my honourable and learned friend has truly said that the present is a new era in the war. The right honourable the Chancellor of the Exchequer feels the justice of the remark ; for by travelling back to the commencement of the war, and referring to all the topics and arguments which he has so often and so successfully urged to the House, and by which he has drawn them on to the support of his measures, he is forced to acknowledge that, at the end of a seven years' conflict, we are come but to a new era in the war, at which he thinks it necessary only to press all his former arguments to induce us to persevere. All the topics which have so often misled us—all the reasoning which has so invariably failed—all the lofty predictions which have so constantly been falsified by events—all the hopes which have amused the sanguine, and all the assurances of the distress and weakness of the enemy which have satisfied the unthinking, are again enumerated and advanced as arguments for our continuing the war. What ! at the end of seven years of the most burdensome and the most calamitous struggle that this country was ever engaged in, are we again to be amused with notions of finance and calculations of the exhausted resources of the enemy as a ground of confidence and of hope ? Gracious God ! Were we not told, five years ago, that France was not only on the brink, but that she was actually in the gulf of bankruptcy ? Were we not told, as an unanswerable argument against treating, that she could not hold out another campaign—that nothing but peace could save her—that she wanted only time to recruit her exhausted finances—that to grant her repose

was to grant her the means of again molesting this country, and that we had nothing to do but persevere for a short time, in order to save ourselves for ever from the consequences of her ambition and her Jacobinism? What! after having gone on from year to year upon assurances like these, and after having seen the repeated refutations of every prediction, are we again to be seriously told that we have the same prospect of success on the same identical grounds? And without any other argument or security, are we invited, at this new era of the war, to carry it on upon principles which, if adopted, may make it eternal? If the right honourable gentleman shall succeed in prevailing on Parliament and the country to adopt the principles which he has advanced this night, I see no possible termination to the contest. No man can see an end to it; and upon the assurances and predictions which have so uniformly failed, are we called upon, not merely to refuse all negotiation, but to countenance principles and views as distant from wisdom and justice as they are in their nature wild and impracticable.

I must lament, Sir, in common with every friend of peace, the harsh and unconciliating language which ministers have held towards the French, and which they have even made use of in their answer to a respectful offer of negotiation. Such language has ever been considered as extremely unwise, and has ever been reprobated by diplomatic men. I remember with pleasure the terms in which Lord Malmesbury at Paris, in the year 1796, replied to expressions of this sort used by M. de la Croix. He justly said, "that offensive and injurious insinuations were only calculated to throw new obstacles in the way of accommodation, and that it was not by revolting reproaches, nor by reciprocal invective, that a sincere wish to accomplish the great work of pacification could be evinced." Nothing could be more proper nor more wise than this language; and such ought ever to be the tone and conduct of men entrusted with the very important task of treating with a hostile nation. Being a sincere friend to peace, I must say with Lord Malmesbury, that it is not by reproaches and by invective that we can hope for a reconciliation; and I am convinced in my own mind that I speak the sense of this House, and of a majority of the people of this country, when I lament that any unnecessary recriminations should be flung out by which obstacles are put in the way of pacification. I believe that it is the prevailing sentiment of the people that we ought to abstain from harsh and insulting language; and in common with them I must lament that both in the papers of Lord Grenville, and in the speeches of this night, such licence has been given to the invective and reproach. For the same reason I must lament that the right honourable gentleman has thought proper to go at such length, and with such severity of minute

investigation, into all the early circumstances of the war, which, whatever they were, are nothing to the present purpose, and ought not to influence the present feelings of the House.

I certainly shall not follow him into all the minute detail, though I do not agree with him in many of his assertions. I do not know what impression his narrative may make on other gentlemen; but I will tell him, fairly and candidly, he has not convinced me. I continue to think, and until I see better grounds for changing my opinion than any that the right honourable gentleman has this night produced, I shall continue to think and to say, plainly and explicitly, that this country was the aggressor in the war. But with regard to Austria and Prussia—is there a man who for one moment can dispute that they were the aggressors? It will be vain for the right honourable gentleman to enter into long and plausible reasoning against the evidence of documents so clear, so decisive—so frequently, so thoroughly investigated. The unfortunate Louis XVI. himself, as well as those who were in his confidence, have borne decisive testimony to the fact that between him and the emperor there was an intimate correspondence, and a perfect understanding. Do I mean by this that a positive treaty was entered into for the dismemberment of France? Certainly not; but no man can read the declarations which were made at Mantua, as well as at Pilnitz, as they are given by M. Bertrand de Moleville, without acknowledging that there was not merely an intention, but a declaration of an intention, on the part of the great powers of Germany to interfere in the internal affairs of France, for the purpose of regulating the government against the opinion of the people. This, though not a plan for the partition of France, was, in the eye of reason and common sense, an aggression against France. The right honourable gentleman denies that there was such a thing as a treaty of Pilnitz. Granted. But was there not a declaration which amounted to an act of hostile aggression? The two powers, the Emperor of Germany and the King of Prussia, made a public declaration that they were determined to employ their forces, in conjunction with those of the other sovereigns of Europe, “to put the King of France in a situation to establish, in perfect liberty, the foundations of a monarchical government equally agreeable to the rights of sovereigns and the welfare of the French.” Whenever the other princes should agree to co-operate with them, “then, and in that case, their majesties were determined to act promptly, and by mutual consent, with the forces necessary to obtain the end proposed by all of them. In the meantime they declared that they would give orders for their troops to be ready for actual service.” Now, I would ask gentlemen to lay their hands upon their hearts, and say what the fair construction of this declaration was—whether it was

not a menace and an insult to France, since, in direct terms, it declared that whenever the other powers should concur, they would attack France, then at peace with them, and then employed only in domestic and internal regulations? Let us suppose the case to be that of Great Britain. Will any gentleman say, if two of the great powers should make a public declaration that they were determined to make an attack on this kingdom as soon as circumstances should favour their intention; that they only waited for this occasion; and that in the meantime they would keep their forces ready for the purpose; that it would not be considered by the Parliament and people of this country as a hostile aggression? And is there an Englishman in existence who is such a friend to peace as to say that the nation could retain its honour and dignity if it should sit down under such a menace? I know too well what is due to the national character of England to believe that there would be two opinions on the case, if thus put home to our own feelings and understanding. We must, then, respect in others the indignation which such an act would excite in ourselves; and when we see it established on the most indisputable testimony, that both at Pilnitz and at Mantua declarations were made to this effect, it is idle to say that, as far as the Emperor and the King of Prussia were concerned, they were not the aggressors in the war.

“ Oh! but the decree of the 19th of November, 1792! that, at least,” the right honourable gentleman says, “ you must allow to be an act of aggression, not only against England, but against all the sovereigns of Europe.” I am not one of those, Sir, who attach much interest to the general and indiscriminate provocations thrown out at random, like this resolution of the 19th of November, 1792. I do not think it necessary to the dignity of any people to notice and to apply to themselves menaces flung out without particular allusion, which are always unwise in the power which uses them, and which it is still more unwise to treat with seriousness. But if any such idle and general provocation to nations is given, either in insolence or in folly, by any government, it is a clear first principle that an explanation is the thing which a magnanimous nation, feeling itself aggrieved, ought to demand; and if an explanation be given which is not satisfactory, it ought clearly and distinctly to say so. There ought to be no ambiguity, no reserve, on the occasion. Now we all know from documents on our table that M. Chauvelin did give an explanation of this silly decree. He declared in the name of his government “ that it was never meant that the French government should favour insurrections; that the decree was applicable only to those people who, after having acquired their liberty by conquest, should demand the assistance of the republic; but that France would

respect, not only the independence of England, but also that of her allies with whom she was not at war." This was the explanation given of the offensive decree. "But this explanation was not satisfactory!" Did you say so to M. Chauvelin? Did you tell him that you were not content with this explanation? And when you dismissed him afterwards, on the death of the king, did you say that this explanation was unsatisfactory? No; you did no such thing: and I contend that unless you demanded further explanations, and they were refused, you have no right to urge the decree of the 19th of November as an act of aggression. In all your conferences and correspondence with M. Chauvelin did you hold out to him what terms would satisfy you? Did you give the French the power or the means of settling the misunderstanding which that decree, or any other of the points at issue, had created? I contend that when a nation refuses to state to another the thing which would satisfy her, she shows that she is not actuated by a desire to preserve peace between them: and I aver that this was the case here. The Scheldt, for instance. You now say that the navigation of the Scheldt was one of your causes of complaint. Did you explain yourself on that subject? Did you make it one of the grounds for the dismissal of M. Chauvelin. Sir, I repeat it, a nation to justify itself in appealing to the last solemn resort, ought to prove that it had taken every possible means, consistent with dignity, to demand the reparation which would be satisfactory, and if she refused to explain what would be satisfactory, she did not do her duty, nor exonerate herself from the charge of being the aggressor.

The right honourable gentleman has this night, for the first time, produced a most important paper—the instructions which were given to his Majesty's minister at the court of St. Petersburg about the end of the year 1792, to interest her Imperial Majesty to join her efforts with those of his Britannic Majesty to prevent, by their joint mediation, the evils of a general war. Of this paper, and of the existence of any such document, I for one was entirely ignorant; but I have no hesitation in saying that I completely approve of the instructions which appear to have been given; and I am sorry to see the right honourable gentleman disposed rather to take blame to himself than credit for having written it. He thinks that he shall be subject to the imputation of having been rather too slow to apprehend the dangers with which the French revolution was fraught, than that he was forward and hasty. I do not agree with him on the idea of censure. I by no means think that he was blameable for too much confidence in the good intentions of the French. I think the tenor and composition of this paper were excellent—the instructions conveyed in it wise; and that it wanted but one essential thing to have entitled it to general approbation—namely, to be acted

upon. The clear nature and intent of that paper I take to be, that our ministers were to solicit the court of Petersburg to join with them in a declaration to the French government, stating explicitly what course of conduct, with respect to their foreign relations, they thought necessary to the general peace and security of Europe, and what, if complied with, would have induced them to mediate for that purpose—a proper, wise, and legitimate course of proceeding. Now I ask, Sir, whether, if this paper had been communicated to Paris at the end of the year 1792, instead of Petersburg, it would not have been productive of most reasonable benefits to mankind ; and by informing the French in time of the means by which they might have secured the mediation of Great Britain, have not only avoided the rupture with this country, but have also restored general peace to the continent ? The paper, Sir, was excellent in its intentions ; but its merit was all in the composition. It was a fine theory, which ministers did not think proper to carry into practice. Nay, on the contrary, at the very time they were drawing up this paper they were insulting M. Chauvelin in every way, until about the 23rd or 24th of January, 1793, when they finally dismissed him, without stating any one ground upon which they were willing to preserve terms with the French.

“ But France,” it seems, “ then declared war against us ; and she was the aggressor, because the declaration came from her.” Let us look at the circumstances of this transaction on both sides. Undoubtedly the declaration was made by her ; but is a declaration the only thing that constitutes the commencement of a war ? Do gentlemen recollect that, in consequence of a dispute about the commencement of war, respecting the capture of a number of ships, an article was inserted in our treaty with France, by which it was positively stipulated that in future, to prevent all disputes, the act of the dismissal of a minister from either of the two courts should be held and considered as tantamount to a declaration of war ? I mention this, Sir, because when we are idly employed in this retrospect of the origin of a war which has lasted so many years, instead of fixing our eyes only to the contemplation of the means of putting an end to it, we seem disposed to overlook everything on our own parts, and to search only for grounds of imputation on the enemy. I almost think it an insult on the House to detain them with this sort of examination. If, Sir, France was the aggressor, as the right honourable gentleman says she was throughout, why did not Prussia call upon us for the stipulated number of troops, according to the article of the defensive treaty of alliance subsisting between us, by which, in case either of the contracting parties was attacked, they had a right to demand the stipulated aid ? And the same thing, again, may be asked when we



were attacked. The right honourable gentleman might here accuse himself, indeed, of reserve ; but it unfortunately happened that, at the time, the point was too clear on which side the aggression lay. Prussia was too sensible that the war could not entitle her to make the demand, and that it was not a case within the scope of the defensive treaty. This is evidence worth a volume of subsequent reasoning ; for if, at the time when all the facts were present to their minds, they could not take advantage of existing treaties, and that, too, when the courts were on the most friendly terms with one another, it will be manifest to every thinking man that they were sensible they were not authorised to make the demand.

I really, Sir, cannot think it necessary to follow the right honourable gentleman into all the minute details which he has thought proper to give us respecting the first aggression ; but that Austria and Prussia were the aggressors not a man in any country, who has ever given himself the trouble to think at all on the subject, can doubt. Nothing could be more hostile than their whole proceedings. Did they not declare to France that it was their internal concerns, not their external proceedings which provoked them to confederate against her ? Look back to the proclamations with which they set out. Read the declarations which they made themselves to justify their appeal to arms. They did not pretend to fear their ambition, their conquests, their troubling their neighbours ; but they accused them of new-modelling their own government. They said nothing of their aggressions abroad ; they spoke only of their clubs and societies at Paris.

Sir, in all this I am not justifying the French—I am not striving to absolve them from blame, either in their internal or external policy. I think, on the contrary, that their successive rulers have been as bad and as execrable, in various instances, as any of the most despotic and unprincipled governments that the world ever saw. I think it impossible, Sir, that it should have been otherwise. It was not to be expected that the French, when once engaged in foreign wars, should not endeavour to spread destruction around them, and to form plans of aggrandisement and plunder on every side. Men bred in the school of the House of Bourbon could not be expected to act otherwise. They could not have lived so long under their ancient masters without imbibing the restless ambition, the perfidy, and the insatiable spirit of the race. They have imitated the practice of their great prototype, and through their whole career of mischief and of crimes have done no more than servilely trace the steps of their own Louis XIV. If they have overrun countries and ravaged them, they have done it upon Bourbon principles. If they have ruined and dethroned sovereigns, it is entirely after the Bourbon manner.

If they have even fraternised with the people of foreign countries, and pretended to make their cause their own, they have only faithfully followed the Bourbon example. They have constantly had Louis, the grand monarch, in their eye. But it may be said that this example was long ago, and that we ought not to refer to a period so distant. True it is a distant period as applied to the man, but not so to the principle. The principle was never extinct; nor has its operation been suspended in France, except, perhaps, for a short interval during the administration of Cardinal Fleury; and my complaint against the republic of France is, not that she has generated new crimes, not that she has promulgated new mischief, but that she has adopted and acted upon the principles which have been so fatal to Europe under the practice of the House of Bourbon. It is said that wherever the French have gone they have introduced revolution; that they have sought for the means of disturbing neighbouring States, and have not been content with mere conquest. What is this but adopting the ingenious scheme of Louis XIV.? He was not content with merely overrunning a state;—whenever he came into a new territory he established what he called his Chamber of Claims, a most convenient device, by which he inquired whether the conquered country or province had any dormant or disputed claims, any cause of complaint, any unsettled demand upon any other state or province—upon which he might wage war upon such state, thereby discover again ground for new devastation, and gratify his ambition by new acquisitions. What have the republicans done more atrocious, more Jacobinical, than this? Louis went to war with Holland. His pretext was that Holland had not treated him with sufficient respect;—a very just and proper cause for war indeed! This, Sir, leads me to an example which I think seasonable, and worthy the attention of his Majesty's ministers. When our Charles II., as a short exception to the policy of his reign, made the triple alliance for the protection of Europe, and particularly of Holland, against the ambition of Louis XIV., what was the conduct of that great, virtuous, and most able statesman, M. de Witt, when the confederates came to deliberate on the terms upon which they should treat with the French monarch? When it was said that he had made unprincipled conquests, and that he ought to be forced to surrender them all, what was the language of that great and wise man? "No," said he; "I think we ought not to look back to the origin of the war so much as to the means of putting an end to it. If you had united in time to prevent these conquests, well; but now that he has made them, he stands upon the ground of conquest, and we must agree to treat with him, not with reference to the origin of the conquest, but with regard to his present posture. He has those places, and some of them we must be content

to give up as the means of peace, for conquest will always successfully set up its claims to indemnification." Such was the language of this minister, who was the ornament of his time ; and such, in my mind, ought to be the language of statesmen with regard to the French at this day. The same ought to have been said at the formation of the confederacy. It was true that the French had overrun Savoy ; but they had overrun it upon Bourbon principles ; and having gained this and other conquests before the confederacy was formed, they ought to have treated with her rather for future security than for past correction. States in possession, whether monarchical or republican, will claim indemnity in proportion to their success ; and it will never be so much inquired by what right they gained possession as by what means they can be prevented from enlarging their depredations. Such is the safe practice of the world ; and such ought to have been the conduct of the powers when the reduction of Savoy made them coalesce.

The right honourable gentleman may know more of the secret particulars of their overrunning Savoy than I do ; but certainly, as they have come to my knowledge, it was a most Bourbon-like act. A great and justly celebrated historian, whom I will not call a foreigner—I mean Mr. Hume (a writer certainly estimable in many particulars, but who was a childish lover of princes)—talks of Louis XIV. in very magnificent terms ; but he says of him that, though he managed his enterprises with skill and bravery, he was unfortunate in this, that he never got a good and fair pretence for war. This he reckons among his misfortunes ! Can we say more of the republican French ? In seizing on Savoy I think they made use of the words, "*convenances morales et physiques.*" These were their reasons. A most Bourbon-like phrase ! And I therefore contend that as we never scrupled to treat with the princes of the House of Bourbon on account of their rapacity, their thirst of conquest, their violation of treaties, their perfidy, and their restless spirit, so we ought not to refuse to treat with their republican imitators. Ministers could not pretend ignorance of the unprincipled manner in which the French had seized on Savoy. The Sardinian minister complained of the aggression, and yet no stir was made about it. The courts of Europe stood by and saw the outrage ; and our minister saw it. The right honourable gentleman will in vain, therefore, exert his powers to persuade me of the interest he takes in the preservation of the rights of nations, since, at the moment when an interference might have been made with effect, no step was taken, no remonstrance made, no mediation negotiated, to stop the career of conquest. All the pretended and hypocritical sensibility for the "rights of nations and for social order," with which we have since been stunned, cannot impose upon those who would take the

trouble to look back to the period when this sensibility ought to have roused us into seasonable exertion. At that time, however, the right honourable gentleman makes it his boast that he was prevented by a sense of neutrality from taking any measures of precaution on the subject. I do not give the right honourable gentleman much credit for his spirit of neutrality on the occasion. It flowed from the sense of the country at the time, the great majority of which was clearly and decidedly against all interruptions being given to the French in their desire of regulating their own internal government.

But this neutrality, which respected only the internal rights of the French, and from which the people of England would never have departed but for the impolitic and hypocritical cant which was set up to rouse their jealousy and alarm their fears, was very different from the great principle of political prudence which ought to have actuated the councils of the nation, on seeing the first steps of France towards a career of external conquest. My opinion is, that when the unfortunate King of France offered to us, in the letter delivered by M. Chauvelin and M. Talleyrand, and even entreated us to mediate between him and the allied powers of Austria and Prussia, they ought to have accepted the offer and exerted their influence to save Europe from the consequence of a system which was then beginning to manifest itself. It was, at least, a question of prudence ; and as we had never refused to treat and to mediate with the old princes on account of their ambition or their perfidy, we ought to have been equally ready now, when the same principles were acted upon by other men. I must doubt the sensibility which could be so cold and so indifferent at the proper moment for its activity. I fear that there was at that moment the germs of ambition rising in the mind of the right honourable gentleman, and that he was beginning, like others, to entertain hopes that something might be obtained out of the coming confusion. What but such a sentiment could have prevented him from overlooking the fair occasion that was offered for preventing the calamities with which Europe was threatened ? What but some such interested principle could have made him forego the truly honourable task by which his administration would have displayed its magnanimity and its power ? But for some such feeling would not this country, both in wisdom and in dignity, have interfered, and in conjunction with the other powers have said to France, " You ask for a mediation ; we will mediate with candour and sincerity, but we will at the same time declare to you our apprehensions. We do not trust to your assertion of a determination to avoid all foreign conquest, and that you are desirous only of settling your own constitution, because your language is contradicted by experience and the evidence of facts.

You are Frenchmen, and you cannot so soon have thrown off the Bourbon principles in which you were educated. You have already imitated the bad practice of your princes ; you have seized on Savoy without a colour of right. But here we take our stand. Thus far you have gone, and we cannot help it ; but you must go no farther. We will tell you distinctly what we shall consider as an attack on the balance and the security of Europe ; and, as the condition of our interference, we will tell you also the securities that we think essential to the general repose." This ought to have been the language of his Majesty's ministers when their mediation was solicited ; and something of this kind they evidently thought of when they sent the instructions to Petersburg which they have mentioned this night, but upon which they never acted. Having not done so, I say they have no claim to talk now about the violated rights of Europe, about the aggression of the French, and about the origin of the war in which this country was so suddenly afterwards plunged. Instead of this, what did they do ? They hung back ; they avoided explanation ; they gave the French no means of satisfying them ; and I repeat my proposition—when there is a question of peace and war between two nations, that government feels itself in the wrong which refuses to state with clearness and precision what she would consider as a satisfaction and a pledge of peace.

Sir, if I understand the true precepts of the Christian religion, as set forth in the New Testament, I must be permitted to say that there is no such thing as a rule or doctrine by which we are directed, or can be justified, in waging a war for religion. The idea is subversive of the very foundations upon which it stands, which are those of peace and good-will among men. Religion never was, and never can be, a justifiable cause of war ; but it has been too often grossly used as the pretext and the apology for the most unprincipled wars.

I have already said, and I repeat it, that the conduct of the French to foreign nations cannot be justified. They have given great cause of offence, but certainly not to all countries alike. The right hon. gentlemen opposite to me have made an indiscriminate catalogue of all the countries which the French have offended, and, in their eagerness to throw odium on the nation, have taken no pains to investigate the sources of their several quarrels. I will not detain the House by entering into the long detail which has been given by their aggressions and their violences ; but let me mention Sardinia as one instance which has been strongly insisted upon. Did the French attack Sardinia when at peace with them ? No such thing. The King of Sardinia had accepted of a subsidy from Great Britain ; and Sardinia was, to all intents and purposes, a belligerent power. Several other instances might be mentioned ;

but though perhaps in the majority of instances the French may be unjustifiable, is this the moment for us to dwell upon these enormities—to waste our time and inflame our passions by recriminating upon each other? There is no end to such a war. I have somewhere read, I think in Sir Walter Raleigh's *History of the World*, of a most bloody and fatal battle which was fought by two opposite armies, in which almost all the combatants on both sides were killed, "because," says the historian, "though they had offensive weapons on both sides, they had none for defence." So, in this war of words, if we are to use only offensive weapons, if we are to indulge only in invective and abuse, the contest must be eternal. If this war of reproach and invective is to be countenanced, may not the French with equal reason complain of the outrages and the horrors committed by the powers opposed to them? If we must not treat with the French on account of the iniquity of their former transactions, ought we not to be as scrupulous of connecting ourselves with other powers equally criminal? Surely, Sir, if we must be thus rigid in scrutinising the conduct of an enemy, we ought to be equally careful in not committing our honour and our safety with an ally who has manifested the same want of respect for the rights of other nations. Surely, if it is material to know the character of a power with whom you are only about to treat for peace, it is more material to know the character of allies, with whom you are about to enter into the closest connection of friendship, and for whose exertions you are about to pay.

Now, Sir, what was the conduct of your own allies to Poland? Is there a single atrocity of the French in Italy, in Switzerland, in Egypt, if you please, more unprincipled and inhuman than that of Russia, Austria, and Prussia in Poland? What has there been in the conduct of the French to foreign powers; what in the violation of solemn treaties; what in the plunder, devastation, and dismemberment of unoffending countries; what in the horrors and murders perpetrated upon the subdued victims of their rage in any district which they have overrun, worse than the conduct of those three great powers in the miserable, devoted, and trampled-on kingdom of Poland, and who have been, or are, our allies in this war for religion, social order, and the rights of nations? "Oh! but we regretted the partition of Poland!" Yes, regretted! you regretted the violence, and that is all you did. You united yourselves with the actors; you, in fact, by your acquiescence, confirmed the atrocity. But they are your allies; and though they overran and divided Poland, there was nothing, perhaps, in the manner of doing it which stamped it with peculiar infamy and disgrace. The hero of Poland, perhaps, was merciful and mild. He was "as much superior to Buonaparte in bravery, and in the discipline which he main-

tained, as he was superior in virtue and humanity ! He was animated by the purest principles of Christianity, and was restrained in his career by the benevolent precepts which it inculcates." Was he ? Let unfortunate Warsaw, and the miserable inhabitants of the suburb of Praga in particular, tell ! What do we understand to have been the conduct of this magnanimous hero, with whom, it seems, Buonaparte is not to be compared ? He entered the suburb of Praga, the most populous suburb of Warsaw ; and there he let his soldiery loose on the miserable, unarmed, and unresisting people ! Men, women, and children, nay, infants at the breast, were doomed to one indiscriminate massacre ! Thousands of them were inhumanly, wantonly butchered ! And for what ? Because they had dared to join in a wish to meliorate their own condition as a people, and to improve their constitution, which has been confessed by their own sovereign to be in want of amendment. And such is the hero upon whom the cause of " religion and social order " is to repose ! And such is the man whom we praise for his discipline and his virtue and whom we hold out as our boast and our dependence, while the conduct of Buonaparte unfits him to be even treated with as an enemy !

But the behaviour of the French towards Switzerland raises all the indignation of the right hon. gentleman and inflames his eloquence. I admire the indignation which he expresses (and I think he felt it) in speaking of this country so dear and so congenial to every man who loves the sacred name of liberty. He who loves liberty, says the right hon. gentleman, thought himself at home on the favoured and happy mountains of Switzerland, where she seemed to have taken up her abode under a sort of implied compact, among all other states, that she should not be disturbed in this her chosen asylum. I admire the eloquence of the right hon. gentleman in speaking of this country of liberty and peace, to which every man would desire, once in his life at least, to make a pilgrimage. But who, let me ask him, first proposed to the Swiss people to depart from the neutrality which was their chief protection and to join the confederacy against the French ? I aver that a noble relation of mine (Lord Robert Fitzgerald), then the minister of England to the Swiss Cantons, was instructed, in direct terms, to propose to the Swiss, by an official note, to break from the safe line they had laid down for themselves, and to tell them " in such a contest neutrality was criminal." I know that noble lord too well, though I have not been in habits of intercourse with him of late, from the employments in which he has been engaged, to suspect that he would have presented such a paper without the express instructions of his court, or that he would have gone beyond those instructions.

But was it only to Switzerland that this sort of language was held ? What was our language also to Tuscany and to Genoa ? An hon. gentleman (Mr. Canning) has denied the authenticity of a pretended letter which has been circulated and ascribed to Lord Harvey. He says it is all a fable and a forgery. Be it so ; but is it also a fable that Lord Harvey did speak in terms to the grand duke which he considered as offensive and insulting ? I cannot tell, for I was not present. But was it not, and is it not believed ? Is it a fable that Lord Harvey went into the closet of the grand duke, laid his watch upon the table, and demanded in a peremptory manner that he should, within a certain number of minutes, I think I have heard within a quarter of an hour, determine, aye or no, to dismiss the French minister, and order him out of his dominions ; with the menace that if he did not the English fleet should bombard Leghorn ? Will the hon. gentleman deny this also ? I certainly do not know it from my own knowledge ; but I know that persons of the first credit, then at Florence, have stated these facts, and that they never have been contradicted. It is true that upon the grand duke's complaint of this indignity Lord Harvey was recalled ; but was the principle recalled ? Was the mission recalled ? Did not ministers persist in the demand which Lord Harvey had made, perhaps ungraciously ? Was not the grand duke forced, in consequence, to dismiss the French minister ? and did they not drive him to enter into an unwilling war with the republic ? It is true that he afterwards made his peace ; and that, having done so, he was treated severely and unjustly by the French. But what I do conclude from all this is that we have no right to be scrupulous, we who have violated the respect due to peaceable powers ourselves in this war, which, more than any other that ever afflicted human nature, has been distinguished by the greatest number of disgusting and outrageous insults to the smaller powers by the great. And I infer from this also that the instances not being confined to the French but having been perpetrated by every one of the allies, and by England as much as by the others, we have no right to refuse to treat with the French on this ground. Need I speak of your conduct to Genoa also ? Perhaps the note delivered by Mr. Drake was also a forgery. Perhaps the blockade of the port never took place. It is impossible to deny the facts, which were so glaring at the time. It is a painful thing to me, Sir, to be obliged to go back to these unfortunate periods of the history of this war, and of the conduct of this country ; but I am forced to the task by the use which has been made of the atrocities of the French as an argument against negotiation. I think I have said enough to prove that if the French have been guilty, we have not been innocent. Nothing but determined incredulity can make



us deaf and blind to our own acts, when we are so ready to yield an assent to all the reproaches which are thrown out on the enemy, and upon which reproaches we are gravely told to continue the war.

“ But the French,” it seems, “ have behaved ill everywhere. They seized on Venice, which had preserved the most exact neutrality, or rather,” as it is hinted, “ had manifested symptoms of friendship to them.” I agree with the right hon. gentleman, it was an abominable act. I am not the apologist of, much less the advocate for, their iniquities neither will I countenance them in their pretences for the injustice. I do not think that much regard is to be paid to the charges which a triumphant soldiery bring on the conduct of a people whom they have overrun. Pretences for outrage will never be wanting to the strong when they wish to trample on the weak ; but when we accuse the French of having seized upon Venice, after stipulating for its neutrality and guaranteeing its independence, we should also remember the excuse that they made for violence—namely, that their troops had been attacked and murdered. I say I am always incredulous about such excuses ; but I think it fair to hear whatever can be alleged on the other side. We cannot take one side of a story only. Candour demands that we should examine the whole before we make up our minds on the guilt. I cannot think it quite fair to state the view of the subject of one party as indisputable fact, without even mentioning what the other party has to say for itself. But, Sir, is this all ? Though the perfidy of the French to the Venetians be clear and palpable, was it worse in morals, in principle, and in example than the conduct of Austria ? My hon. friend (Mr. Whitbread) properly asked, “ Is not the receiver as bad as the thief ? ” If the French seized on the territory of Venice, did not the Austrians agree to receive it ? “ But this,” it seems, “ is not the same thing.” It is quite in the nature, and within the rule of diplomatic morality, for Austria to receive the country which was seized upon unjustly. “ The emperor took it as a compensation ; it was his by barter : he was not answerable for the guilt by which it was obtained.” What is this, Sir, but the false and abominable reasoning with which we have been so often disgusted on the subject of the slave trade ? Just in the same manner have I heard a notorious wholesale dealer in this inhuman traffic justify his abominable trade. “ I am not guilty of the horrible crime of tearing that mother from her infants ; that husband from his wife ; of depopulating that village ; of depriving that family of their sons, the support of their aged parents ! No : thank heaven ! I am not guilty of this horror ; I only bought them in the fair way of trade. They were brought to the market ; they had been guilty of crimes, or they had been made prisoners in war ; they were

accused of witchcraft, of obi, or of some other sort of sorcery ; and they were brought to me for sale ; I gave a valuable consideration for them ; but God forbid that I should have stained my soul with the guilt of dragging them from their friends and families ! ” Such has been the precious defence of the slave trade ; and such is the argument set up for Austria, in this instance of Venice. “ I did not commit the crime of trampling on the independence of Venice. I did not seize on the city ; I gave a *quid pro quo*. It was a matter of barter and indemnity ; I gave half a million of human beings to be put under the yoke of France in another district, and I had these people turned over to me in return ! ” This, Sir, is the defence of Austria ; and under such detestable sophistry as this is the infernal traffic in human flesh, whether in white or black, to be continued and even justified ! At no time has that diabolical traffic been carried to a greater length than during the present war ; and that by England herself as well as Austria and Russia.

“ But France,” it seems, “ has roused all the nations of Europe against her ; ” and the long catalogue has been read to you to prove that she must have been atrocious to provoke them all. Is it true, Sir, that she has roused them all ? It does not say much for the address of his Majesty’s ministers if this be the case. What, Sir, have all your negotiations, all your declamation, all your money, been squandered in vain ? Have you not succeeded in stirring the indignation and engaging the assistance of a single power ? But you do yourselves injustice. I dare say the truth lies between you. Between their crimes and your money the rage has been excited ; and full as much is due to your seductions as to her atrocities. My learned friend was correct, therefore, in his argument ; for you cannot take both sides of the case : you cannot accuse them of having provoked all Europe, and at the same time claim the merit of having roused them to join you.

You talk of your allies. Sir, I wish to know who your allies are ? Russia is one of them, I suppose. Did France attack Russia ? Has the magnanimous Paul taken the field for social order and religion, on account of personal aggression ? The Emperor of Russia has declared himself grand-master of Malta, though his religion is as opposite to that of the knights as ours is ; and he is as much considered an heretic by the Church of Rome as we are. The King of Great Britain might, with as much propriety, declare himself the head of the order of the Chartreuse monks. Not content with taking to himself the commandery of this institution of Malta, Paul has even created a married man a knight, contrary to all the most sacred rules and regulations of the order. And yet this ally of ours is fighting for religion ! So much for his religion. Let us see his regard to social order ! How does he show his abhorrence

of the principles of the French in their violation of the rights of other nations? What has been his conduct to Denmark? He says to Denmark—"You have seditious clubs at Copenhagen—No Danish vessels shall enter the ports of Russia." He holds a still more despotic language to Hamburg. He threatens to lay an embargo on their trade; and he forces them to surrender up men who are claimed by the French as their citizens—whether truly or not, I do not inquire. He threatens them with his own vengeance if they refuse, and subjects them to that of the French if they comply. And what has been his conduct to Spain? He first sends away the Spanish minister from Petersburg, and then complains as a great insult that his minister was dismissed from Madrid! This one of our allies; and he has declared that the object for which he has taken up arms is to replace the ancient race of the House of Bourbon on the throne of France, and that he does this for the cause of religion and social order! Such is the respect for religion and social order which he himself displays; and such are the examples of it with which we coalesce!

No man regrets, Sir, more than I do, the enormities that France has committed; but how do they bear upon the question as it now stands? Are we for ever to deprive ourselves of the benefits of peace because France has perpetrated acts of injustice? Sir, we cannot acquit ourselves upon such ground. We have negotiated. With the knowledge of these acts of injustice and disorder, we have treated with them twice; yet the right hon. gentleman cannot enter into negotiation with them, now; and it is worth while to attend to the reasons that he gives for refusing their offer. The revolution itself is no more an objection now than it was in 1796, when he did negotiate; for the government of France at the time was surely as unstable as it is now. The crimes of the French, the instability of their government, did not prevent him; and why are they to prevent him now? He negotiated with a government as unstable, and, baffled in that negotiation, he did not scruple to open another at Lisle in 1797. We have heard a very curious account of these negotiations this day, and, as the right hon. gentleman has emphatically told us, an "honest" account of them. He says he has no scruple in avowing that he apprehended danger from the success of his own efforts to procure a pacification, and that he was not displeased at its failure. He was sincere in his endeavours to treat, but he was not disappointed when they failed. I wish to understand the right hon. gentleman correctly. His declaration on the subject, then, I take to be this—that though sincere in his endeavours to procure peace in 1797, yet he apprehended greater danger from accomplishing his object than from the continuance of war; and that he felt this apprehension

from the comparative views of the probable state of peace and war at that time. I have no hesitation in allowing the fact that a state of peace, immediately after a war of such violence, must, in some respects, be a state of insecurity ; but does this not belong, in a certain degree, to all wars ? And are we never to have peace, because that peace may be insecure ? But there was something, it seems, so peculiar in this war and in the character and principles of the enemy, that the right hon. gentleman thought a peace in 1797 would be comparatively more dangerous than war. Why, then, did he treat ? I beg the attention of the House to this—He treated, “ because the unequivocal sense of the people of England was declared to be in favour of a negotiation.” The right hon. gentleman confesses the truth, then, that in 1797 the people were for peace. I thought so at the time ; but you all recollect that when I stated it in my place, it was denied. “ True,” they said, “ you have procured petitions ; but we have petitions too : we all know in what strange ways petitions may be procured, and how little they deserve to be considered as the sense of the people.” This was their language at the time ; but now we find these petitions did speak the sense of the people, and that it was on this side of the House only that the sense of the people was spoken. The majority spoke a contrary language. It is acknowledged, then, that the unequivocal sense of the people of England may be spoken by the minority of this House, and that it is not always by the test of numbers that an honest decision is to be ascertained. This House decided against what the right hon. gentleman knew to be the sense of the country ; but he himself acted upon that sense against the vote of Parliament.

The negotiation in 1796 went off, as my learned friend has said, upon the question of Belgium or, as the right hon. gentleman asserts, upon a question of principle. He negotiated to please the people, but it went off “ on account of a monstrous principle advanced by France incompatible with all negotiation.” This is now said. Did the right hon. gentleman say so at the time ? Did he fairly and candidly inform the people of England that they broke off the negotiation because the French had urged a basis that it was totally impossible for England at any time to grant ? No such thing. On the contrary, when the negotiation broke off, they published a manifesto, “ renewing in the face of Europe, the solemn declaration that whenever the enemy should be disposed to enter on the work of a general pacification in the spirit of conciliation and equity, nothing should be wanting on their part to contribute to the accomplishment of the great object.” And accordingly, in 1797, notwithstanding this incompatible principle, and with all the enormities of the French on their heads, they opened

a new negotiation at Lisle. They do not wait for any retraction of this incompatible principle ; they do not wait even till overtures shall be made to them ; but they solicit and renew a negotiation themselves. I do not blame them for this, Sir ; I say only that it is an argument against the assertion of an incompatible principle. It is a proof that they did not think as the right hon. gentleman now says they thought ; but that they yielded to the sentiments of the nation, who were generally inclined to peace, against their own judgment ; and, from a motive which I shall come to by-and-by, they had no hesitation, on account of the first rupture, to renew the negotiation—it was renewed at Lisle ; and this the French broke off, after the revolution at Paris on the 4th of September. What was the conduct of the ministers upon this occasion ? One would have thought that with the fresh insult at Lisle in their minds, with the recollection of their failure the year before at Paris, if it had been true that they found an incompatible principle, they would have talked a war-like language, and would have announced to their country and to all Europe that peace was not to be obtained ; that they must throw away the scabbard and think only of the means of continuing the contest. No such thing. They put forth a declaration in which they said that they should look with anxious expectation for the moment when the government of France would show a disposition and spirit corresponding with their own ; and renewing before all Europe the solemn declaration that, at the very moment when the brilliant victory of Lord Duncan might have justified them in demanding more extravagant terms, they were willing, if the calamities of war could be closed, to conclude peace on the same moderate and equitable principles and terms which they had before proposed. Such was their declaration upon the occasion ; and in the discussions which we had upon it in this House ministers were explicit. They said that by that negotiation there had been given to the world what might be regarded as an unequivocal test of the sincerity and disposition of government towards peace or against it ; for those who refuse discussion show that they are disinclined to pacification ; and it is therefore, they said, always to be considered as a test that the party who refuses to negotiate is the party who is disinclined to peace. This they themselves set up as the test. Try them now, Sir, by that test. An offer is made them. They rashly and, I think, rudely refuse it. Have they, or have they not, broken their own test ?

But, they say, “ we have not refused all discussion.” They have put a case. They have expressed a wish for the restoration of the House of Bourbon, and have declared that to be an event which would immediately remove every obstacle to negotiation. Sir, as to the restoration

of the House of Bourbon, if it shall be the wish of the people of France, I for one shall be perfectly content to acquiesce. I think the people of France, as well as every other people, ought to have the government which they like best themselves; and the form of that government, or the persons who hold it in their hands, should never be an obstacle with me to treat with the nation for peace, or to live with it in amity—but as an Englishman, and actuated by English feelings, I surely cannot wish for the restoration of the House of Bourbon to the throne of France. I hope that I am not a man to bear heavily upon any unfortunate family. I feel for their situation—I respect their distresses—but, as a friend of England, I cannot wish for their restoration to the power which they abused. I cannot forget that the whole history of the century is little more than an account of the wars and the calamities arising from the restless ambition, the intrigues, and the perfidy of the House of Bourbon.

I cannot discover, in any part of the laboured defence which has been set up for not accepting the offer now made by France, any argument to satisfy my mind that ministers have not forfeited the test which they held out as infallible in 1797. An hon. gentleman thinks that Parliament should be eager only to approach the throne with declarations of their readiness to support his Majesty in the further prosecution of the war, without inquiry; and he is quite delighted with an address, which he has found upon the journals, to King William, in which they pledged themselves to support him in his efforts to resist the ambition of Louis XIV. He thinks it quite astonishing how much it is in point, and how perfectly it applies to the present occasion. One would have thought, Sir, that in order to prove the application, he would have shown that an offer had been respectfully made by the grand monarch to King William to treat, which he had peremptorily and in very irritating terms refused; and that, upon this, the House of Commons had come forward, and with one voice declared their determination to stand by him with their lives and fortunes in prosecuting the just and necessary war. Not a word of all this; and yet the hon. gentleman finds it quite a parallel case, and an exact model for the House, on this day, to pursue. I really think, Sir, he might as well have taken any address upon the Journals, upon any other topic, as this address to King William. It would have been equally in point, and would have equally served to show the hon. gentleman's talents for reasoning.

Sir, I cannot here overlook another instance of this honourable gentleman's candid style of debating, and of his respect for Parliament. He has found out, it seems, that in former periods of our history, and even in periods which have been denominated good times, intercepted letters have been published; and he reads from the *Gazette* instances

of such publication. Really, Sir, if the honourable gentleman had pursued the profession to which he turned his thoughts when younger, he would have learnt that it was necessary to find cases a little more in point. And yet, full of his triumph on this notable discovery, he has chosen to indulge himself in speaking of a most respectable and a most honourable person as any that this country knows, and who is possessed of as sound an understanding as any man that I have the good fortune to be acquainted with, in terms the most offensive and disgusting, on account of words which he may be supposed to have said in another place. He has spoken of that noble person and of his intellect in terms which, were I disposed to retort, I might say show the honourable gentleman to be possessed of an intellect which would justify me in passing over in silence anything that comes from such a man. Sir, that noble person did not speak of the mere act of publishing the intercepted correspondence; and the honourable gentleman's reference to the *Gazettes* of former periods is, therefore, not in point. The noble Duke complained of the manner in which these intercepted letters had been published, not of the fact itself of their publication; for, in the introduction and notes to those letters, the ribaldry is such that they are not screened from the execration of every honourable mind even by their extreme stupidity. The honourable gentleman says that he must treat with indifference the intellect of a man who can ascribe the present scarcity of corn to the war. Sir, I think there is nothing either absurd or unjust in such an opinion. Does not the war, necessarily, by its magazines, and still more by its expeditions, increase consumption? But when we learn that corn is, at this very moment, sold in France for less than half the price which it bears here, is it not a fair thing to suppose that, but for the war and its prohibitions, a part of that grain would be brought to this country, on account of the high price which it would sell for, and that, consequently, our scarcity would be relieved from their abundance? I speak only upon report, of course; but I see that the price quoted in the French markets is less by one half than the prices in England. There was nothing, therefore, very absurd in what fell from my noble friend; and I would really advise the honourable gentleman, when he speaks of persons distinguished for every virtue, to be a little more guarded in his language. I see no reason why he and his friends should not leave to persons in another place, holding the same opinions as themselves, the task of answering what may be thrown out there. Is not the phalanx sufficient? It is no great compliment to their talents, considering their number, that they cannot be left to the task of answering the few to whom they are opposed; but perhaps the honourable gentleman has too little to do in this House, and is to be sent there himself. In

truth, I see no reason why even he might not be sent, as well as some others who have been sent there.

To return to the subject of the negotiation in 1797. It is, in my mind, extremely material to attend to the account which the right honourable gentleman gives of his memorable negotiation of 1797, and of his motives for entering into it. In all questions of peace and war, he says, many circumstances must necessarily enter into the consideration and that they are not to be decided upon the extremes : the determination must be made upon a balance and comparison of the evils or the advantages upon the one side and the other, and that one of the greatest considerations is that of finance. In 1797 the right honourable gentleman confesses he found himself peculiarly embarrassed as to the resources of the war, if they were to be found in the old and usual way of the funding system. Now, though he thought, upon his balance and comparison of considerations, that the evils of war would be fewer than those of peace, yet they would only be so, provided that he could establish a "new and solid system of finance" in place of the old and exhausted funding system ; and to accomplish this it was necessary to have the unanimous approbation of the people. To procure this unanimity he pretended to be a friend to negotiation, though he did not wish for the success of that negotiation, but hoped only that through that means he should bring the people to agree to his new and solid system of finance. With these views, then, what does he do ? Knowing that, contrary to his declarations in this House, the opinion of the people of England was generally for peace, he enters into a negotiation, in which, as the world believed at the time and even until this day, he completely failed. No such thing, Sir—he completely succeeded,—for his object was not to gain peace ; it was to gain over the people of this country to a "new and a solid system of finance"—that is, to the raising a great part of the supplies within the year, to the triple assessment, and to the tax upon income ! And how did he gain them over ? By pretending to be a friend of peace, which he was not ; and by opening a negotiation which he secretly wished might not succeed. The right honourable gentleman says that in all this he was honest and sincere ; he negotiated fairly, and would have obtained the peace if the French had shown a disposition correspondent to his own ; but he rejoiced that their conduct was such as to convince the people of England of the necessity of concurring with him in the views which he had, and in granting him the supply which he thought essential to their posture at the time. Sir, I will not say that in all this he was not honest to his own purpose, and that he has not been honest in his declarations and confessions this night ; but I cannot agree that he was honest to this House, or honest to the people



of this country. To this House it was not honest to make them counteract the sense of the people, as he knew it to be expressed in the petitions upon the table ; nor was it honest to the country to act in a disguise, and to pursue a secret purpose, unknown to them, while affecting to take the road which they pointed out. I know not whether this may not be honesty in the political ethics of the right honourable gentleman, but I know that it would be called by a very different name in the common transactions of society, and in the rules of morality established in private life. I know of nothing in the history of this country that it resembles except, perhaps, one of the most profligate periods—the reign of Charles II., when the sale of Dunkirk might probably have been justified by the same pretence. Charles also declared war against France, and did it to cover a negotiation by which, in his difficulties, he was to gain a “ solid system of finance.”

But, Sir, I meet the right honourable gentleman on his own ground. I say that you ought to treat on the same principles on which you treated in 1797, in order to gain the cordial co-operation of the people. “ We want experience and the evidence of facts.” Can there be any evidence of facts equal to that of a frank, open, and candid negotiation ? Let us see whether Buonaparte will display the same temper as his predecessors. If he shall do so, then you will confirm the people of England in their opinion of the necessity of continuing the war, and you will revive all the vigour which you roused in 1797. Or will you not do this until you have a reverse of fortune ? Will you never treat but when you are in a situation of distress, and when you have occasion to impose on the people ?

“ But,” you say, “ we have not refused to treat.” You have stated a case in which you will be ready immediately to enter into a negotiation—viz., the restoration of the House of Bourbon ; but you deny that this is a *sine quâ non* ; and in your nonsensical language, which I do not understand, you talk of “ limited possibilities ” which may induce you to treat without the restoration of the House of Bourbon. But do you state what they are ? Now, Sir, I say that if you put one case, upon which you declare that you are willing to treat immediately, and say that there are other possible cases which may induce you to treat hereafter, without mentioning what these possible cases are, you do state a *sine quâ non* of immediate treaty. Suppose I have an estate to sell, and I say my demand is £1000 for it—I will sell the estate immediately for that sum. To be sure, there may be other terms upon which I may be willing to part with it ; but I say nothing of them. The £1000 is the only condition that I state now. Will any gentleman say that I do not make the £1000 the *sine quâ non* of the immediate sale ? Thus,

you say, the restoration of the princes is not the only possible ground ; but you give no other. This is your *projet*. Do you demand a *contre projet* ? Do you follow your own rule ? Do you not do the thing of which you complained in the enemy ? You seemed to be afraid of receiving another proposition ; and by confining yourselves to this one point you make it in fact, though not in terms, your *sine quâ non*.

But the right honourable gentleman, in his speech, does what the official note avoids—he finds there the convenient words “ experience and the evidence of facts ” ; upon these he goes into detail ; and, in order to convince the House that new evidence is required, he goes back to all the earliest acts and crimes of the revolution—to all the atrocities of all the governments that have passed away ; and he contends that he must have experience that these foul crimes are repented of, and that a purer and a better system is adopted in France, by which he may be sure that they shall be capable of maintaining the relations of peace and amity. Sir, these are not conciliatory words ; nor is this a practical ground to gain experience. Does he think it possible that evidence of a peaceable demeanour can be obtained in war ? What does he mean to say to the French Consul ? “ Until you shall in war behave yourself in a peaceable manner, I will not treat with you.” Is there not something extremely ridiculous in this ? In duels, indeed, we have often heard of this kind of language. Two gentlemen go out and fight ; when after discharging their pistols at one another, it is not an unusual thing for one of them to say to the other—“ Now I am satisfied—I see that you are a man of honour and we are friends again.” There is something, by-the-by, ridiculous even in this ; but between nations it is more than ridiculous—it is criminal. It is a ground which no principle can justify, and which is as impracticable as it is impious. That two nations should be set on to beat one another into friendship is too abominable even for the fiction of romance ; but for a statesman seriously and gravely to lay it down as a system upon which he means to act is monstrous. What can we say of such a test as he means to put the French government to, but that it is hopeless ? It is in the nature of war to inflame animosity—to exasperate, not to soothe—to widen, not to approximate. And so long as this is to be acted upon, it is vain to hope that we can have the evidence which we require.

The right honourable, gentleman, however, thinks otherwise ; and he points out four distinct possible cases, besides the re-establishment of the Bourbon family, in which he would agree to treat with the French.

1. “ If Buonaparte shall conduct himself so as to convince him that he has abandoned the principles which were objectionable in his predecessors, and that he shall be actuated by a more moderate system.”

I ask you, Sir, if this is likely to be ascertained in war? It is the nature of war not to allay but to inflame the passions; and it is not by the invective and abuse which have been thrown upon him and his government, not by the continued irritations which war is sure to give, that the virtues of moderation and forbearance are to be nourished.

2. "If, contrary to the expectations of ministers, the People of France shall show a disposition to acquiesce in the government of Buonaparte." Does the right honourable gentleman mean to say that because it is an usurpation on the part of the present chief, therefore the people are not likely to acquiesce in it? I have not time, Sir, to discuss the question of this usurpation, or whether it is likely to be permanent; but I certainly have not so good an opinion of the French, or of any people, as to believe that it will be short-lived, merely because it was an usurpation and because it is a system of military despotism. Cromwell was a usurper; and in many points there may be found a resemblance between him and the present chief consul of France. There is no doubt but that, on several occasions of his life, Cromwell's sincerity may be questioned, particularly in his self-denying ordinance—in his affected piety, and other things; but would it not have been insanity in France and Spain to refuse to treat with him because he was an usurper? No, Sir, these are not the maxims by which governments are actuated. They do not inquire so much into the means by which power may have been acquired, as into the fact of where power resides. The people did acquiesce in the government of Cromwell; but it may be said that the splendour of his talents, the vigour of his administration, the high tone with which he spoke to foreign nations, the success of his arms, and the character which he gave to the English name, induced the nation to acquiesce in his usurpation; and that we must not try Buonaparte by this example. Will it be said that Buonaparte is not a man of great abilities? Will it be said that he has not, by his victories, thrown a splendour over even the violence of the revolution, and that he does not conciliate the French people by the high and lofty tone in which he speaks to foreign nations? Are not the French, then, as likely as the English in the case of Cromwell to acquiesce in his government? If they should do so, the right honourable gentleman may find that this possible predicament may fail him. He may find that though one power may make war, it requires two to make peace. He may find that Buonaparte was as insincere as himself in the proposition which he made; and in his turn he may come forward and say—"I have no occasion now for concealment. It is true that in the beginning of the year 1800 I offered to treat, not because I wished for peace, but because the people of France wished for it; and besides, my old resources being exhausted,

and there being no means of carrying on the war without a 'new and solid system of finance,' I pretended to treat, because I wished to procure the unanimous assent of the French people to this new and solid system. Did you think I was in earnest? You were deceived. I now throw off the mask; I have gained my point; and I reject your offers with scorn." Is it not a very possible case that he may use this language? Is it not within the right honourable gentleman's "knowledge of human nature"? But even if this should not be the case, will not the very test which you require—the acquiescence of the people of France in his government—give him an advantage-ground in the negotiation which he does not possess now? Is it quite sure that when he finds himself safe in his seat he will treat on the same terms as now, and that you will get a better peace some time hence than you might reasonably hope to obtain at this moment? Will he not have one interest less than at present? And do you not overlook a favourable occasion for a chance which is extremely doubtful? These are the considerations which I would urge to his Majesty's ministers against the dangerous experiment of waiting for the acquiescence of the people of France.

3. "If the allies of this country shall be less successful than they have every reason to expect they will be in stirring up the people of France against Buonaparte, and in the further prosecution of the war." And,

4. "If the pressure of the war should be heavier upon us than it would be convenient for us to continue to bear." These are the other two possible emergencies in which the right honourable gentleman would treat even with Buonaparte. Sir, I have often blamed the right honourable gentleman for being disingenuous and insincere. On the present occasion I certainly cannot charge him with any such thing. He has made to-night a most honest confession. He is open and candid. He tells Buonaparte fairly what he has to expect. "I mean," says he, "to do everything in my power to raise up the people of France against you. I have engaged a number of allies, and our combined efforts shall be used to incite insurrection and civil war in France. I will strive to murder you, or to get you sent away. If I succeed, well; but if I fail, then I will treat with you. My resources being exhausted, even my solid system of finance having failed to supply me with the means of keeping together my allies, and of feeding the discontents I have excited in France, then you may expect to see me renounce my high tone, my attachment to the House of Bourbon, my abhorrence of your crimes, my alarm at your principles; for then I shall be ready to own that, on the balance and comparison of circumstances, there will be less danger in concluding a peace than in the continuance of the war!" Is this

a language for one state to hold to another? And what sort of a peace does the right honourable gentleman expect to receive in that case? Does he think that Buonaparte would grant to baffled insolence, to humiliated pride, to disappointment, and to imbecility the same terms which he would be ready to give now? He would have to say; all our efforts are in vain—we have exhausted our strength—our designs are impracticable—and we must sue to you for peace.

Sir, what is the question this night? We are called upon to support ministers in refusing a frank, candid and respectful offer of negotiation, and to countenance them in continuing the war. Now, I would put the question in another way. Suppose ministers had been inclined to adopt the line of conduct which they pursued in 1796 and 1797, and that to-night, instead of a question on a war-address, it had been an address to his Majesty to thank him for accepting the overture, and for opening a negotiation to treat for peace: I ask the gentlemen opposite—I appeal to the whole 558 representatives of the people—to lay their hands upon their hearts, and to say whether they would not have cordially voted for such an address? Would they, or would they not? Yes, Sir, if the address had breathed a spirit of peace your benches would have resounded with rejoicings, and with praises of a measure that was likely to bring back the blessings of tranquillity. On the present occasion, then, I ask for the vote of none but of those who, in the secret confession of their conscience, admit, at this instant while they hear me, that they would have cheerfully and heartily voted with the minister for an address directly the reverse of this. If every such gentleman were to vote with me, I should be this night in the greatest majority that ever I had the honour to vote with in this House.

Sir, we have heard to-night a great many most acrimonious invectives against Buonaparte, against the whole course of his conduct, and against the unprincipled manner in which he seized upon the reins of government. I will not make his defence—I think all this sort of invective, which is used only to inflame the passions of this House and of the country, exceedingly ill-timed and very impolitic—but I say I will not make his defence. I am not sufficiently in possession of materials upon which to form an opinion on the character and conduct of this extraordinary man. Upon his arrival in France he found the government in a very unsettled state, and the whole affairs of the republic deranged, crippled and involved. He thought it necessary to reform the government; and he did reform it, just in the way in which a military man may be expected to carry on a reform—he seized on the whole authority for himself. It will not be expected from me that I should either approve or apologise for such an act. I am certainly not for reforming govern-

ments by such expedients; but how this House can be so violently indignant at the idea of military despotism is, I own, a little singular, when I see the composure with which they can observe it nearer home; nay, when I see them regard it as a frame of government most peculiarly suited to the exercise of free opinion on a subject the most important of any that can engage the attention of a people. Was it not the system that was so happily and so advantageously established of late all over Ireland; and which, even now, the government may, at its pleasure, proclaim over the whole of that kingdom? Are not the persons and property of the people left in many districts at this moment to the entire will of military commanders? And is not this held out as peculiarly proper and advantageous at a time when the people of Ireland are free, and with unbiassed judgment, to discuss the most interesting question of a legislative union? Notwithstanding the existence of martial law, so far do we think Ireland from being enslaved, that we think it precisely the period and the circumstances under which she may best declare her free opinion! Now really, Sir, I cannot think that gentlemen who talk in this way about Ireland can, with a good grace, rail at military despotism in France.

But, it seems, "Buonaparte has broken his oaths. He has violated his oath of fidelity to the constitution of the year 3." Sir, I am not one of those who think that any such oaths ought ever to be exacted. They are seldom or ever of any effect; and I am not for sporting with a thing so sacred as an oath. I think it would be good to lay aside all such oaths. Who ever heard that, in revolutions, the oath of fidelity to the former government was ever regarded; or even when violated, that it was imputed to the persons as a crime? In times of revolution, men who take up arms are called rebels—if they fail, they are adjudged to be traitors. But who ever heard before of their being perjured? On the restoration of Charles II. those who had taken up arms for the Commonwealth were stigmatized as rebels and traitors, but not as men foresworn. Was the Earl of Devonshire charged with being perjured on account of the allegiance he had sworn to the House of Stuart, and the part he took in those struggles, which preceded and brought about the Revolution? The violation of oaths of allegiance was never imputed to the people of England, and will never be imputed to any people. But who brings up the question of oaths? He who strives to make twenty-four millions of persons violate the oaths they have taken to their present constitution, and who desires to re-establish the House of Bourbon by such violation of their vows. I put it so, Sir, because, if the question of oaths be of the least consequence, it is equal on both sides. He who desires the whole people of France to perjure themselves,

and who hopes for success in his project only upon their doing so, surely cannot make it a charge against Buonaparte that he has done the same.

“ Ah ! but Buonaparte has declared it as his opinion, that the two governments of Great Britain and of France cannot exist together. After the treaty of Campo Formio he sent two confidential persons, Berthier and Monge, to the Directory to say so in his name.” Well, and what is there in this absurd and puerile assertion, if it was ever made ? Has not the right honourable gentleman, in this House, said the same thing ? In this, at least, they resemble one another. They have both made use of this assertion ; and I believe that these two illustrious persons are the only two on earth who think it. But let us turn the tables. We ought to put ourselves at times in the place of the enemy, if we are desirous of really examining with candour and fairness the dispute between us. How may they not interpret the speeches of ministers and their friends in both Houses of the British Parliament ? If we are to be told of the idle speech of Berthier and Monge, may they not also bring up speeches in which it has not been merely hinted, but broadly asserted, that “ the two constitutions of England and France could not exist together ? ” May not these offences and charges be reciprocated without end ? Are we ever to go on in this miserable squabble about words ? Are we still, as we happen to be successful on the one side or other, to bring up these impotent accusations, insults, and provocations, against each other ; and only when we are beaten and unfortunate to think of treating ? Oh ! pity the condition of man, gracious God ! and save us from such a system of malevolence, in which all our old and venerated prejudices are to be done away, and by which we are taught to consider war as the natural state of man, and peace but as a dangerous and difficult extremity ?

Sir, this temper must be corrected. It is a diabolical spirit and would lead to interminable war. Our history is full of instances that where we have overlooked a proffered occasion to treat, we have uniformly suffered by delay. At what time did we ever profit by obstinately persevering in war ? We accepted at Ryswick the terms we had refused five years before, and the same peace which was concluded at Utrecht might have been obtained at Gertruydenberg. And as to security from the future machinations or ambition of the French, I ask you what security you ever had or could have ? Did the different treaties made with Louis XIV. serve to tie up his hands, to restrain his ambition, or to stifle his restless spirit ? At what period could you safely repose in the honour, forbearance, and moderation of the French Government ? Was there ever an idea of refusing to treat because the peace might be afterwards insecure ? The peace of 1763 was not accompanied with

securities ; and it was no sooner made than the French court began, as usual, its intrigues. And what security did the right honourable gentleman exact at the peace of 1783, in which he was engaged ? Were we rendered secure by the peace ? The right honourable gentleman knows well that soon after that peace the French formed a plan, in conjunction with the Dutch, of attacking our Indian possessions, of raising up the native powers against us, and of driving us out of India ; as the French are desirous of doing now—only with this difference, that the cabinet of France entered into this project in a moment of profound peace, and when they conceived us to be lulled into perfect security. After making the peace of 1783, the right honourable gentleman and his friends went out, and I, among others, came into office. Suppose, Sir, that we had taken up the jealousy upon which the right honourable gentleman now acts, and had refused to ratify the peace which he had made. Suppose that we had said—“ No ; France is acting a perfidious part—we see no security for England in this treaty—they want only a respite in order to attack us again in an important part of our dominions ; and we ought not to confirm the treaty.” I ask, would the right honourable gentleman have supported us in this refusal ? I say that upon his reasoning he ought ; but I put it fairly to him, would he have supported us in refusing to ratify the treaty upon such a pretence ? He certainly ought not and I am sure he would not, but the course of reasoning which he now assumes would have justified his taking such a ground. On the contrary I am persuaded that he would have said—“ This is a refinement upon jealousy. Security ! You have security, the only security that you can ever expect to get. It is the present interest of France to make peace. She will keep it if it be her interest : she will break it if it be her interest ; such is the state of nations ; and you have nothing but your own vigilance for your security.”

“ It is not the interest of Buonaparte ” it seems “ sincerely to enter into a negotiation, or, if he should even make peace, sincerely to keep it.” But how are we to decide upon his sincerity ? By refusing to treat with him ? Surely if we mean to discover his sincerity, we ought to hear the propositions which he desires to make. “ But peace would be unfriendly to his system of military despotism.” Sir, I hear a great deal about the short-lived nature of military despotism. I wish the history of the world would bear gentlemen out in this description of military despotism. Was not the government erected by Augustus Cæsar a military despotism ? and yet it endured for 600 or 700 years. Military despotism, unfortunately, is too likely in its nature to be permanent, and it is not true that it depends on the life of the first usurper. Though half the Roman emperors were murdered, yet the military



despotism went on ; and so it would be, I fear, in France. If Buonaparte should disappear from the scene to make room perhaps for a Berthier, or any other general, what difference would that make in the quality of French despotism or in our relation to the country ? We may as safely treat with a Buonaparte or with any of his successors, be they who they may, as we could with a Louis XVI., a Louis XVII., or a Louis XVIII. There is no difference but in the name. Where the power essentially resides, thither we ought to go for peace.

## KING GEORGE V.

(EMPEROR OF INDIA)

(1865- ).

**K**ING GEORGE became heir to the Throne in 1901 and was created Prince of Wales in November of the same year after his return from Australia. He succeeded his father as Monarch and was crowned in Westminster Abbey June 22nd, 1911, afterwards visiting India with Queen Mary. The name of the Royal House was changed to that of Windsor by special decree in 1917. Throughout the war the King proved a source of great inspiration and courage by his incessant inspections of the Navy and Armies in France and at home, and also his visits to munition and shipbuilding works throughout the country.

### A BETTER BRITAIN

(Delivered in the Palace of Westminster, November 19th, 1918).

**I** THANK you for your loyal addresses of congratulations on the signature of an Armistice and on the prospect of a victorious peace. At this moment, without parallel in our history and in the history of the world, I am glad to meet you and the representatives of India and the Dominions beyond the seas, that we may render thanks to Almighty God for the promise of a peace now near at hand, and that I may express to you and through you to the Peoples whom you represent, the thoughts that rise in my mind at a time so solemn.

I do this with a heart full of grateful recognition of the spontaneous and enthusiastic expressions of loyalty and affection which I have been privileged to receive, both personally here in the Metropolis and by messages from all parts of these islands, as well as from every quarter of the Empire. During the past four years of national stress and anxiety my support has been faith in God and confidence in my people. In the days to come, days of uncertainty and of trial, strengthened by the same help, I shall strive to the utmost of my power to discharge the

responsibilities laid upon me, to uphold the honour of the Empire, and to promote the well-being of the Peoples over whom I am called to reign.

After a struggle longer and far more terrible than any one could have foretold, the soil of Britain remains inviolate. Our Navy has everywhere held the seas, and wherever the enemy could be brought to battle it has renewed the glories of Drake and Nelson. The incessant work it has accomplished in overcoming the hidden menace of the enemy submarines and guarding the ships that have brought food and munitions to our shores has been less conspicuous, but equally essential to success. Without that work, Britain might have starved, and those valiant soldiers of America who have so much contributed to our victory could not have found their way hither across the foam of perilous seas.

The Fleet has enabled us to win the war. In fact, without the Fleet the struggle could not have been maintained, for upon the command of the sea the very existence and maintenance of our Land Force have from the first depended.

That we should have to wage this war on land had scarcely entered our thoughts until the storm actually broke upon us. But Belgium and France were suddenly invaded and the nation rose to the emergency. Within a year an Army more than ten times the strength of that which was ready for action in August, 1914, was raised by voluntary enlistment, largely owing to the organizing genius and personal influence of Lord Kitchener, and the number of that Army was afterwards far more than doubled.

These new soldiers, drawn from the civil population, have displayed a valour equal to that of their ancestors, who have carried the flag of Britain to victory in so many lands in bygone times. Short as was their training, they have imitated and rivalled the prowess of the small but ever famous force which, in the early weeks of the war, from Mons to the Marne, fought its magnificent retreat against vastly superior numbers. Not less prompt was the response, not less admirable the devotion to the common cause, of those splendid troops which eagerly hastened to us from the Dominions overseas, men who showed themselves more than ever to be bone of our bone, inheriting all the courage and tenacity that have made Britain great. A hundred battlefields in all parts of the world have witnessed their heroism, have been soaked with their blood, and are forever hallowed by their graves.

I shall ever remember how the Princes of India rallied to the cause, and with what ardour her soldiers sustained in many theatres of war, and under conditions the most diverse and exacting, the martial traditions of their race. Neither can I forget how the men from the Crown Colonies

and Protectorates of Great Britain, also fighting amid novel and perilous scenes, exhibited a constancy and devotion second to none.

To all these, and to their Commanders who, in fields so scattered, and against enemies so different in Europe, Asia, and Africa, have for four years confronted the hazards, overcome the perils, and finally decided the issues of war, our gratitude is most justly due. They have combined the highest military skill and unsurpassed resolution; and amid the heat of the battlefield have never been deaf to the calls of chivalry and humanity.

Particularly would I mention the names of Field-Marshal Sir Douglas Haig, whose patient and indomitable leadership, ably seconded by his fellow Commanders, has been rewarded by the final rout of the enemy on the field of so much sacrifice and glory; of General Sir Edmund Allenby who, in a campaign unique in military history, has won back for Christendom the soil for which centuries had fought and bled in vain; and of General Sir Stanley Maude and his successor, who gained in a scene of no less romance, the first resounding victory of the war for the Allied Cause.

While I mention those who have served their country till the end of the struggle, let us not forget the incomparable services of the leaders who, in the early days of the war, before Fortune had begun to smile, upheld the best traditions of British Arms by land and sea; of Field-Marshal Lord French of Ypres, whose title recalls the scene of his undying renown, and of Admirals Lord Jellicoe and Sir David Beatty, who have for four years been the spirit and soul, as they were the successive Commanders, of the fighting Fleet of the Empire.

Let us remember also those who belong to the most recent military arm, the keen-eyed and swift-winged knights of the air, who have given to the world a new type of daring and resourceful heroism.

So must we further acknowledge the dauntless spirit of the men of the Mercantile Marine and the fishermen who patrolled our coasts, braving all the dangers of mine and torpedo in the discharge of duty.

Let our thanks also be given to those who have toiled incessantly at home, women no less than men, in producing munitions of war, and to those who have rendered essential war service in many other ways. There are whole fields of service wherein workers, old and young, have toiled unknown and unrequited save by the consciousness that they were answering to the call of duty. Notable, too, has been the contribution made to the common welfare by those who volunteered as surgeons, physicians, chaplains, and nurses, fearlessly exposing themselves to danger in their tasks of mercy. While all these have laboured with the same glowing spirit of unselfish service, may we not be proud also

of the attitude maintained by the whole people at home? Unwonted privations have been cheerfully borne, and the hearts of those who were facing the stress of battle have been cheered by the steadfast confidence with which those whom they had left at home awaited the issue, and assured them of their unfaltering devotion to the prosecution of the war.

While we find in these things cause for joy and pride, our hearts go out in sorrowful sympathy to the parents, the wives, and the children who have lost those who were the light and stay of their lives. They gave freely of what was most precious to them. They have borne their griefs with unrepining fortitude, knowing that the sacrifice was made for our dear country and for a righteous cause. May they find consolation in the thought that the sacrifice has not been made in vain. These brave men died for Right and for Humanity. Both have been vindicated.

In all these ways, and through all these years, there has been made manifest the unconquered and unconquerable spirit of our race, nourished on the glorious traditions of many centuries of freedom. This spirit, conscious of its strength, bore the trials and disappointments of these years with a fortitude that was never shaken and a confidence that never failed. It knew its motives to be pure, and it held fast to its faith that Divine Providence would not suffer injustice and oppression to prevail.

In this great struggle, which we hope will determine for good the future of the world, it is a matter of ceaseless pride to us that we have been associated with Allies whose spirit has been identical with our own, and who, amid sufferings that have in so many cases greatly exceeded ours, have devoted their united strength to the vindication of righteousness and freedom—France, whose final deliverance, achieved by one of the greatest of Commanders, Marshal Foch, has been the reward of a sacrifice and endurance almost beyond compare; Belgium, devastated and held in bondage for nigh upon five years, but now restored to her liberty and to her King; Italy, whose lofty spirit has at length found its national fulfilment; and our remaining Allies, upon whose horizon, till lately so dark, the light of emancipation already dawns.

During the last one and a half years we are also proud to have been directly associated with the great sister Commonwealth across the ocean, the United States of America, whose resources and valour have exercised so powerful an influence in the attainment of those high ideals which were her single aim.

Now that the clouds of war are being swept from the sky, new tasks arise before us. We see more clearly some duties that have been neglected, some weakness that may retard our onward march. Liberal provision must be made for those whose exertions by land and sea have saved us. We have to create a better Britain, to bestow more care on the

health and well-being of the people, and to ameliorate further the conditions of labour.

May not the losses of war be repaired by a better organization of industry and by avoiding the waste which industrial disputes involve? Cannot a spirit of reciprocal trust and co-ordination of effort be diffused among all classes? May we not, by raising the standard of education, turn to fuller account the natural aptitudes of our people and open wider the sources of intellectual enjoyment?

We have also, in conjunction with our Allies and other peace-loving States, to devise machinery by which the risk of international strife shall be averted and the crushing burdens of naval and military armaments be reduced. The doctrine that Force shall rule the world has been disproved and destroyed. Let us enthrone the rule of Justice and International Right.

In what spirit shall we approach these great problems? How shall we seek to achieve the Victories of Peace? Can we do better than remember the lessons which the years of war have taught, and retain the spirit which they instilled? In these years Britain and her traditions have come to mean more to us than they had ever meant before. It became a privilege to serve her in whatever way we could; and we were all drawn by the sacredness of the cause into a comradeship which fired our zeal and nerved our efforts. This is the spirit we must try to preserve. It is on a sense of brotherhood and mutual good-will, on a common devotion to the common interests of the nation as a whole, that its future prosperity and strength must be built up. The sacrifices made, the sufferings endured, the memory of the heroes who have died that Britain may live, ought surely to ennoble our thoughts and attune our hearts to a higher sense of individual and national duty, and to a fuller realization of what the English-speaking race, dwelling upon the shores of all the oceans, may yet accomplish for mankind.

For centuries past Britain has led the world along the path of ordered freedom. Leadership may still be hers among the peoples who are seeking to follow that path. God grant to their efforts such wisdom and perseverance as shall ensure stability for the days to come!

May good-will and concord at home strengthen our influence for concord abroad. May the morning star of peace which is now rising over a war-worn world be here and everywhere the herald of a better day, in which the storms of strife shall have died down and the rays of an enduring peace be shed upon all the nations.

## HENRY GRATTAN

(1746-1820).

**T**HE famous statesman was born at Dublin, and after studying law was called to the Irish bar, and in 1775 entered the Irish Parliament. Here he proved a strenuous advocate for the removal of the authority exercised by the English Houses over the Irish Parliament. His advocacy led to the enrolment of the Irish Volunteers, 80,000 strong, a force ostensibly raised for the defence of Ireland against the French.

Great Britain, at that time embarrassed by her war with France, Spain, and the American colonists, was compelled to yield Home Rule with its sequels of parliamentary corruption, followed by the rebellion of '98, which led to the Union of 1801 with one parliament sitting in London.

In 1805 Grattan took his seat in the United Parliament and worked incessantly until his death for Catholic emancipation and for many other measures deemed beneficial for Ireland. He united the characters of statesman, patriot, and orator, and was one of Ireland's most famous sons.

### THE CONQUEST OF EUROPE

(Delivered May 25th, 1815).

**S**IR, I sincerely sympathize with the honourable gentleman who spoke last in his anxiety on this important question ; and my solicitude is increased by a knowledge that I differ in opinion from my oldest political friends. I have further to contend against the additional weight given to the arguments of the noble lord who moved the amendment, by the purity of his mind, the soundness of his judgment, and the elevation of his rank. I agree with my honourable friends, in thinking that we ought not to impose a government upon France. I agree with them in deprecating the evil of war ; but I deprecate still more the double evil of a peace without securities, and a war without allies. Sir, I wish it was a question between peace and war ; but unfortunately

for the country, very painfully to us, and most injuriously to all ranks of men, peace is not in our option ; and the real question is, whether we shall go to war when our allies are assembled, or fight the battle when those allies shall be dissipated ?

Sir, the French Government is war ; it is a stratocracy, elective, aggressive, and predatory ; her armies live to fight, and fight to live ; their constitution is essentially war ; and the object of that war, the conquest of Europe. What such a person as Buonaparte at the head of such a constitution will do, you may judge by what he has done ; and, first, he took possession of the greater part of Europe ; he made his son King of Rome ; he made his son-in-law Viceroy of Italy ; he made his brother King of Holland ; he made his brother-in-law King of Naples ; he imprisoned the King of Spain ; he banished the Regent of Portugal, and formed his plan to take possession of the Crown of England ; England had checked his designs ; her trident had stirred up his empire from its foundation ; he complained of her tyranny at sea, but it was her power at sea which arrested his tyranny on land ; the navy of England saved Europe. Knowing this, he knew the conquest of England became necessary for the accomplishment of the conquest of Europe, and the destruction of her marine necessary for the conquest of England. Accordingly, besides raising an army of 60,000 men for the invasion of England, he applied himself to the destruction of her commerce, the foundation of her naval power. In pursuit of this object, and on his plan of a western empire, he conceived, and in part executed the design of consigning to plunder and destruction the vast regions of Russia ; he quits the genial clime of the temperate zone ; he bursts through the narrow limits of an immense empire ; he abandons comfort and security, and he hurries to the pole, to hazard them all, and with them the companions of his victories, and the fame and fruits of his crimes and his talents, on a speculation of leaving in Europe, throughout the whole of its extent, no one free or independent nation : to oppose this huge conception of mischief and despotism, the great potentate of the north, from his gloomy recesses advances to defend, against the voracity of ambition, the sterility of his empire. Ambition is omnivorous, it feasts on famine and sheds oceans of blood, that it may starve in ice, in order to commit a robbery on desolation. The power of the north, I say, joins another prince, whom Buonaparte had deprived of almost the whole of his authority, the King of Prussia ; and then another potentate, whom Buonaparte had deprived of a principal part of his dominions, the Emperor of Austria. These three powers, physical causes, final justice, the influence of your victories in Spain and Portugal, and the spirit given to Europe by the achievements and renown of your great commander, together with the precipita-



tion of his own ambition, combine to accomplish his destruction. Buona-partè is conquered ; he who said ' I will be like the Most High ' ; he who smote the nations with a continual stroke ; this short-lived son of the morning, Lucifer, falls, and the earth is at rest ; the phantom of royalty passes on to nothing, and the three kings to the gates of Paris ; there they stand, the late victims of his ambition, and now the disposers of his destiny, and the masters of his empire ; without provocation he had gone to their countries with fire and sword ; with the greatest provocation they come to his country with life and liberty ; they do an act unparalleled in the annals of history, such as nor envy, nor time, nor malice, nor prejudice, nor ingratitude can efface ; they give to his subjects liberty, and to himself life and royalty. This is greater than conquest ! The present race must confess their virtues, and ages to come must crown their monuments, and place them above heroes and kings in glory everlasting.

Therefore when he states that the conditions of the treaty of Fontainebleau are not performed, he forgets one of them, namely, the condition by which he lives. It is very true there was a mixture of policy and prudence in this measure ; but it was a great act of magnanimity notwithstanding, and it is not in Providence to turn such an act to your disadvantage. With respect to the other act, the mercy shown to his people, I have underrated it ; the allies did not give liberty to France, they enabled her to give a constitution to herself, a better constitution than that which, with much laboriousness and circumspection, and deliberation, and procrastination, the philosopher fabricated, when the Jacobins trampled down the flimsy work, murdered the vain philosophers, drove out the crazy reformers, and remained masters of the field in the triumph of superior anarchy and confusion ; better than that, I say, which the Jacobin destroyed, better than that which he afterwards formed, with some method in his madness, and more madness in his method ; with such a horror of power, that in his plan of a constitution, he left out a government, and with so many wheels, that everything was in movement, and nothing in concert, so that the machine took fire from its own velocity ; in the midst of death and mirth, with images emblematic of the public disorder, goddesses of reason turned fool, and of liberty turned fury : at length the French found their advantages in adopting the sober and unaffected security of King, Lords, and Commons, on the idea of that form of government which your ancestors procured by their firmness, and maintained by their discretion. The people had attempted to give the French liberty, and failed ; the wise men (so her philosophers called themselves) had attempted to give liberty to France, and had failed ; it remained for the extraordinary destiny of the French, to receive

their free constitution from kings. This constitution Buonaparte has destroyed, together with the Treaty of Fontainebleau, and having broken both, desires your confidence; Russia confided, and was deceived; Austria confided, and was deceived. Have we forgotten the Treaty of Luneville, and his abominable conduct to the Swiss? Spain and other nations of Europe confided, and all were deceived. During the whole of this time, he was charging on England the continuation of the war, while he was, with uniform and universal perfidy, breaking his own treaties of peace, for the purpose of renewing the war, to end it in what was worse than war itself—his conquest of Europe.

But now he repents and will be faithful! he says so, but he says the contrary also: 'I protest against the validity of the Treaty of Fontainebleau; it was not done with the consent of the people; I protest against everything done in my absence; see my speech to the army and people; see the speech of my council to me.' The Treaty of Paris was done in his absence; by that treaty were returned the French colonies and prisoners; thus he takes life and empire from the Treaty of Fontainebleau, with an original design to set it aside, and he takes prisoners and colonies from the Treaty of Paris, which he afterwards sets aside also; and musters an army by a singular fatality, in a great measure composed of troops who owe their enlargement, and of a chief who owes his life to the powers he fights by the resources of France, who owes to those powers her salvation; he gives a reason for this, 'Nothing is good which was done without the consent of the people' (having been deposed by that people, and elected by the army in their defiance): with such sentiments, which go not so much against this or that particular treaty as against the principle of alliance, the question is, whether with a view to the security of Europe, you will take the faith of Napoleon, or the army of the allies?

Gentlemen maintain that we are not equal to the contest; that is to say, confederated Europe cannot fight France single-handed; if that be your opinion you are conquered this moment; you are conquered in spirit: but that is not your opinion, nor was it the opinion of your ancestors; they thought and I hope transmitted the sentiment as your birth-right, that the armies of these islands could always fight, and fight with success their own numbers; see now the numbers you are to command; by this treaty you are to have in the field what may be reckoned not less than 600,000 men; besides that stipulated army you have at command, what may be reckoned as much more, I say you and the allies. The Emperor of Austria alone has an army of 500,000 men, of which 120,000 were sent to Italy to oppose Murat, who is now beaten; Austria is not then occupied by Murat; Prussia is not occupied by the Saxon, nor Russia by the Pole, at least not so occupied that they have not ample

and redundant forces for this war ; you have a general never surpassed, and allies in heart and confidence. See now Buonaparte's muster ; he has lost his external dominions, and is reduced from a population of 100,000,000, to a population of 25,000,000 ; besides, he has lost the power of fascination, for though he may be called the subverter of kings, he has not proved to be the redresser of grievances. Switzerland has not forgotten ; all Europe remembers the nature of his reformation, and that the best reform he introduced was worse than the worst government he subverted ; as little can Spain or Prussia forget what was worse even than his reformations, the march of his armies. It was not an army, it was a military government in march, like the Roman legions in Rome's worst time, Italica or Rapax, responsible to nothing, nor God, nor man ; thus he has administered a cure to his partisans for any enthusiasm that might have been annexed to his name, and is now reduced to his resources at home ; it is at home that he must feed his armies and find his strength, and at home he wants artillery, he wants cavalry ; he has no money, he has no credit, he has no title ; with respect to his actual numbers they are not ascertained, but it may be collected that they bear no proportion to those of the allies.

But gentlemen presume that the French nation will rise in his favour as soon as we enter their country ; we entered their country before and they did not rise in his favour ; on the contrary they deposed him ; the article of deposition is given at length ; it is said we endeavour to impose a government on France ; the French armies elect a conqueror for Europe, and our resistance to this conqueror is called imposing a government on France ; if we put down this chief we relieve France as well as Europe from a foreign yoke, and this deliverance is called the imposition of a government on France. He—He ! imposed a government on France ; he imposed a foreign yoke on France ; he took from the French their property by contribution ; he took their children by conscription ; he lost her her empire, and, a thing almost unimaginable, he brought the enemy to the gates of Paris ; we, on the contrary, formed a project, as appears from a paper of 1805, which preserved the integrity of the French empire ; the allies, in 1814, not only preserved the integrity of the empire as it stood in 1792, but gave her her liberty, and they now afford her the only chance of redemption. Against these allies, will France now combine, and having received from them her empire as it stood before the war, with additions in consequence of their deposition of Buonaparte ; and having got back her capital, her colonies, and her prisoners, will she break the treaty to which she owes them ; rise up against the allies who gave them ; break her oath of allegiance ; destroy the constitution she has formed ; depose the king she has chosen ;

rise up against her own deliverance, in support of contribution and conscription, to perpetuate her political damnation under the yoke of a stranger ?

Gentlemen say, France has elected him ; they have no grounds for so saying ; he had been repulsed at Antibes, and he lost thirty men ; he landed near Cannes the 1st of March, with 1,100. With this force he proceeded to Grasse, Digne, Gap, and on the 7th he entered Grenoble ; he there got from the desertion of regiments above 3,000 men, and a park of artillery ; with this additional force he proceeded to Lyons ; he left Lyons with about 7,000 strong, and entered Paris on the 20th, with all the troops of the line that had been sent to oppose him ; the following day he reviewed his troops, and nothing could equal the shouts of the army, except the silence of the people ; this was in the strictest sense of the word, a military election. It was an act where the army deposed the civil government ; it was the march of a military chief over a conquered people. The nation did not rise to resist Buonaparte or defend Louis, because the nation could not rise upon the army ; her mind as well as her constitution was conquered ; in fact, there was no nation ; everything was army, and everything was conquest. France had passed through all the degrees of political probation—revolution, counter-revolution, wild democracy, intense despotism, outrageous anarchy, philosophy, vanity, and madness ; and now she lay exhausted, for horse, foot, and dragoons, to exercise her power, to appoint her a master, captain or cornet who should put the brand of his name upon her government, calling it his dynasty, and under this stamp of dishonour pass her on to futurity.

Buonaparte, it seems, is to reconcile everything by the gift of a free constitution. He took possession of Holland, he did not give her a free constitution ; he took possession of Spain, he did not give her a free constitution ; he took possession of Switzerland, whose independence he had guaranteed, he did not give her a free constitution ; he took possession of France, he did not give her a free constitution ; on the contrary, he destroyed the directorial constitution, he destroyed the consular constitution, and he destroyed the late constitution, formed on the plan of England ! But now he is, with the assistance of the Jacobin, to give her liberty ; that is, the man who can bear no freedom, unites to form a constitution with a body who can bear no government. In the meantime, while he professes liberty, he exercises despotic power, he annihilates the nobles, he banishes the deputies of the people, and he sequesters the property of the emigrants. ' Now he is to give liberty ! ' I have seen his constitution, as exhibited in the newspaper ; there are faults innumerable in the frame of it, and more in the manner of accepting

it ; it is to be passed by subscription without discussion, the troops are to send deputies, and the army is to preside. There is some cunning, however, in making the subscribers to the constitution renounce the House of Bourbon ; they are to give their word for the deposition of the king, and take Napoleon's word for their own liberty ; the offer imports nothing which can be relied on, except that he is afraid of the allies. Disperse the alliance, and farewell to the liberty of France, and the safety of Europe.

Under this head of ability to combat Buonaparte, I think we should not despair.

With respect to the justice of the cause, we must observe, Buonaparte has broken the Treaty of Fontainebleau ; he confesses it ; he declares he never considered himself as bound by it. If, then, that treaty is out of the way, he is as he was before it—at war. As Emperor of the French, he has broken the Treaty of Paris ; that treaty was founded on his abdication ; when he proposes to observe the Treaty of Paris, he proposes what he cannot do, unless he abdicates.

The proposition that we should not interfere with the government of other nations is true, but true with qualifications ; if the government of any other country contains an insurrectionary principle as France did, when she offered to aid the insurrections of her neighbours, your interference is warranted ; if the government of another country contains the principle of universal empire, as France did, and promulgated, your interference is justifiable. Gentlemen may call this internal government, but I call this conspiracy ; if the government of another country maintains a predatory army, such as Buonaparte's, with a view to hostility and conquest your interference is just. He may call this internal government, but I call this a preparation for war. No doubt he will accompany this with offers of peace, but such offers of peace are nothing more than one of the arts of war, attended, most assuredly, by charging on you the odium of a long and protracted contest, and with much commonplace, and many good saws and sayings, of the miseries of bloodshed, and the savings and good husbandry of peace, and the comforts of a quiet life ; but if you listen to this, you will be much deceived ; not only deceived, but you will be beaten. Again, if the government of another country covers more ground in Europe, and destroys the balance of power, so as to threaten the independence of other nations, this is a cause of your interference. Such was the principle upon which we acted in the best times ; such was the principle of the grand alliance ; such the triple alliance ; and such the quadruple ; and by such principles has Europe not only been regulated, but protected. If a foreign government does any of those acts I have mentioned, we have a cause of war ;

but if a foreign power does all of them ; forms a conspiracy for universal empire ; keeps up an army for that purpose ; employs that army to overturn the balance of power ; and attempts the conquest of Europe— attempts do I say ?—in a great degree achieves it (for what else was Buonaparte's dominion before the Battle of Leipsic ?) and then receives an overthrow ; owes its deliverance to treaties which give that power its life, and these countries their security (for what did you get from France but security ?)—if this power, I say, avails itself of the conditions in the treaties, which give it colonies, prisoners, and deliverance, and breaks those conditions which give you security, and resumes the same situation, which renders him capable of doing the same mischief ; has England, or has she not, a right of war ?

Having considered the two questions, that of ability, and that of right, and having shown that you are justified on either consideration to go to war, let me now suppose, that you treat for peace ; first, you will have a peace upon a war establishment, and then a war without your present allies. It is not certain that you will have any of them, but it is certain that you will not have the same combination while Buonaparte increases his power by confirmation of his title, and by further preparation ; so that you will have a bad peace and a bad war. Were I disposed to treat for peace, I would not agree to the amendment, because it disperses your allies, and strengthens your enemy, and says to both, we will quit our alliance, to confirm Napoleon on the throne of France, that he may hereafter more advantageously fight us, as he did before, for the throne of England.

## THOMAS HARRISON

(1606-1660).

**T**HOMAS HARRISON, Major-General under Cromwell, and signer of Charles the First's death warrant, was a typical Puritan, and his speech on the scaffold is entirely characteristic. "Where is your good old cause now?" asked one of the spectators, as he stepped upon the scaffold. "Here it is," replied Harrison, smiting himself upon the breast, "and I am going to seal it with my blood."

As was usual in cases of high treason, he was condemned to be first hanged, and then to be cut down alive, that he might be dismembered "while still quick." His biographers say that, after being thus subjected both to the rope and the knife, he revived, sat up, and struck the executioner of the King's justice "a heavy buffet." It is impossible to do more than suggest in modern English the horrible atrocity of his sentence, though it was one of the commonplaces of the then existing mode of enforcing royal authority—a method not wholly abolished as a form of law until, within recent memory, Sir Charles Dilke attacked it in the English Parliament.

The celebrated Richard Baxter writes of Harrison: "He was a man of excellent natural parts for affection and oratory, but not well seen in the principles of his religion. . . . And so far from humble in his thoughts of himself that it was his ruin." Baxter also records that at Langport when the Royalists began to run, he heard Harrison "with a loud voice break forth into the praises of God with fluent expression as if he had been in a rapture." The same fluency, the same rapture, appears in his speech on the scaffold.

He was born at Newcastle-under-Lyme in 1606—the son of a butcher, as his detractors asserted, though others have attempted to give him a more aristocratic pedigree. He was well educated, it is said, and before his enlistment against Charles I. was a law student in the Inns of Court. In 1646 he entered Parliament for Wendover, but he was a Cromwellian and no great believer in either parliaments or kings. In 1647 he denounced Charles as "a man of blood" who should no longer be temporized with, and several years later urged Cromwell to dissolve Parliament on the ground that it "had not a heart to do any more good for the Lord and his people." Whereupon Cromwell complained that

Harrison was "an honest man" who aimed at good things but "would not wait the Lord's leisure." Being a "Fifth Monarchy man," he came to be regarded as a disturber under Cromwell's protectorate, and he was twice arrested. After the restoration of Charles II., he refused to escape from the Kingdom or to give a pledge not to disturb the government. "Being so clear in the thing," he said, "I durst not turn my back, nor step a foot out of the way, by reason I had been engaged in the service of so glorious and so great a God." So he died, confident that he had done no act more pleasing to heaven than in helping to bring to judgment the first king who was ever formally put on his trial as a traitor to the people.

### SPEECH ON THE SCAFFOLD

(Delivered at his Execution, October 13th, 1660, at Charing Cross).

I DID not expect to have spoken a word to you at this time ; but seeing there is a silence commanded, I will speak something of the work of God had in hand in our days. Many of you have been witnesses of the finger of God, that hath been seen amongst us of late years, in the deliverance of his people from their oppressors, and in bringing to judgment those that were guilty of the precious blood of the dear servants of the Lord. And how God did witness thereto by many wonderful and evident testimonies, as it were immediately from Heaven, insomuch that many of our enemies—who were persons of no mean quality—were forced to confess that God was with us ; and if God did but stand neuter, they should not value us ; and, therefore, seeing the finger of God hath been pleading this cause, I shall not need to speak much to it ; in which work I, with others, was engaged ; for the which I do from my soul bless the name of God, who out of the exceeding riches of his grace accounted me worthy to be instrumental in so glorious a work. And though I am wrongfully charged with murder and bloodshed, yet I must tell you I have kept a good conscience both towards God and towards man. I never had malice against any man, neither did I act maliciously towards any person, but as I judged them to be enemies to God and his people ; and the Lord is my witness that I have done what I did out of the sincerity of my heart to the Lord. I bless God I have no guilt upon my conscience, but the spirit of God beareth witness that my actions are acceptable to the Lord ; through Jesus Christ ; though I have been compassed about with manifold infirmities,



failings and imperfections in my holiest duties, but in this I have comfort and consolation, that I have peace with God, and do see all my sins washed away in the blood of my dear Saviour. And I do declare as before the Lord, that I should not be guilty wittingly, nor willingly, of the blood of the meanest man,—no, not for ten thousand worlds, much less of the blood of such as I am charged with.

I have again and again besought the Lord with tears to make known his will and mind unto me concerning it, and to this day he hath rather confirmed me in the justice of it, and, therefore, I leave it to him, and to him I commit my ways ; but some that were eminent in the work did wickedly turn aside themselves, and to set up their nests on high which caused great dishonour to the name of God and the profession they had made. And the Lord knows I could have suffered more than this, rather than have fallen in with them in that iniquity, though I was offered what I would if I would have joined with them ; my aim in all my proceedings was the glory of God, and the good of his people, and the welfare of the whole commonwealth.

[The people observing him to tremble in his hands and legs, he taking notice of it, said :—]

Gentlemen, by reason of some scoffing that I do hear, I judge that some do think I am afraid to die, by the shaking I have in my hands and knees ; I tell you no, but it is by reason of much blood I have lost in the wars, and many wounds I have received in my body, which caused this shaking and weakness in my nerves ; I have had it this twelve years ; I speak this to the praise and glory of God ; he hath carried me above the fear of death ; and I value not my life, because I go to my Father, and am assured I shall take it up again.

Gentlemen, take notice that for being instrumental in that cause and interest of the Son of God, which hath been pleaded amongst us, and which God hath witnessed to my appeals and wonderful victories, I am brought to this place, to suffer death this day ; and if I had ten thousand lives, I could freely and cheerfully lay them all down, to witness to this matter.

Oh, what am I, poor worm, that I should be accounted worthy to suffer anything for the sake of my Lord and Saviour Jesus Christ ! I have gone joyfully and willingly, many a time, to lay down my life upon the account of Christ, but never with so much joy and freedom as at this time ; I do not lay down my life by constraint, but willingly, for if I had been minded to have run away, I might have had many opportunities ; but being so clear in the thing, I durst not turn my back, nor step a foot out of the way, by reason I had been engaged in the service of so glorious

and great a God. However men presume to call it by hard names, yet I believe, ere it be long, the Lord will make it known from heaven that there was more of God in it than men are now aware of.

[The sheriff reminding him of the shortness of time, if he had anything further to say to the people, he continued :—]

I do desire as from my own soul that they and every one may fear the Lord, that they may consider their latter end, and so it may be well with them ; and even for the worst of those that have been most malicious against me, from my soul, I would forgive them all so far as anything concerns me ; and so far as it concerns the cause and glory of God, I leave it for him to plead ; and as for the cause of God, I am willing to justify it by my sufferings, according to the good pleasure of his will. I have been this morning, before I came hither, so hurried up and down stairs (the meaning whereof I knew not), that my spirits are almost spent ; therefore, you may not expect much from me.

Oh, the greatness of the love of God to such a poor, vile, and nothing creature as I am ! What am I, that Jesus Christ should shed his heart's blood for me, that I might be happy to all eternity, that I might be made a son of God, and an heir of heaven ! Oh, that Christ should undergo so great sufferings and reproaches for me ! And should not I be willing to lay down my life, and suffer reproaches for him that hath so loved me ; blessed be the name of God that I have a life to lose upon so glorious and so honourable an account.

[Then praying to himself, with tears, and having ended, the hangman pulled down his cap ; but he thrust it up again, saying :—]

I have one word more to the Lord's people that desire to serve him with an upright heart ; let them not think hardly of any of the good ways of God for all this ; for I have been near this seven years a suffering person, and have found the way of God to be a perfect way, his word a tried word, a buckler to them that trust in him, and will make known his glorious arm in the sight of all nations. And though we may suffer hard things, yet he hath a gracious end, and will make a good end for his own glory, and the good of his people ; therefore be cheerful in the Lord your God, hold fast that which you have and be not afraid of suffering, for God will make hard and bitter things sweet and easy to all that trust in him ; keep close to the good confession you have made of Jesus Christ, and look to the recompense of reward ; be not discouraged by reason of the cloud that now is upon you, for the sun will shine, and God will give a testimony unto what he hath been doing, in a short time.

And now I desire to commit my concernments into the hands of my Lord and Saviour Jesus Christ, he that hath delivered himself for the chief of sinners ; he that came into the world, was made flesh, and was crucified ; that hath loved me and washed me from my sins in his own blood, and is risen again, sitting at the right hand of God, making intercession for me.

And as for me, Oh ! who am I, poor, base, vile worm, that God should deal thus by me ? For this will make me come the sooner into his glory, and to inherit the kingdom and that crown prepared for me. Oh, I have served a good Lord and Master, which hath helped me from my beginning to this day, and hath carried me through many difficulties, trials, straits, and temptations, and hath always been a very present help in time of trouble ; he hath covered my head many times in the day of battle ; by God I have leaped over a wall, by God I have run through a troop, and by my God I will go through this death, and he will make it easy to me. Now into thy hands, O Lord Jesus, I commit my spirit !

## KING JAMES I. & VI.

(1566-1625).

THE son of Mary and Darnley was born in Edinburgh Castle in 1566. On his mother's abdication in 1567 he was proclaimed King of Scotland, but a series of Regents actually directed the affairs of the realm. In 1586, Mary, then a prisoner in England, was condemned to death by Elizabeth, and James with his customary cowardice refrained from going to her aid. In 1589 he married Anne of Denmark, and on the death of Elizabeth he ascended the English throne. While king he earned the title of "the wisest fool in Christendom." Macaulay says that he was compounded of two men; "a witty, well-read scholar, who wrote and disputed, and a nervous, drivelling idiot who acted." His doctrine of the Divine Right of Kings, here given, was a source of fatal disaster to his son, Charles I. James died at Theobalds in March, 1625.

### THE DIVINE RIGHT OF KINGS

(Delivered at Whitehall, March 21st, 1609).

THE State of Monarchy is the supremest thing upon earth; for Kings are not only God's Lieutenants upon earth, and sit upon God's throne, but even by God himself they are called Gods. There be three principal similitudes that illustrate the state of Monarchy. One taken out of the word of God and the two other out of the grounds of Policy and Philosophy. In the Scriptures, Kings are called Gods, and so their power after a certain relation compared to the Divine power. Kings are also compared to Fathers of families: for a King is truly *Parens patriae*, the politic father of his people. And lastly, Kings are compared to the head of this microcosm of the body of man.

Kings are justly called Gods, for that they exercise a manner or resemblance of Divine power upon earth. For if you will consider the attributes of God, you shall see how they agree in the person of a King. God hath power to create, or destroy, make or unmake at his pleasure,

to give life or send death, to judge all, and to be judged nor accountable to none. To raise low things, and to make high things low at his pleasure, and to God are both soul and body due. And the like power have Kings : they make and unmake their subjects : they have power of raising, and casting down : of life and of death : Judges over all their subjects, and in all causes, and yet accountable to none but God only. They have power to exalt low things, and abase high things, and make of their subjects like men at the Chess. A pawn to take a Bishop or a Knight, and to cry up or down any of their subjects, as they do their money. And to the King is due both the affection of the soul, and the service of the body of his subjects : And therefore that reverend Bishop here amongst you, though I hear that by divers he was mistaken or not well understood, yet did he preach both learnedly and truly anent this point concerning the power of a King. For what he spake of a King's power in *Abstracto*, is most true in Divinity. For to Emperors, or Kings that are Monarchs, their subjects' bodies and goods are due for their defence and maintenance. But if I had been in his place, I would only have added two words, which would have cleared all : For after I had told as a Divine, what was due by the subjects to their Kings in general, I would then have concluded as an Englishman, showing this people, that as in general all subjects were bound to relieve their King ; so to exhort them, that as we lived in a settled state of a Kingdom which was governed by his own fundamental Laws and Orders, that according thereunto, they were now (being assembled for this purpose in Parliament) to consider how to help such a King as now they had ; and that according to the ancient form, and order established in this Kingdom : putting so, a difference between the general power of a King in Divinity, and the settled and established state of this Crown and Kingdom. And I am sure that the Bishop meant to have done the same, if he had not been straitened by time, which in respect of the greatness of the presence, preaching before me and such an auditory, he durst not presume upon.

As for the Father of a family, they had of old under the Law of Nature *Patriam potestatem*, which was *potestatem vitæ et necis* over their children or family (I mean such Fathers of families as were the lineal heirs of those families whereof Kings did originally come) : for Kings had their first original from them, who planted and spread themselves in *Colonies* through the world. Now a Father may dispose of his inheritance to his children, at his pleasure : yea, even, disinherit the eldest upon just occasions, and prefer the youngest, according to his liking ; make them beggars, or rich at his pleasure ; restrain or banish out of his presence, as he finds them give cause of offence, or restore them in favour again with the penitent sinner. So may the King deal with his subjects.

And lastly, as for the head of the natural body, the head hath the power of directing all the members of the body to that use which the judgment in the head thinks most convenient. It may apply sharp cures, or cut off corrupt members, let blood in what proportion it thinks fit, and as the body may spare, but yet is all this power ordained by God *Ad aedificationem, non ad destructionem*. For although God have power as well of destruction, as of creation or maintenance ; yet will it not agree with the wisdom of God, to exercise his power in the destruction of nature, and overturning the whole frame of things, since his creatures were made, that his glory might thereby be the better expressed. So were he a foolish father that would disinherit or destroy his children without a cause, or leave off the careful education of them. And it were an idle head that would in place of physic so poison or phlebotomize the body as might breed a dangerous distemper or destruction thereof.

But now in these our times we are to distinguish between the state of Kings in their first original, and between the state of settled Kings and Monarchs, that do at this time govern in civil Kingdoms. For even as God, during the time of the Old Testament, spake by Oracles, and wrought by Miracles, yet how soon it pleased him to settle a *Church* which was bought, and redeemed by the blood of his only son *Christ*, then was there a cessation of both, he ever after governing his people and Church within the limits of his revealed will. So in the first original of Kings, whereof some had their beginning by Conquest, and some by election of the people, their wills at that time served for Law ; yet how soon Kingdoms began to be settled in civility and policy, then did Kings set down their minds by Laws, which are properly made by the King only, but at the roagation of the people, the King's grant being obtained thereunto. And so the King became to be *Lex loquens*, after a sort, binding himself by a double oath to the observation of the fundamental Laws of his Kingdom : *Tacitly*, as by being a King, and so bound to protect as well the people as the Laws of his Kingdom. And *Expressly*, by his oath at his Coronation : So as every just King in a settled Kingdom is bound to observe that paction made to his people by his Laws, in framing his government agreeable thereunto, according to that paction which God made with Noe after the deluge, " Hereafter seed-time, and harvest, cold and heat, summer and winter, and day and night shall not cease so long as the earth remains." And therefore a King governing in a settled Kingdom, leaves to be a King, and degenerates into a Tyrant 'as soon as he leaves off to rule according to his Laws. In which case the King's conscience may speak unto him, as the poor widow said to Philip of Macedon ; either govern according to your Law, *Aut ne Rex sis*. And though no Christian man ought to allow rebellion of people against their

Prince, yet doth God never leave Kings unpunished when they transgress these limits ; for in that same psalm where God saith to Kings, *Vos dii estis*, he immediately thereafter concludes " But ye shall die like men." The higher we are placed, the greater shall our fall be. *Ut casus sic dolor* : the taller the trees be, the more danger of the wind ; and the tempest beats fiercest upon the highest mountains. Therefore all Kings that are not tyrants, or perjured, will be glad to bound themselves within the limits of their Laws ; and they that persuade them the contrary, are vipers, and pests, both against them and the commonwealth. For it is a great difference between a King's government in a settled State, and what Kings in their original power might do in *Individuo vago*. As for my part, I thank God, I have ever given good proof, that I never had intention to the contrary. And I am sure to go to my grave with that reputation and comfort, that never King was in all his time more careful to have his laws duly observed, and himself to govern thereafter, than I.

I conclude then this point touching the power of Kings with this Axiom of Divinity, that as to dispute what God may do, is blasphemy, but *quid vult Deus*, that divines may lawfully, and do ordinarily dispute and discuss ; for to dispute *A posse ad esse* is both against logic and divinity : so is it sedition in subjects to dispute what a King may do in the height of his power. But just Kings will ever be willing to declare what they will do, if they will not incur the curse of God. I will not be content that my power be disputed upon, but I shall ever be willing to make the reason appear of all my doings, and rule my actions according to my Laws.

## A. BERRIEDALE KEITH

(1879- ).

**A**RTHUR BERRIEDALE KEITH, Barrister at Law and Sociologist, was born in 1879, and educated at the Royal High School and University, Edinburgh, and Balliol College, Oxford.

He has had a distinguished scholastic career, taking M.A. Edinburgh, first-class honours in Classics, B.A. Oxford, first-class honours in Classical Moderations, Literæ Humaniores, Sanskrit and Pali, and D.Litt. Edinburgh.

In 1904 he was called to the Bar (Inner Temple) and was admitted to the Faculty of Advocates in 1921. In 1901 he was appointed to the Colonial Office and was Secretary to the Crown Agents for the Colonies, 1903-5, and has held other Government appointments. In 1914 he became Regius Professor of Sanskrit and Comparative Philology in Edinburgh University.

His publications are too numerous to mention here, but his Brochure on "Sociology," and his lecture on "The Empire and Democracy," given below, show the great mastery he has over these subjects and are samples of his remarkable erudition.

### THE EMPIRE AND DEMOCRACY

**I**T is with special pleasure that I avail myself of this opportunity to address you as members of the Canadian Club of our University on the problem of the British Empire and Democracy, for it is inevitable that it must largely rest with the Dominion of Canada, as first in rank and in power among the British territories oversea, to determine the future political relations of the lands now united under the sovereignty of a king whose personal knowledge of, and deep interest in, his Dominions have served during the recent stress of war as not the least important of the slender bonds which knit together the framework of Empire. We stand now unquestionably at the parting of the ways; we have emerged from the war with our prestige enormously enhanced, and the Empire has evinced in time of stress a cohesion and solidarity which few of us even suspected it to possess, and the possibility of which



foreign states contemptuously denied. Success in the war would have been impossible but for the amazing efforts made by the Dominions and India, but in the moment of our triumph the doubt must intrude itself whether it is practicable that territories which have shown thus brilliantly their possession of distinctive personalities can consent indefinitely to remain in union with the United Kingdom. We are in fact compelled to face in a very real form an issue which we were wont before 1914 to discuss with academic detachment, the question whether an Empire can co-exist with the development throughout the territories of which it consists of the spirit of democracy.

One assumption, of course, we make in this discussion, that democracy is in itself desirable as a political system. We have of late witnessed a remarkable revival of the cult of the dictator ; unfavourable comparison has been drawn between the inefficiency of the imperfectly co-ordinated efforts of the British Empire and the extraordinary strength derived by Germany from the operation of the principles of discipline and autocracy ; democracy, we have been reminded, is far from universally accepted as an enduring system, Russia has rejected it, Spain and Italy have found by painful experience that it cannot supply them with effective administration or internal harmony. The issue is too large for discussion here, and in Scotland at least we are too deeply imbued with the conviction that freedom " makes man to have liking " to doubt the validity of the ideal of democracy ; our religion teaches us the infinite possibility and value of personality, our educational system aims at the development of character, and, while we are far from dupes of the maxim " the voice of the people is the voice of God," we remain convinced that democracy accords best with human dignity and human progress. If at times democracy causes dispersion of effort, yet, as the war has shown us, the accord of the wills of great democracies is capable of generating efforts more continuous and more effective than even the most highly developed systems of autocracy.

But, if we believe in democracy, we are confronted at the outset of our enquiry with the objection, at first sight fatal, that Empire in its nature and historically negates democracy. The most famous of all Empires immediately presents itself as affirming this principle ; the most Roman of poets has depicted with his matchless felicity of phrase the destiny of his people :

" Remember, Roman, to rule the peoples with authority, to spare the vanquished and the proud to tame."

Dominion, wise and just, Vergil demanded, and in our own day we are familiar with the conception in the homelier, more modest form, of

“the white man’s burden.” But Vergil knew nothing of democracy ; Rome had known tyranny, had flourished under oligarchy, so long as it was inspired by a high sense of public duty, and when private interest had undermined public spirit, had suffered so bitterly from warring factions that she was content to accept the rule of Augustus, whose gift of peace to a generation weary of civil strife blinded the poet to the loss of liberty which accompanied it. The early Empire brought peace, external and internal, and the reign of law to its subjects, but it ended by stifling all free life under the weight of an official hierarchy in central and local government alike, and the nations under its sway, enervated and devitalised, proved unable to resist the onslaughts of the free tribes of Germany. Associations of this kind have, not unnaturally, provoked a movement which would banish from our terminology the expression “British Empire,” and replace it by some phrase such as “British Commonwealth of Nations.” Despite the attraction of a style which reminds us at once of the grandeur of a polity whose units can justly assert their rights to the title of nation, and of that glorious period in British history when the sovereignty of the people and its power in Europe were asserted by the genius of Cromwell, it would be a pity to discard a name which, as history shows, in its application to Britain conveys no implication of selfish dominion. The Crown of England assumed the style of ‘imperial,’ not in order to assert powers over others, but as an emblem of its own freedom from external domination, and the true meaning of the term British Empire is an assertion that the nations and territories under the British Crown own no political superior outside the circle of the Empire. Moreover, as is but right, these nations are advancing swiftly to the yet higher position in which to freedom from foreign superiority will be added equality of status among the component parts of the Empire itself.

It is to Greece that we must look for the inspiration in the ultimate issue of our new conception of Empire. To Athens in the fifth century B.C. a concatenation of events afforded the opportunity of constructing an Empire based on democratic governments in its component parts. Its achievements were of a high order, and the cause of its failure was significant. Athens would gladly enough have permitted the cities which were her allies to enjoy self-government without intervention on her part ; but circumstances helped her to engross the power of conducting the foreign relations of the alliance, and gradually the necessity in her opinion of securing the full co-operation of her allies in her external policy led to her interference in local politics in order to maintain in each city of the league a party pledged to support Athenian views. By this action gradually she undermined the loyalty originally

felt by the cities of the League and finally stood out merely as a tyrant city, whose subjects rejoiced when ill fortune in war gave them the chance of revolt, leading to her final overthrow. The fate of Athens has often afforded a seemingly conclusive example of the impossibility of combining democracy with Empire, but the illustration is obviously without cogent force. Apart from the fact that Athens extended democracy only to a comparatively limited circle of citizens to the exclusion of slaves, it was her essential defect that she denied self-determination to her allies ; what her case proves is that liberty at home and dominion abroad are an unstable base for the maintenance of empire.

The teachings of history, however, are seldom appreciated, and the fate of the first British Empire presents a painful similarity to that of Athens. Those communities which settled in America enjoyed in the eighteenth century a large measure of effective self-government parallel to that which existed in the mother country, though in the ruder civilisation of the new world democratic principles were more effectively asserted than in the complex conditions of England. Unhappily the wars with France extended to the oversea territories, and involved the difficult issues of the burden of defence and payment for the armies sent from England, on whom naturally the bulk of the serious fighting fell. Much may be said for the justice of the British claim to legislative sovereignty over the colonies, much even for the efforts to induce them to pay an adequate proportion of the cost of their defence. But against such technical and equitable contentions must be set the fact that territories with a true personality expressed through the medium of democratic forms of government were not fit subjects for the rude weapon of coercion. Gradually the breach between the United Kingdom and the colonies became too wide to be closed, and the first Empire ended in a ruin which came perilously near being as complete as that of Athens. Happily from the evil of the effort to coerce the colonies there came the recognition of the imperfection of the democracy of the British constitution itself. Long delayed by war on the continent, the Reform Act of 1832 at last definitely assured to the United Kingdom the prospect of steady advance on the path of true democracy.

In the meantime the mere idea of the reappearance of democracies in oversea possessions had been abhorrent to the governing classes in the United Kingdom. A definite breach with the older tradition, which favoured the grant to Englishmen settled abroad of the privileges of Englishmen at home, had been made on the eve of the fatal rupture with the American colonies. In the desire to assert British control the promise of representative government made to the newly ceded colony

of Quebec in 1763 had been revoked by the Quebec Act of 1774 in favour of a crown colony régime. Force of circumstances, including the pressure of the United Empire Loyalists who left the United States on the concession of independence, compelled the grant of a representative legislature in 1791; but there was no longer any readiness on the part of the British government to relax control of the executive, which in its struggles with the legislature was assured of the steady support of the authorities at home. In the same spirit the utmost reluctance was shown to open to free settlement the newly discovered continent of Australia. It required the rebellions of 1837 in Upper and Lower Canada to convince the United Kingdom of the folly of refusing to Englishmen abroad the rights which they enjoyed at home, and, simple as the remedy of responsible government in the Dominions seems to us now, it is right that due recognition should be accorded to the courage and insight of Lord Durham, whose insistence compelled the adoption of his policy by ministers who regarded it with suspicion.

Progress since then has been rapid, and at the present day, if in strictness there is not complete accuracy in the assertion of the absolute autonomy of the Dominions in internal affairs, yet for all practical purposes this result has been achieved. The inability of Canada to amend her constitution without the intervention of the Imperial Parliament, the restriction on her power of extra-territorial legislation, the application to her enactments of the doctrine of the paramount character of Imperial legislation on the same topic, and the right of the Judicial Committee of the Privy Council to hear appeals from Dominion courts, are indeed relics of a colonial status, now outgrown, but they continue to exist because the Dominion has not yet decided that it desires to see them abolished. But internal affairs are not decisive in themselves; it was external issues which precipitated the controversies which cost Britain her first empire, and we have still to face a fundamental problem, the control of the foreign affairs of the Empire. The issue has been eagerly canvassed of late years, but we must admit that the solution is still to be sought. There is, indeed, one famous plan, which in 1916 was energetically revived and propagated by a devoted band of votaries in this country, the adoption of Imperial Federation, a scheme declared to combine within itself the principles of autonomy in all local affairs and a just measure of influence in the decision of all external matters. In England itself, however, the scheme never went beyond a narrow circle, and in the Dominions it passed all but unnoticed. Experience in the late war shows plainly how fatal it would have been for any federal legislature to seek to deal with the most vital issues of all, those raised by the war; nothing but disaster

would have awaited any effort by such a body to impose on the Dominions either compulsory service or a proportionate share in the crushing pecuniary burdens of the war. Bitter as was the struggle against conscription in Australia and Canada, it would have been infinitely more grave had the proposal emanated from a federal government and not from the Dominion governments themselves.

Less heroic remedies must, therefore, be sought for a situation which is indeed full of perilous possibilities. The Dominions and India were accorded separate representation in the League of Nations, and their actions in all matters dealt with by the League are unfettered by the control of the British government. To some thinkers in the Dominions the idea has, naturally enough, presented itself that the future of the Dominions lies in the development of their individuality as members of the League, ignoring the narrower tie of membership of the British Empire. Yet we may safely say that this is a short-sighted view, that even the greatest Dominion, if it counted merely as a member of the League, would be of far less consequence in the world than when regarded as a part of the Empire, and that in prestige, in economics, and in matters of defence each Dominion derives real and lasting benefits from its connection with the Empire. Yet national feeling often rises superior to mere considerations of prestige or profit, and it cannot be denied that the United Kingdom is in law no less than in fact the predominant partner in the Empire as regards foreign relations. Granted that the Dominions are now represented at International Conferences by their own delegates, and that Canada has been given the right to maintain if she desires a minister plenipotentiary at Washington, none the less the final control of all negotiations and the ratification of all treaties rest with the British government. Moreover, and this is of fundamental importance, it rests still with the British government to decide the issues of war and peace; if it decides on war, the whole Empire automatically becomes a belligerent, however little the ends of the war approve themselves to the Dominions, however slight the degree of consultation which has taken place on the issues at stake.

While these factors must be recognised, their importance should not be exaggerated. It is open to the Dominions to conclude, free from imperial intervention, agreements with foreign powers which may serve all the purposes of treaties; you will remember the Canadian reciprocity agreement with the United States in 1911, which on reference to the people was rejected by them because they regarded the step as of too far-reaching economic and political importance to be safely undertaken. Even in the case of formal treaties Imperial intervention merely serves to secure that the different parts of the Empire do not enter into

obligations which might prejudice other parts through oversight or inadvertence, and you will remember that it was made a ground of attack in Canada on the reciprocity arrangement that in negotiating it its authors had not paid sufficient attention to the interests of the United Kingdom. Even as regards war and peace, it must be borne in mind that, if the final voice rests with the United Kingdom, it is that part of the Empire which maintains the military, air, and naval forces essential to make good its aims, and that the forces of the Dominions are sufficient merely for home defence on the assumption that the British navy retains control of the high seas.

These contentions are valid, but not conclusive. In the long run the permanency of the Empire must rest on the willingness of its component parts to accept the extension of the principle of democracy to the decisions to be taken by its several governments in the realm of foreign affairs. This principle demands that these questions should form the subject of constant discussion between the governments of the empire, and that policy should be based on the accord of views thus achieved. The difficulties of this process are undeniable; they call for the highest qualities in the governments concerned, above all the courage to acquiesce in a decision approved by a majority, recognising that give and take is the essence of democratic rule. But beyond governments stand the people, and there remains to be accomplished the task of bringing home to the Parliaments and electorates of the Dominions those great issues of foreign politics on which the elector of the United Kingdom has learned to form definite opinions. The plan has already been carried into effect on some vital issues, as when the treaty of peace with Germany was formally submitted to the Dominion Parliaments and received their endorsement. The precedent forbids discouragement before the dangers of complicating the conduct of foreign affairs by permitting them to become the subject of discussion in the Dominions; but it is well to recognise that here we are confronted by real difficulties and that a more severe test than ever is being imposed on the capacity and intelligence of Parliaments and electorates alike. There is, however, one constitutional principle which renders the position far less difficult than at first sight it seems to be. Dissent on the part of one or more portions of the Empire need not involve either secession or the paralysis of the rest of the Empire. As has been shown in the case of the proposed treaty of 1919 between the United Kingdom and France for the security of France, while no part of the Empire can be relieved from implication in a condition of belligerency by a declaration of war by the British government, still it remains with its government and Parliament to decide freely whether it will take any active part in hostilities, so long

as it is not itself attacked. This affords an honourable means by which a Dominion, which cannot accept active participation in some decision of the empire, may yet remain within it, and be free from the grave choice between taking a share in carrying out a policy of which it cannot approve and severing its connection with a body with whose views generally it is in accord.

There are no doubt cases in which immediate action may be called for on the part of the British government, preventing preliminary discussion with Dominion governments ; but, if the practice of constant exchange of views both of questions which have arisen and on difficulties which may arise is adopted, such emergencies should diminish in number. Consultation by post and telegraph can be supplemented by periodical meetings of the Imperial Conference, and closer relations between the governments may be fostered by making more extended use of the High Commissioners of the Dominions in London or other representatives as means of conveying information and exchanging views. But it is not governments alone that require information, and a preliminary step towards full co-operation must be the development in the Parliament of the Dominions of a keener interest in foreign affairs. Already the participation of the Dominions in the work of the League of Nations has opened up fresh vistas and new spheres of interest to the peoples of the Dominions, and it cannot be doubted that in course of time they will realise more and more the importance of the part which they are fitted to play in promoting the solidarity of human relations, and will be increasingly reluctant to stand aside from participation in movements aiming at the promotion of interests not immediately touching their own.

Complex as is this problem of the joint control of foreign policy by autonomous democratic communities, it is not more difficult than the issue with which the United Kingdom is now struggling, the extension of democracy to her Indian Empire. We may at once confess that for too long we have been content to govern India, in the main wisely and disinterestedly, but oblivious of the paramount obligation of encouraging India to learn to govern herself, an aim recognised as essential by some of the most distinguished of early Indian administrators, but later largely forgotten under the influence of the doubtless well founded fear that by the transfer of the administration to popular control the high efficiency of the bureaucratic régime might for a time at least suffer serious diminution. Even now, as my experience as a member of the governmental Committee on the Home Administration of Indian Affairs has shown me, there is hesitation to recognise that responsibility can be learned only by its exercise, and the reform scheme has been hedged round

by safeguards so numerous as to render it in my opinion but an ineffective instrument to achieve the end which it seeks to effect. But matters of detail are of minor concern ; what is essential is that the British government and Parliament have definitely pledged themselves to a course of action which will ultimately leave the people of India free to determine their own fate and to profit to the full by the place in the League of Nations which has been assigned to them in anticipation of the period when they will be autonomous within the Empire. The period of transition may be difficult, the administration may lose and never regain the perfection which in some departments it has manifested in the past ; but in due course responsible ministries will be able, with the support of legislators popularly elected, to deal with those complex issues, economic, social and religious, which have perforce been left alone by an administration stranger to the land and to its peoples, however well meaning, however fully animated by benevolence and anxiety for the interests of the governed.

Moreover the case of India does not stand alone. The promises of constitutional advance made to Ceylon, the introduction of elective elements into the legislative councils of West Africa, are signs of the changed outlook in regard to the affairs of the colonies and protectorates. They assure us that there is no longer any conception of the Empire as sharply divided between democratic autonomous states and dependent territories ; they show that the duty of political education with a view to ultimate self government is at last realised, however distant in many cases such a consummation may be. How far and in what manner democracy may prove to be adapted to the conditions of the eastern colonies, the West Indies, or the African territories of the Crown, it is wholly premature to say ; the time at any rate is past when to deny to a people on colour grounds all chance of developing political capacity can any longer be deemed to be justified.

The emergence of democracy in territories of non-European race must of course raise a vital issue, that of the possibility of co-operation on terms of equality between men of different races within a common Empire. Is it true, as politicians of note have asserted, that political equality and co-operation must be limited to the United Kingdom and the Dominions as peopled by white races capable of a fraternity which cannot be extended to a non-European nation ? If the doctrine is true, then ultimately the Empire must suffer the gravest of losses in the secession of India, for no people will or should consent, when it has attained political maturity, to permanent connection with peoples which decline to accept it as of equal status, still less the peoples which base the refusal on grounds of colour. In any event the exclusion of Indians



from immigration into the Dominions on economic and racial grounds interposes a grave difficulty in the way of the creation of solidarity of interest and feeling throughout the Empire, far more serious than the obstacles arising from the existence in Canada of the French Canadian, in South Africa of the Dutch, elements of the population.

Such, in briefest outline are the complexities which the advance of democracy has introduced into the political framework of the British Empire. To minimise their importance is as idle as to seek to oppose the spread of democratic principles on the score of the inconvenience thence resulting. But the new situation makes the highest demand on our capacities, it calls for gifts of imaginative sympathy, for calm and dispassionate judgment, above all it demands that we should cease to evaluate all issues from the point of view of the advantage of our own particular country, that we should place the interests of the Empire as a whole above the immediate gain of any part, and thus more worthily fulfil our share in the duty of the service of humanity.

## LOUIS KOSSUTH

(1802-1894).

**K**OSSUTH was born at Monok, Zemplin, Hungary, April 27th, 1802. In his thirtieth year he entered the Hungarian Diet, where he served six years. Imprisoned by the Austrian Government in 1837, and released in 1840, he became editor of the Pesth Journal in 1841, and in 1847 he was again elected Deputy to the Diet. In 1848, largely because of his efforts, Austria was obliged to grant an independent Hungarian ministry of which he was a leading member, and when the next year, as the result of Austrian bad faith, the Hungarians were driven to insurrection, he was appointed Governor of Hungary. After the triumph of Austria in 1849, he lived as an exile in Turkey until he began the international tour during which he visited America in an unsuccessful attempt to win outside help against Austria. After his visit to America, he resided in London and Turin, dying at the latter place March 20th, 1894.

### HUNGARY AS A NATION

(Address at the Congressional Banquet in Washington, January 7th, 1852).

**S**IR, as once Cyneas, the Epirote, stood among the Senators of Rome, who, with an earnest word of self-conscious majesty, controlled the condition of the world and arrested mighty kings in their ambitious march, thus, full of admiration and of reverence, I stand before you, legislators of the new capitol—that glorious hall of your people's collective majesty. The capitol of old yet stands, but the spirit has departed from it and come over to yours, purified by the air of liberty. The old stands a mournful monument of the fragility of human things—yours as a sanctuary of eternal rights. The old beamed with the red lustre of conquest, now darkened by oppression's gloomy night—yours beams with freedom's bright ray. The old absorbed the world by its own centralized glory—yours protects your own nation against absorption, even by itself. The old was awful with unrestricted power—yours is glorious with having restricted it. At the view of the old, nations trembled—at the view of yours, humanity hopes. To the old misfortune was only introduced with fettered hands to kneel at the

triumphant conqueror's heels—to yours the triumph of introduction is granted to unfortunate exiles, invited to the honour of a seat, and where kings and Cæsars will never be hailed, for their powers, might, and wealth, there the persecuted chief of a down-trodden nation is welcomed as your great Republic's guest, precisely because he is persecuted, helpless, and poor. In the old, the terrible *væ victis* was the rule—in yours, protection to the oppressed, malediction to ambitious oppressors, and consolation to the vanquished in a just cause. And while out of the old a conquered world was ruled, you in yours provide for the common confederative interests of a territory larger than the conquered world of the old. There sat men boasting their will to be sovereigns of the world—here sit men whose glory is to acknowledge the laws of nature and of nature's God, and to do what their sovereign, the people, wills.

Sir, there is history in these parallels. History of past ages and history of future centuries may be often recorded in a few words. The small particulars to which the passions of living men cling with fervent zeal—as if the fragile figure of men could arrest the rotation of destiny's wheel; these particulars die away. It is the issue which makes history, and that issue is always logical. There is a necessity of consequences wherever the necessity of position exists. Principles are the Alpha; they must finish with Omega, and they will! Thus history may be told often in a few words. Before yet the heroic struggle of Greece first engaged your country's sympathy for the fate of freedom in Europe then so far distant, and now so near, Chateaubriand happened to be in Athens, and he heard from a minaret raised upon the Propylæan ruins, a Turkish priest in Arabic language announcing the lapse of hours to the Christians of Minerva's town. What immense history in the small fact of a Turkish Imaum crying out: "Pray, man, the hour is running fast, and the judgment draws near." Sir, there is equally a history of future ages written in the honour bestowed by you on my humble self. The first governor of independent Hungary, driven from his native land by Russian violence, an exile on Turkish soil protected by a Mohammedan Sultan against the blood-thirst of Christian tyrants, cast back a prisoner to far Asia by diplomacy, rescued from his Asiatic prison by America, crossing the Atlantic, charged with the hopes of Europe's oppressed nations, pleading, a poor exile, before the people of this great Republic, his down-trodden country's wrongs, and its intimate connection with the fate of the European continent, and with the boldness of a just cause claiming the principles of the Christian religion to be raised to a law of nations.

Sir, though I have the noble pride of my principles, and though I have the inspiration of a just cause, still I have also the conscience

of my personal humility. Never will I forget what is due from me to the sovereign source of my public capacity. This I owe to my nation's dignity, and, therefore, respectfully thanking this highly distinguished assembly, in my country's name, I have the boldness to say that Hungary well deserves your sympathy—that Hungary has a claim to protection, because it has a claim to justice. But as to myself, permit me humbly to express that I am well aware not to have in all these honours any personal share. Now, I know that even that which might seem to be personal in your toast is only acknowledgment of a historical fact; very instructively connected with a principle, valuable and dear to every republican heart in the United States of America. Sir, you were pleased to mention in your toast that I am unconquered by misfortune and unseparated by ambition. Now, it is a providential fact that misfortune has the privilege to ennoble man's mind and to strengthen man's character. There is a sort of natural instinct of human dignity in the heart of man, which steels his very nerves not to bend beneath the heavy blows of a great adversity. The palm tree grows best beneath a ponderous weight—even so the character of man. There is no merit in it—it is a law of psychology. The petty pangs of small daily cares have often bent the character of men, but great misfortunes seldom. There is less danger in this than in great luck; and as to ambition, I, indeed, never was able to understand how anybody can more love ambition than liberty. But I am glad to state a historical fact as a principal demonstration of that influence which institutions exercise upon the character of nations. We Hungarians are very fond of the principle of municipal self-government; and we have a natural horror against the principle of centralization. That fond attachment to municipal self-government, without which there is no provincial freedom possible, is a fundamental feature of our national character. We brought it with us from far Asia, a thousand years ago, and we conserved it throughout the vicissitudes of ten centuries.

No nation has perhaps so much struggled and suffered from the civilized Christian world as ours. We do not complain of this lot. It may be heavy, but it is not inglorious. Where the cradle of our Saviour stood, and where his divine doctrine was founded, there another faith now rules, and the whole of Europe's armed pilgrimage could not avert this fate from that sacred spot, nor stop the rushing waves of Islamism absorbing the Christian Empire of Constantine. We stopped those rushing waves. The breast of my nation proved a breakwater to them. We guarded Christendom, that Luthers or Calvins might reform it. It was a dangerous time, and the dangers of the time often placed the confidence of all my nation into one man's hand, and their confidence

gave power into his hands to become ambitious. But there was not a single instance in history where a man honoured by his people's confidence had deceived his people by becoming ambitious. The man out of whom Russian diplomacy succeeded in making the murderer of his nation's confidence—he never had it, but was rather regarded always with distrust. But he gained some victories when victories were the moment's chief necessity. At the head of an army, circumstances placed him in the capacity to ruin his country. But he never had the people's confidence. So, even he is no contradiction to the historical truth that no Hungarian whom his nation honoured with its confidence was ever seduced by ambition to become dangerous to his country's liberty. That is a remarkable fact, and yet it is not accidental. It is the logical consequence of the influence of institutions upon the national character. Our nation, through all its history, was educated in the school of municipal self-government, and in such a country, ambition, having no field, has also no place in man's character.

The truth of this doctrine becomes yet more illustrated by a quite contrary historical fact in France. Whatever have been the changes of government in that great country,—and many they have been, to be sure,—we have seen a Convention, a Directorate of Consuls, and one Consul, and an Emperor, and the restoration,—the fundamental tone of the Constitution of France was power always centralized, Omnipotence always vested somewhere; and remarkably, indeed, France has never yet raised the single man to the seat of power who has not sacrificed his country's freedom to his personal ambition. It is sorrowful, indeed; but it is natural. It is in the garden of centralization that the venomous plant of ambition thrives. I dare confidently affirm that, in your great country there exists not a single man through whose brains has ever passed the thought that he would wish to raise the seat of his ambition upon the ruins of your country's liberty. If he could, such a wish is impossible in the United States. Institutions react upon the character of nations. He who sows the wind, will reap the storm. History is the revelation of Providence. The Almighty rules by eternal laws, not only the material but the moral world; and every law is a principle, and every principle is a law. Men, as well as nations, are endowed with free will to choose a principle, but that once chosen, the consequences must be abided. With self-government is freedom, and with freedom is justice and patriotism. With centralization is ambition, and with ambition dwells despotism. Happy your great country, sir, for being so warmly addicted to that great principle of self-government. Upon this foundation your fathers raised a home to freedom more glorious than the world has ever seen. Upon this

foundation you have developed it to a living wonder of the world. Happy your great country, sir, that it was selected by the blessing of the Lord, to prove the glorious practicability of a federative Union of many sovereign States, all conserving their State rights and their self-government, and yet united in one. Every star beaming with its own lustre, but all together one constellation on mankind's canopy.

Upon this foundation your country has grown to a prodigious power in a surprisingly brief period. You have attracted power in that your fundamental principles have conquered more in seventy-five years than Rome by arms in centuries. Your principles will conquer the world. By the glorious example of your freedom, welfare, and security, mankind is about to become conscious of its aim. The lesson you give to humanity will not be lost, and the respect of the State rights in the Federal Government of America and in its several States will become an instructive example for universal toleration, forbearance, and justice, to the future States and Republics of Europe. Upon this basis will be got rid of the mysterious question of language and nationalitiés, raised by the cunning despotisms in Europe to murder Liberty ; and the smaller States will find security in the principles of federative union, while they will conserve their national freedom by the principles of sovereign self-government ; and while larger States, abdicating the principles of centralization, will cease to be a blood-field to sanguinary usurpation, and a tool to the ambition of wicked men, municipal institutions will insure the development of local particular elements. Freedom, formerly an abstract political theory, will become the household benefit to municipalities, and out of the welfare and contentment of all parts will flow happiness, peace, and security for the whole. That is my confident hope. There will at once subside the fluctuations of Germany's fate. It will become the heart of Europe, not by melting North Germany into a Southern frame, or the South into a Northern ; not by absorbing historical peculiarities, by centralized omnipotence ; not by mixing in one State, but by federating several sovereign States into a Union like yours, upon a similar basis, will take place the national regeneration of the Slavonic States, and not upon the sacrilegious idea of Panslavism, equivalent to the omnipotence of the Czar.

Upon a similar basis shall we see fair Italy independent and free. Not unity, but union, will and must become the watchword of national bodies, severed into desecrated limbs by provisional rivalries, out of which a flock of despots and common servitude arose. To be sure, it will be a noble joy to this your great Republic to feel that the moral influence of your glorious example has operated in producing this glorious development in mankind's destiny ; and I have not the slightest doubt

of the efficacy of your example's influence. But there is one thing indispensable to it, without which there is no hope for this happy issue. This indispensable thing is, that the oppressed nations of Europe become the masters of their future, free to regulate their own domestic concerns, and to secure this nothing is wanted but to have that fair play to all, and for all, which you, sir, in your toast were pleased to pronounce as a right of my nation, alike sanctioned by the law of nations as by the dictates of eternal justice. Without this fair play there is no hope for Europe—no hope of seeing your principle spread. Yours is a happy country, gentlemen. You had more than fair play. You had active, operative aid from Europe in your struggle for independence, which, once achieved, you so wisely used as to become a prodigy of freedom and welfare, and a Book of Life to nations. But we, in Europe—we, unhappily, have no such fair play with us, against every palpitation of liberty. All despots are united in a common league, and you may be sure despots will never yield to the moral influence of your great example. They hate the very existence of this example. It is the sorrow of their thoughts, and the incubus of their dreams. To stop its moral influence abroad, and to check its spreading development at home, is what they wish, instead of yielding to its influence. We shall have no fair play. The Cossack already rules, by Louis Napoleon's usurpation, to the very borders of the Atlantic Ocean.

One of your great statesmen—now to my sorrow bound to the sick bed of advanced age—alas, that I am deprived of the advice which his wisdom could have imparted to me—your great statesman told the world thirty years ago that Paris was transferred to St. Petersburg. What would he now say, when St. Petersburg is transferred to Paris, and Europe is but an appendix to Russia? Alas! Europe can no longer secure to Europe fair play. Albion only remains. But even Albion cast a sorrowful glance over the waves. Still we will stand our place, sink or swim, live or die. You know the word. It is your own. We will follow it. It will be a bloody path to tread. Despots have conspired against the world. Terror spreads over Europe, and anticipating persecution rules Paris to Pesth. There is a gloomy silence, like the silence of nature before the terrors of a hurricane. It is a sensible silence, only disturbed by the thousand-fold rattling of muskets by which Napoleon murders the people who gave him a home when he was an exile, and by the groans of new martyrs in Sicily, Milan, Vienna, and Pesth. Well, God's will be done. The heart may break, but duty will be done. We will stand in our place, though to us in Europe there be no fair play.

## WILLIAM LENTHALL

(1591-1662).

**W**ILLIAM LENTHALL'S address as Speaker on opening the Long Parliament is a unique example of confession and avoidance in official oratory. Under what is, apparently, its fulsome flattery of the King, is the veiled threat of parliamentary "vigilancy for the preservation of ancient liberties." Lenthall showed his quality not long afterwards by his defence of the privileges of Parliament when an attempt was made to arrest its members by royal authority. He was born at Henley-on-Thames, in June, 1591. Before his election as Speaker of the Long Parliament, he had been a member of the Short Parliament. He was afterwards Speaker of Cromwell's first Parliament and a member of the Parliament of 1656. He died September 3rd, 1662.

### OPENING THE LONG PARLIAMENT UNDER CHARLES I.

(Address as Speaker, November 5th, 1640).

**I**N all submissive humbleness, the knights, citizens, and burgesses of the House of Commons are here assembled, who, taking along with them your gracious inclination, have, according to their ancient liberties, designed me their Speaker.

Whereas I cannot but lament to think how great a mist may overcast the hopes of this session, yet it is a note of favour to me, who cannot but judge myself unfit for so great employment, which so appears to the whole world. Many there be of deep judgment and sad experience that might have added lustre to this action and expedition to the work, if they had pleased to have left me in that mean condition they found me. And then might your sacred and pious intentions have had their full advancement.



But is it yet too late? may I not appeal to Cæsar? Yes, I may, and in the lowest posture of humility I humbly beseech your sacred Majesty to interpose your royal authority to command a review of the House, for there were never more than now fitted for such employments.

[Then the Lord Keeper, by his Majesty's direction, approved of him and the Commons' choice. Upon which he proceeded thus:—]

It pleaseth not your sacred Majesty to vouchsafe a change. Actions of kings are not to be by me reasoned.

Therefore being emboldened by this gracious approbation, give me leave a little, dread Sovereign, to express my thoughts unto our gracious Lord the King.

I see before my eyes with admiration the Majesty of Great Britain, the glory of the times, the history of honour, Charles I., placed in the forefront by descent of antiquity, on a throne settled by a long succession and continued to us by a pious and peaceful government.

On the one side, the monument of glory, the progeny of valiant and puissant princes, the Queen's most excellent Majesty.

On the other side, the hopes of posterity and joy of this nation, those olive branches set around your tables, emblems of peace to posterity.

Here shine those lights and lamps placed in a mount, which attend your sacred Majesty as supreme head, and borrow from you the splendour of their government.

There the true state of nobility, figures of prowess and magnanimity, fitted by their long-contracted honour in their blood for the counsel of princes.

In the midst of those, the reverend judges, whither both parties (as to the oracles of judgment and justice) may resort, cisterns that hold fair waters, wherein each deviation, each wrinkle is discernible, and from thence, as from the centre, each crooked line ought to be levelled. The footstool of your throne is fixed there, which renders you glorious to all posterity.

Here we, the knights, citizens, and burgesses of the Commons House, at your royal feet, contracted from all parts of your kingdom, come as ensigns of obedience and humility, all united by the law equally distributed, which cements this great body to the obedience of your sacred Majesty, and compels the hearts, as well as the hands, to contribute for the preservation of your Majesty, and the common interest,—the law that dissipates the invaders of the Church and Commonwealth, and discovers their impostures, but (give me leave, dread Sovereign) knits the Crown to the sacred temples, and frees Majesty from the interpretation of misdoing.

Amongst these, this great council is most sovereign against the distempers of this nation.

Were they infested at sea, troubled at home, or invaded from abroad, here was the sanctuary of refuge, hither was the resort, and no other way found for a foundation of peace.

It is reported of Constantine the Great that he accompted his subjects' purse his Exchequer, and so it is. Subtle inventions may pick the purse, but nothing can open it but a Parliament ; which lets in the eye of Sovereignty upon the public maladies of the State, and manifests vigilancy for the preservation of our ancient liberties. For this we need not search into antiquity ; look but a little back, there we shall see our just liberties graciously confirmed by your most sacred Majesty.

And is our happiness shut up in the remembrance of times past only ? No ! Those gracious expressions lately fallen from your sacred lips, as honey from the comb, make glad the hearts of your people. So that now we do more than promise to ourselves a large and free consideration of the ways to compose the distempers of these kingdoms, and then present them to your royal hand for perfection. And such shall be our deportment, that as we shall labour for the continuance of our liberties, so shall we carry a high regard to preserve that sovereign power wherewith your Majesty is invested for the preservation of your kingdom, and to render your sacred Majesty terrible to the nations, and glorious at home.

Are these the fruits we have enjoyed by parliaments ? We cannot, then, but wonder at that horrid invention in this place projected, *monstrum horrendum, informe ingens*, but the Lord be thanked, *cui lumen ademptum est*. Can this receive a palliation ? Men, fathers, and brethren, and all at one blast no reverence to the sacred bones of princes ? Were we not all in a lump by them intended to be offered up to Moloch ?

Let us never forget this day's solemnization, but whither ? It is too much boldness to presume longer on your Majesty's grace and goodness ; and therefore, for the better expedition of this service, we humbly desire :—

First, that ourselves and servants may obtain freedom from arrests of their persons and goods.

Second, that we may have free liberty of speech without confinement, with a full and free debate.

Third, that your Majesty will vouchsafe our repair to your sacred person upon matters of importance, according to the ancient privileges of the House.

That with such alacrity we may now proceed to manifest to the world that our retirements were to re-enforce a greater unity and duty.

and to endeavour a sweet violence which may compel (pardon, dread Sovereign, the word "compel") your Majesty to the love of parliaments.

And thus God will have the honour, your sacred Majesty the splendour, the Kingdom safety, and all our votes shall pass that your sacred Majesty may long, long, long, reign over us. And let all the people say Amen.

## ABRAHAM LINCOLN

(1809-1865).

**A**MERICAN leaders may be born, but they must be made also. Unless they are made by the people and become fully representative of popular impulses, they may be great poets, scientists, prophets, philosophers, leaders of future generations, but all they will get from their own will be the usual rewards of the unrepresentative. In their wars, in their politics, in their industrial activities, Americans, acting each for himself, and meeting constantly with contradiction, opposition and the disorganization of temporary defeat, are constantly seeking some one on whom they can rally and reorganize. As walking is merely a process of falling and checking the fall before it is complete, so all the progress of the first century of American life was the result of everlasting disorganization and reorganization. The secret of leadership under such circumstances is, first of all, willingness to lead. Any strong and representative man who, when lines are being broken, will push forward to be rallied upon, you will find thousands seeking him, pushing him forward and going with him, not only as far as he wishes, but often, if not usually, very much further than he ever intended to go or imagined himself capable of going.

Such a leader Lincoln became, strong in his generation and for after times, because he represented, or was capable of representing, more fully than any one else the dominant idea of his times. From Voltaire and Rousseau to Jefferson and Franklin, from Jefferson and Franklin to Danton and Vergniaud; from the American and French Revolutionists to the English Whigs and philanthropists, the Wilberforces, and the Broughams, the idea of the inalienable right of every man to own himself had gathered force, until in William Lloyd Garrison, in John Brown, in Wendell Phillips, enthusiasm for it was always a consuming passion and sometimes such an insanity as that which has made madmen revered among primitive peoples as "God's fools"—the inspired prophets of the will of heaven. Thoroughly sane, deeply serious, good-natured as it is given to few men to become, mournfully conscious of his own infirmities, chastened and disciplined by incessant mental struggle, by contradiction in family life as in public life, in his friend-

ships as in his enmities, Lincoln became the greatest leader of his day, because the majority of the people, determined to go forward at any cost, saw their whole system of organization broken, and sought to rally on some one who would lead them forward and allow them to renew their organization.

In Lincoln they found one of the most skilful practical politicians—that is to say one of the greatest organizers—of modern times. As a practical politician he has not been equalled by any one in America, unless it be by Thomas Jefferson himself. Born in Hardin County, Kentucky, in 1809, when it was part of the extreme western frontier, springing from the lowest and least educated class; nursed in a mere hunter's "shack" with a clay floor and a bed made of stakes driven into the clay, he had experienced all the humiliations, all the contradictions, all the disturbances of the principle of self-love, which go to make the possibilities of the highest education for those whose egotism is suppressed while their individuality is developed by them. Having from his youth a "much-enduring mind," Lincoln learned early in his life that it would be worse than idle to attempt to give it full expression. Habitually suppressing himself, he came to wear habitually the appearance of the extreme simplicity which belongs in reality only to those who have never experienced in their own suffering those reactions from the "manifold minds of men" which make the man who does experience them patiently, representative of the intellects, the passions, the impulses of his fellows, rather than of his own egotism. Lincoln was in this sense a representative man, understanding others without being understood by them. Over and above this, he was educated in every device of the practical politics of his day, always subtle in his processes, but using his subtlety—as here and there some great soldier has used physical force—to leave men freer than he found them.

He was great as an orator because he was great as a politician, a leader, an organizer. His second Inaugural and his speech at Gettysburg are immortal because they come from the soul—from the deep emotion of a man who habitually suppresses himself. They are unique, however, among his speeches. In the rest emotion governs his purpose merely. His utterance is governed by his intellect—subtle, cautious, habituated to retreat to its own ground before an advancing enemy, conceding everything, but surrendering nothing, confessing, avoiding, questioning, and only at the last attacking with irresistible force. Such a man is titanic in his possibilities of good and evil, because he represents so nearly in their fullness the titanic possibilities of the common, everyday human nature. With such men, as with all men, the good or evil of the sum of their lives depends on their direction. It is fortunate

for America and for mankind that for Abraham Lincoln and his generation the direction was forward—forward at fearful cost, but, at any cost, forward!

W.V.B.

## THE HOUSE DIVIDED AGAINST ITSELF

(Delivered at Springfield, Illinois, June 17th, 1858, at the close of the Republican State Convention by which Mr. Lincoln had been named for United States Senator).

**I**F we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year since a policy was initiated with the avowed object and confident promise of putting an end to slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion, it will not cease until a crisis shall have been reached and passed. "A house divided against itself cannot stand." I believe this Government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved,—I do not expect the house to fall,—but I do expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the States, old as well as new—North as well as South.

Have we no tendency to the latter condition?

Let any one who doubts carefully contemplate that now almost complete legal combination—piece of machinery, so as to speak—compounded of the Nebraska doctrine and the Dred Scott decision. Let him consider not only what work the machinery is adapted to do, and how well adapted, but also let him study the history of its construction, and trace, if he can, or rather fail, if he can, to trace the evidence of design and concert of action among its chief architects, from the beginning.

The new year of 1854 found slavery excluded from more than half the States by State constitutions, and from most of the national territory by congressional prohibition. Four days later commenced the struggle which ended in repealing that congressional prohibition. This opened all the national territory to slavery, and was the first point gained.

But, so far, Congress only had acted, and an indorsement by the people, real or apparent, was indispensable, to save the point already gained and give chance for more.

This necessity had not been overlooked, but had been provided for, as well as might be, in the notable argument of "Squatter Sovereignty," otherwise called "sacred right of self-government," which latter phrase, though expressive of the only rightful basis of any government, was so perverted in this attempted use of it as to amount to just this: That if any one man choose to enslave another, no third man shall be allowed to object. That argument was incorporated into the Nebraska Bill itself, in the language which follows:—

"It being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States."

Then opened the roar of loose declamation in favour of "Squatter Sovereignty," and "sacred right of self-government." "But," said opposition members, "let us amend the bill so as expressly to declare that the people of the Territory may exclude slavery." "Not we," said the friends of the measure; and down they voted the amendment.

While the Nebraska Bill was passing through Congress, a law case involving the question of a negro's freedom, by reason of his owner having voluntarily taken him first into a Free State and then into a Territory covered by the congressional prohibition, and held him as a slave for a long time in each, was passing through the United States Circuit Court for the District of Missouri; and both Nebraska Bill and lawsuit were brought to a decision in the same month of May, 1854. The negro's name was "Dred Scott," which name now designates the decision finally made in the case. Before the then next presidential election, the law case came to, and was argued in, the Supreme Court of the United States; but the decision of it was deferred until after the election. Still, before the election, Senator Trumbull, on the floor of the Senate, requested the leading advocate of the Nebraska Bill to state his opinion whether the people of a Territory can constitutionally exclude slavery from their limits; and the latter answers: "That is a question for the Supreme Court."

The election came, Mr. Buchanan was elected, and the indorsement, such as it was, secured. That was the second point gained. The indorsement, however, fell short of a clear popular majority by nearly four hundred thousand votes, and so, perhaps, was not overwhelmingly

reliable and satisfactory. The outgoing President, in his last annual message, as impressively as possible, echoed back upon the people the weight and authority of the indorsement. The Supreme Court met again; did not announce their decision, but ordered a re-argument. The presidential inauguration came, and still no decision of the court; but the incoming President in his Inaugural Address, fervently exhorted the people to abide by the forthcoming decision, whatever it might be. Then, in a few days, came the decision.

The reputed author of the Nebraska Bill finds an early occasion to make a speech at this capital, indorsing the Dred Scott decision, and vehemently denouncing all opposition to it. The new President, too, seizes the early occasion of the Silliman letter to indorse and strongly construe that decision, and to express his astonishment that any different view had ever been entertained.

At length a squabble springs up between the President and the author of the Nebraska Bill, on the mere question of fact, whether the Lecompton Constitution was or was not, in any just sense, made by the people of Kansas; and in that quarrel the latter declares that all he wants is a fair vote for the people, and that he cares not whether slavery be voted down or voted up. I do not understand his declaration that he cares not whether slavery be voted down or voted up, to be intended by him other than as an apt definition of the policy he would impress upon the public mind—the principle for which he declares he has suffered so much, and is ready to suffer to the end. And well may he cling to that principle. If he has any parental feeling, well may he cling to it. That principle is the only shred left of his original Nebraska doctrine. Under the Dred Scott decision “Squatter Sovereignty,” squatted out of existence, tumbled down like temporary scaffolding—like the mould at the foundry, served through one blast and fell back into loose sand—helped to carry an election, and then was kicked to the winds. His late joint struggle with the Republicans against the Lecompton Constitution involves nothing of the original Nebraska doctrine. That struggle was made on a point—the right of a people to make their own constitution—upon which he and the Republicans have never differed.

The several points of the Dred Scott decision, in connection with Senator Douglas's “care-not” policy, constitute the piece of machinery, in its present state of advancement. This was the third point gained. The working points of that machinery are:—

First, that no negro slave, imported as such from Africa, and no descendant of such slave, can ever be a citizen of any State, in the sense of that term as used in the Constitution of the United States. This



point is made in order to deprive the negro, in every possible event, of the benefit of that provision of the United States Constitution, which declares that : " The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

Second, that " subject to the Constitution of the United States," neither Congress nor a Territorial legislature can exclude slavery from any United States Territory. This point is made in order that individual men may fill up the Territories with slaves, without danger of losing them as property, and thus to enhance the chances of permanency to the institution through all the future.

Third, that whether the holding a negro in actual slavery in a free State makes him free, as against the holder, the United States courts will not decide, but will leave to be decided by the courts of any slave State the negro may be forced into by the master. This point is made, not to be pressed immediately : but, if acquiesced in for a while, and apparently indorsed by the people at an election, then to sustain the logical conclusion that what Dred Scott's master might lawfully do with Dred Scott in the free State of Illinois, every other master may lawfully do with any other one, or one thousand slaves, in Illinois, or in any other free State.

Auxiliary to all this, and working hand in hand with it, the Nebraska doctrine, or what is left of it, is to educate and mould public opinion, at least Northern public opinion, not to care whether slavery is voted down or voted up. This shows exactly where we now are ; and partially, also, whither we are tending.

It will throw additional light on the latter, to go back, and run the mind over the string of historical facts already stated. Several things will now appear less dark and mysterious than they did when they were transpiring. The people were to be left " perfectly free," subject only to the Constitution. What the Constitution had to do with it, outsiders could not then see. Plainly enough now, it was an exactly fitted niche, for the Dred Scott decision afterward to come in, and declare the perfect freedom of the people to be just no freedom at all. Why was the amendment, expressly declaring the right of the people, voted down ? Plainly enough now : the adoption of it would have spoiled the niche for the Dred Scott decision. Why was the court decision held up ? Why even a Senator's individual opinion withheld, till after the presidential election ? Plainly enough now : the speaking out then would have damaged the perfectly free argument upon which the election was to be carried. Why the outgoing President's felicitation on the indorsement ? Why the delay of a re-argument ? Why the incoming President's advance exhortation in favour of the decision ?

These things look like the cautious patting and petting of a spirited horse, preparatory to mounting him, when it is dreaded that he may give the rider a fall. And why the hasty after-indorsement of the decision by the President and others ?

We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places, and by different workmen—Stephen, Franklin, Roger and James, for instance—and when we see these timbers joined together and see they exactly make the frame of a house or a mill, all the tenons and mortices exactly fitting, and all the lengths and proportions of the different pieces exactly adapted to their respective places, and not a piece too many or too few,—not omitting even scaffolding—or, if a single piece be lacking, we see the place in the frame exactly fitted and prepared yet to bring such piece in—in such a case, we find it impossible not to believe that Stephen and Franklin and Roger and James all understood one another from the beginning, and all worked upon a common plan or draft drawn up before the first blow was struck.

It should not be overlooked that, by the Nebraska Bill, the people of a State, as well as a Territory, were to be left “perfectly free,” “subject only to the Constitution.” Why mention a State ? They were legislating for Territories, and not for or about States. Certainly the people of a State are and ought to be subject to the Constitution of the United States ; but why is mention of this lugged into this merely Territorial law ? Why are the people of a Territory and the people of a State therein lumped together, and their relation to the Constitution therein treated as being precisely the same ? While the opinion of the court, by Chief-Justice Taney, in the Dred Scott case, and the separate opinions of all the concurring judges, expressly declare that the Constitution of the United States neither permits Congress nor a Territorial legislature to exclude slavery from any United States Territory, they all omit to declare whether or not the same Constitution permits a State, or the people of a State, to exclude it. Possibly this is a mere omission ; but who can be quite sure, if McLean or Curtis had sought to get into the opinion a declaration of unlimited power in the people of a State to exclude slavery from their limits, just as Chase and Mace sought to get such declaration, in behalf of the people of a Territory, into the Nebraska Bill—I ask, who can be quite sure that it would not have been voted down in the one case as it had been in the other ? The nearest approach to the point of declaring the power of a State over slavery is made by Judge Nelson. He approaches it more than once, using the precise idea, and almost the language, too, of the Nebraska Act. On one

occasion, his exact language is, "except in cases where the power is restrained by the Constitution of the United States, the law of the State is supreme over the subject of slavery within its jurisdiction." In what cases the power of the States is so restrained by the United States Constitution is left an open question, precisely as the same question, as to the restraint on the power of the Territories, was left open in the Nebraska Act. Put this and that together, and we have another nice little niche, which we may ere long see filled with another Supreme Court decision, declaring that the Constitution of the United States does not permit a State to exclude slavery from its limits. And this may especially be expected if the doctrine of "care not whether slavery be voted down or voted up," shall gain upon the public mind sufficiently to give promise that such a decision can be maintained when made.

Such a decision is all that slavery now lacks of being alike lawful in all the States. Welcome, or unwelcome, such decision is probably coming, and will soon be upon us, unless the power of the present political dynasty shall be met and overthrown. We shall lie down pleasantly dreaming that the people of Missouri are on the verge of making their State free, and we shall awake to the reality instead, that the Supreme Court has made Illinois a slave State. To meet and overthrow the power of that dynasty is the work now before all those who would prevent that consummation. This is what we have to do. How can we best do it?

There are those who denounce us openly to their own friends, and yet whisper us softly, that Senator Douglas is the aptest instrument there is with which to effect that object. They wish us to infer all from the fact that he now has a little quarrel with the present head of the dynasty; and that he has regularly voted with us on a single point, upon which he and we have never differed. They remind us that he is a great man, and that the largest of us are very small ones. Let this be granted. But "a living dog is better than a dead lion." Judge Douglas, if not a dead lion, for this work, is at least a caged and toothless one. How can he oppose the advances of slavery? He does not care anything about it. His avowed mission is impressing the "public heart" to care nothing about it. A leading Douglas Democratic newspaper thinks Douglas's superior talent will be needed to resist the revival of the African slave trade. Does Douglas believe an effort to revive that trade is approaching? He has not said so. Does he really think so? But if it is, how can he resist it? For years he has laboured to prove it a sacred right of white men to take negro slaves into the new Territories. Can he possibly show that it is less a sacred right to buy them where they can be bought cheapest? And unquestionably they can

be bought cheaper in Africa than in Virginia. He has done all in his power to reduce the whole question of slavery to one of a mere right of property ; and as such, how can he oppose the foreign slave trade—how can he refuse that trade in that “ property ” shall be “ perfectly free ”—unless he does it as a protection to the home production ? And as the home producers will probably not ask the protection, he will be wholly without a ground of opposition.

Senator Douglas holds, we know, that a man may rightfully be wiser to-day than he was yesterday—that he may rightfully change when he finds himself wrong. But can we, for that reason, run ahead, and infer that he will make any particular change, of which he, himself, has given no intimation ? Can we safely base our action upon any such vague inference ? Now, as ever, I wish not to misrepresent Judge Douglas’s position, question his motives, or do aught that can be personally offensive to him. Whenever, if ever, he and we can come together on principle so that our cause may have assistance from his great ability, I hope to have interposed no adventitious obstacle. But clearly, he is not now with us—he does not pretend to be—he does not promise ever to be.

Our cause, then, must be intrusted to, and conducted by, its own undoubted friends—those whose hands are free, whose hearts are in the work—who do care for the result. Two years ago the Republicans of the nation mustered over thirteen hundred thousand strong. We did this under the single impulse of resistance to a common danger, with every external circumstance against us. Of strange, discordant, and even hostile elements, we gathered from the four winds, and formed and fought the battle through, under the constant hot fire of a disciplined, proud, and pampered enemy. Did we brave them all to falter now ?—now, when that same enemy is wavering, dissevered, and belligerent ? The result is not doubtful. We shall not fail—if we stand firm, we shall not fail. Wise counsels may accelerate, or mistakes delay it, but, sooner or later, the victory is sure to come.

### THE GETTYSBURG ADDRESS

(Delivered at the Dedication of the National Cemetery at Gettysburg,  
November 19th, 1863).

**F**OURSCORE and seven years ago our fathers brought forth upon this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any

nation so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We are met to dedicate a portion of it as the final resting-place of those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But in a large sense we cannot dedicate,—we cannot consecrate,—we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work that they have thus far so nobly carried on. It is rather for us to be here dedicated to the great task remaining before us, that from these honoured dead we take increased devotion to that cause for which they here gave the last full measure of devotion ; that we here highly resolve that these dead shall not have died in vain ; that this nation, under God, shall have a new birth of freedom, and that Government of the people, by the people and for the people, shall not perish from the earth.

## SECOND INAUGURAL ADDRESS

(Delivered March 4th, 1865).

**A**T this second appearing to take the oath of the presidential office, there is less occasion for an extended address than at the first. Then a statement somewhat in detail of the course to be pursued seemed very fitting and proper ; now, at the expiration of four years, during which public declarations have constantly been called forth concerning every point and place of the great contest which still absorbs attention and engrosses the energies of the nation, little that is new could be presented. The progress of our arms, upon which all else chiefly depends, is as well known to the public as to myself. It is, I trust, reasonably satisfactory encouragement to all. With a high hope for the future, no prediction in that regard is ventured. On the occasion corresponding to this four years ago, all thoughts were anxiously directed to an impending civil war. All dreaded it. All sought to avoid it. While the Inaugural Address was being delivered from this place, devoted altogether to saving the Union without war, the insurgent agents were in the city seeking to destroy it without war,—seeking to dissolve the Union, and divide the effects by negotiating. Both parties deprecated war, but one of them would make war rather than let it perish, and war came. One-eighth of the whole

population were coloured slaves, not distributed generally over the Union, but located in the southern part. These slaves contributed a peculiar and powerful interest. All knew the interest would somehow cause war. To strengthen, perpetuate, and extend this interest was the object for which the insurgents would rend the Union by war, while the Government claimed no right to do more than restrict the territorial enlargement of it. Neither party expected the magnitude or duration which it has already attained ; neither anticipated that the cause of the conflict might cease even before the conflict itself should cease. Each looked for an easier triumph and a result, fundamental and astonishing. Both read the same Bible and pray to the same God. Each invokes his aid against the other. It may seem strange that any man should dare to ask a just God's assistance in wringing bread from the sweat of other men's faces ; but let us judge not, that we be not judged. The prayer of both should not be answered ; that of neither has been answered fully, for the Almighty has his own purposes. " Woe unto the world because of offences, for it must needs be that offences come ; but woe unto that man **by** whom the offence cometh." If we shall suppose American slavery one of those offences which in the providence of God must needs come, but which, having continued through his appointed time, he now wills to remove, and that he gives to both North and South this terrible war, as was due to those by whom the offence came, shall we discern that there is any departure from those divine attributes which believers in the living God always ascribe to him ? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away ; yet if it be God's will that it continue until the wealth piled by bondsmen by two hundred and fifty years' unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said that the judgments of the Lord are true and righteous altogether.

With malice towards none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow and orphans ; to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations.

## SIR HENRY JAMES SUMNER MAINE

(1822-1888).

**T**HE great jurist was educated at Christ's Hospital and Pembroke College, Cambridge, where he graduated in 1844 as senior classic.

After this he became a tutor at Trinity Hall, Regius Professor of Civil Law, and Reader on Jurisprudence at the Inns of Court. He was called to the bar in 1850 and went to India as legal Member of the Council in 1862. He was Corpus Professor of Jurisprudence at Oxford from 1869 to 1878 and Master of Trinity Hall, Cambridge, from 1877 to his death.

Maine died at Cannes in February, 1888. By his great works on the origin and evolution of social and legal institutions—in which he developed his theory of patriarchal power as the germ of modern society—he takes a high place among modern thinkers who have devotedly laboured to solve the question of origins.

### THE PRIMITIVE FAMILY

(Lecture delivered at Cambridge).

**T**HE Family is the type of an archaic society in all the modifications which it was capable of assuming ; but the family here spoken of is not exactly the family as understood by a modern. In order to reach the ancient conception we must give to our modern ideas an important extension and an important limitation. We must look on the family as constantly enlarged by the absorption of strangers within its circle, and we must try to regard the fiction of adoption as so closely simulating the reality of kinship that neither law nor opinion makes the slightest difference between a real and an adoptive connection. On the other hand, the persons theoretically amalgamated into a family by their common descent are practically held together by common obedience to their highest living ascendant, the father, grandfather, or great-grandfather. The patriarchal authority of a chieftain is as necessary an ingredient in the notion of the family group as the fact (or assumed

fact) of its having sprung from his loins ; and hence we must understand that if there be any persons who, however truly included in the brotherhood by virtue of their blood-relationship, have nevertheless *de facto* withdrawn themselves from the empire of its ruler, they are always, in the beginnings of law, considered as lost to the family. It is this patriarchal aggregate—the modern family thus cut down on one side and extended on the other—which meets us on the threshold of primitive jurisprudence. Older probably than the State, the Tribe, and the House, it left traces of itself on private law long after the House and the Tribe had been forgotten, and long after consanguinity had ceased to be associated with the composition of States. It will be found to have stamped itself on all the great departments of jurisprudence, and may be detected, I think, as the true source of many of their most important and most durable characteristics. At the outset, the peculiarities of law in its most ancient state lead us irresistibly to the conclusion that it took precisely the same view of the family group which is taken of individual men by the systems of rights and duties now prevalent throughout Europe. There are societies open to our observation at this very moment whose laws and usages can scarcely be explained unless they are supposed never to have emerged from this primitive condition ; but in communities more fortunately circumstanced the fabric of jurisprudence fell gradually to pieces, and if we carefully observe the disintegration we shall perceive that it took place principally in those portions of each system which were most deeply affected by the primitive conception of the family. In one all-important instance, that of the Roman law, the change was effected so slowly, that from epoch to epoch we can observe the line and direction which it followed, and can even give some idea of the ultimate result to which it was tending. And, in pursuing this last inquiry, we need not suffer ourselves to be stopped by the imaginary barrier which separates the modern from the ancient world. For one effect of that mixture of refined Roman law with primitive barbaric usage, which is known to us by the deceptive name of feudalism, was to revive many features of archaic jurisprudence which had died out of the Roman world, so that the decomposition which had seemed to be over commenced again, and to some extent is still proceeding.

On a few systems of law the family organization of the earliest society has left a plain and broad mark in the life-long authority of the Father or other ancestor over the person and property of his descendants, an authority which we may conveniently call by its later Roman name of *Patria Potestas*. No feature of the rudimentary associations of mankind is deposed to by a greater amount of evidence than this, and



yet none seems to have disappeared so generally and so rapidly from the usages of advancing communities. Gaius, writing under the Antonines, describes the institution as distinctively Roman. It is true that, had he glanced across the Rhine or the Danube to those tribes of barbarians which were exciting the curiosity of some among his contemporaries, he would have seen examples of patriarchal power in its crudest form; and in the far East a branch of the same ethnical stock from which the Romans sprang was repeating their *Patria Potestas* in some of its most technical incidents. But among the races understood to be comprised within the Roman empire, Gaius could find none which exhibited an institution resembling the Roman "Power of the Father," except only the Asiatic Galatæ. There are reasons, indeed, as it seems to me, why the direct authority of the ancestor should, in the greater number of progressive societies, very shortly assume humbler proportions than belonged to it in its earliest state. The implicit obedience of rude men to their parent is doubtless a primary fact, which it would be absurd to explain away altogether by attributing to them any calculation of its advantages; but, at the same time, if it is natural in the sons to obey the father, it is equally natural that they should look to him for superior strength or superior wisdom. Hence, when societies are placed under circumstances which cause an especial value to be attached to bodily and mental vigour, there is an influence at work which tends to confine the *Patria Potestas* to the cases where its possessor is actually skilful and strong. When we obtain our first glimpse of organized Hellenic society, it seems as if super-eminent wisdom would keep alive the father's power in persons whose bodily strength had decayed; but the relations of Ulysses and Laertes in the *Odyssey* appear to show that where extraordinary valour and sagacity were united in the son, the father in the decrepitude of age was deposed from the headship of the family. In the mature Greek jurisprudence, the rule advances a few steps on the practice hinted at in the Homeric literature; and though very many traces of stringent family obligation remain, the direct authority of the parent is limited, as in European codes, to the nonage or minority of the children, or, in other words, to the period during which their mental and physical inferiority may always be presumed. The Roman law, however, with its remarkable tendency to innovate on ancient usage only just so far as the exigency of the commonwealth may require, preserves both the primeval institution and the natural limitation to which I conceive it to have been subject. In every relation of life in which the collective community might have occasion to avail itself of his wisdom and strength, for all purposes of counsel or of war, the *filius familias*, or Son under Power, was as free as his father. It

was a maxim of Roman jurisprudence that the *Patria Potestas* did not extend to the *Jus Publicum*. Father and son voted together in the city and fought side by side in the field ; indeed, the son, as general, might happen to command the father, or, as magistrate, decide on his contracts and punish his delinquencies. But in all the relations created by Private Law, the son lived under a domestic despotism which, considering the severity it retained to the last, and the number of centuries through which it endured, constitutes one of the strangest problems in legal history.

The *Patria Potestas* of the Romans, which is necessarily our type of the primeval paternal authority, is equally difficult to understand as an institution of civilized life, whether we consider its incidence on the person or its effects on property. It is to be regretted that a chasm which exists in its history cannot be more completely filled. So far as regards the person, the parent, when our information commences, has over his children the *jus vitæ necisque*, the power of life and death, and *a fortiori* of uncontrolled corporal chastisement ; he can modify their personal condition at pleasure ; he can give a wife to his son ; he can give his daughter in marriage ; he can divorce his children of either sex ; he can transfer them to another family by adoption ; and he can sell them. Late in the Imperial period we find vestiges of all these powers, but they are reduced within very narrow limits. The unqualified right of domestic chastisement has become a right of bringing domestic offences under the cognizance of the civil magistrate ; the privilege of dictating marriage has declined into a conditional veto ; the liberty of selling has been virtually abolished, and adoption itself, destined to lose almost all its ancient importance in the reformed system of Justinian, can no longer be effected without the assent of the child transferred to the adoptive parentage. In short, we are brought very close to the verge of the ideas which have at length prevailed in the modern world. But between these widely distant epochs there is an interval of obscurity, and we can only guess at the causes which permitted the *Patria Potestas* to last as long as it did by rendering it more tolerable than it appears. The active discharge of the most important among the duties which the son owed to the state must have tempered the authority of his parent if they did not annul it. We can readily persuade ourselves that the paternal despotism could not be brought into play without great scandal against a man of full age occupying a high civil office. During the earlier history, however, such cases of practical emancipation would be rare compared with those which must have been created by the constant wars of the Roman republic. The military tribune and the private soldier who were in the field three-quarters of a year during the

earlier contests, at a later period the pro-consul in charge of a province, and the legionaries who occupied it, cannot have had practical reason to regard themselves as the slaves of a despotic master ; and all these avenues of escape tended constantly to multiply themselves. Victories led to conquests, conquests to occupations ; the mode of occupation by colonies was exchanged for the system of occupying provinces by standing armies. Each step in advance was a call for the expatriation of more Roman citizens and a fresh draft on the blood of the failing Latin race. We may infer, I think, that a strong sentiment in favour of the relaxation of the *Patria Potestas* had become fixed by the time that the pacification of the world commenced on the establishment of the Empire. The first serious blows at the ancient institution are attributed to the earlier Cæsars, and some isolated interferences of Trajan and Hadrian seem to have prepared the ground for a series of express enactments which, though we cannot always determine their dates, we know to have limited the father's powers on the one hand, and on the other to have multiplied facilities for their voluntary surrender. The older mode of getting rid of the *Potestas*, by effecting a triple sale of the son's person, is evidence, I may remark, of a very early feeling against the unnecessary prolongation of the powers. The rule which declared that the son should be free after having been three times sold by his father seems to have been originally meant to entail penal consequences on a practice which revolted even the imperfect morality of the primitive Roman. But even before the publication of the Twelve Tables it had been turned, by the ingenuity of the jurisconsults, into an expedient for destroying the parental authority wherever the father desired that it should cease.

Many of the causes which helped to mitigate the stringency of the father's power over the persons of his children are doubtless among those which do not lie upon the face of history. We cannot tell how far public opinion may have paralysed an authority which the law conferred, or how far natural affection may have rendered it endurable. But though the powers over the *person* may have been latterly nominal, the whole tenour of the extant Roman jurisprudence suggests that the father's rights over the son's *property* were always exercised without scruple to the full extent to which they were sanctioned by law. There is nothing to astonish us in the latitude of these rights when they first show themselves. The ancient law of Rome forbade the Children under Power to hold property apart from their parent, or (we should rather say) never contemplated the possibility of their claiming a separate ownership. The father was entitled to take the whole of the son's acquisitions, and to enjoy the benefit of his contracts without being entangled in any compensating liability. So much as this we should expect from the

constitution of the earliest Roman society, for we can hardly form a notion of the primitive family group unless we suppose that its members brought their earnings of all kinds into the common stock while they were unable to bind it by improvident individual engagements. The true enigma of the *Patria Potestas* does not reside here, but in the slowness with which these proprietary privileges of the parent were curtailed, and in the circumstance that, before they were seriously diminished, the whole civilized world was brought within their sphere. No innovation of any kind was attempted till the first years of the Empire, when the acquisitions of soldiers on service were withdrawn from the operation of the *Patria Potestas*, doubtless as part of the reward of the armies which had overthrown the free commonwealth. Three centuries afterwards the same immunity was extended to the earnings of persons who were in the civil employment of the state. Both changes were obviously limited in their application, and they were so contrived in technical form as to interfere as little as possible with the principle of *Patria Potestas*. A certain qualified and dependent ownership had always been recognised by the Roman law in the perquisites and savings which slaves and sons under power were not compelled to include in the household accounts, and the special name of this permissive property, *Peculium*, was applied to the acquisitions newly relieved from *Patria Potestas*, which were called in the case of soldiers *Castrense Peculium*, and *Quasicastrense Peculium* in the case of civil servants. Other modifications of the parental privileges followed, which showed a less studious outward respect for the ancient principle. Shortly after the introduction of the *Quasicastrense Peculium*, Constantine the Great took away the father's absolute control over property which his children had inherited from their mother, and reduced it to a *usufruct*, or life-interest. A few more changes of slight importance followed in the Western Empire, but the furthest point reached was in the East, under Justinian, who enacted that unless the acquisitions of the child were derived from the parent's own property, the parent's rights over them should not extend beyond enjoying their produce for the period of his life. Even this, the utmost relaxation of the Roman *Patria Potestas*, left it far ampler and severer than any analogous institution of the modern world. The earliest modern writers on jurisprudence remark that it was only the fiercer and ruder of the conquerors of the empire, and notably the nations of Slavonic origin, which exhibited a *Patria Potestas* at all resembling that which was described in the *Pandects* and the *Code*. All the Germanic immigrants seem to have recognized a corporate union of the family under the *mund*, or authority of a patriarchal chief; but his powers are obviously only the relics of a decayed *Patria Potestas*, and fell far short of those

enjoyed by the Roman father. The Franks are particularly mentioned as not having the Roman Institution, and accordingly the old French lawyers, even when most busily engaged in filling the interstices of barbarous custom with rules of Roman law, were obliged to protect themselves against the intrusion of the Potestas by the express maxim *Puissance de père en France n'a lieu*. The tenacity of the Romans in maintaining this relic of their most ancient condition is in itself remarkable but it is less remarkable than the diffusion of the Potestas over the whole of a civilization from which it had once disappeared. While the Castrense Peculium constituted as yet the sole exception to the father's power over property, and while his power over his children's persons was still extensive, the Roman citizenship, and with it the Patria Potestas, were spreading into every corner of the empire. Every African or Spaniard, every Gaul, Briton, or Jew, who received this honour by gift, purchase, or inheritance, placed himself under the Roman Law of Persons, and, though our authorities intimate that children born before the acquisition of citizenship could not be brought under Power against their will, children born after it and all ulterior descendants were on the ordinary footing of a Roman *filius familias*. It does not fall within the province of this treatise to examine the mechanism of the later Roman society, but I may be permitted to remark that there is little foundation for the opinion which represents the constitution of Antonius Caracalla conferring Roman citizenship on the whole of his subjects as a measure of small importance. However we may interpret it, it must have enormously enlarged the sphere of the Patria Potestas, and it seems to me that the tightening of family relations which it effected is an agency which ought to be kept in view more than it has been, in accounting for the great moral revolution which was transforming the world.

Cognates are all those persons who can trace their blood to a single ancestor and ancestress ; or, if we take the strict technical meaning of the word in Roman law, they are all who trace their blood to the legitimate marriage of a common pair. "Cognition" is therefore a relative term, and the degree of connexion in blood which it indicates depends on the particular marriage which is selected as the commencement of the calculation. If we begin with the marriage of father and mother, Cognition will only express the relationship of brothers and sisters ; if we take that of the grandfather and grandmother, then uncles, aunts, and their descendants will also be included in the notion of Cognition, and following the same process a larger number of Cognates may be continually obtained by choosing the starting point higher and higher up in the line of ascent. All this is easily understood by a modern ; but what are the Agnates ? In the first place, they are all the Cognates

who trace their connexion exclusively through males. A table of Cognates is, of course, formed by taking each lineal ancestor in turn and including all his descendants of both sexes in the tabular view ; if then, in tracing the various branches of such a genealogical table or tree, we stop whenever we come to the name of a female and pursue that particular branch or ramification no further, all who remain after the descendants of women have been excluded are Agnates, and their connexion together is Agnatic Relationship. I dwell a little on the process which is practically followed in separating them from the Cognates, because it explains a memorable legal maxim, "*Mulier est finis familiæ*"—a woman is the terminus of the family. A female name closes the branch or twig of the genealogy in which it occurs. None of the descendants of a female are included in the primitive notion of family relationship.

If the system of archaic law at which we are looking be one which admits Adoption, we must add to the Agnate thus obtained all persons, male or female, who have been brought into the Family by the artificial extension of its boundaries. But the descendants of such persons will only be Agnates, if they satisfy the conditions which have just been described.

What, then, is the reason of this arbitrary inclusion and exclusion ? Why should a conception of Kinship, so elastic as to include strangers brought into the family by adoption, be nevertheless so narrow as to shut out the descendants of a female member ? To solve these questions, we must recur to the *Patria Potestas*. The foundation of Agnation is not the marriage of Father and Mother, but the authority of the Father. All persons are Agnatically connected together who are under the same Paternal Power, or who have been under it, or who might have been under it if their lineal ancestor had lived long enough to exercise his empire. In truth, in the primitive view, Relationship is exactly limited by *Patria Potestas*. Where the *Potestas* begins, Kinship begins ; and therefore adoptive relatives are among the kindred. Where the *Potestas* ends, Kinship ends ; so that a son emancipated by his father loses all rights of Agnation. And here we have the reason why the descendants of females are outside the limits of archaic kinship. If a woman died unmarried, she could have no legitimate descendants. If she married, the children fell under the *Patria Potestas*, not of her Father, but of her Husband, and thus were lost to her own family. It is obvious that the organization of primitive societies would have been confounded, if men had called themselves relatives of their mother's relatives. The inference would have been that a person might be subject to two distinct *Patriæ Potestates* ; but distinct *Patriæ Potestates* implied distinct jurisdictions, so that anybody amenable to two of them at the same

time would have lived under two different dispensations. As long as the Family was an imperium in imperio, a community within the commonwealth, governed by its own institutions of which the parent was the source, the limitation of relationship to the Agnate was a necessary security against a conflict of laws in the domestic forum.

The Parental Powers proper are extinguished by the death of the Parent, but Agnation is as it were a mould which retains their imprint after they have ceased to exist. Hence comes the interest of Agnation for the inquirer into the history of jurisprudence. The Powers themselves are discernible in comparatively few monuments of ancient law, but Agnatic Relationship, which implies their former existence, is discoverable almost everywhere. There are few indigenous bodies of law belonging to communities of the Indo-European stock, which do not exhibit peculiarities in the most ancient part of their structure which are clearly referable to Agnation. In Hindoo law, for example, which is saturated with the primitive notions of family dependency, kinship is entirely Agnatic, and I am informed that in Hindoo genealogies the names of women are generally omitted altogether. The same view of relationship pervades so much of the laws of the races who overran the Roman Empire as appears to have really formed part of their primitive usage, and we may suspect that it would have perpetuated itself even more than it has in modern European jurisprudence, if it had not been for the vast influence of the later Roman law on modern thought. The Prætors early laid hold on Cognation as the *natural* form of kinship, and spared no pains in purifying their system from the older conception. Their ideas have descended to us, but still traces of Agnation are to be seen in many of the modern rules of succession after death. The exclusion of females and their children from governmental functions, commonly attributed to the usage of the Salian Franks, has certainly an agnatic origin, being descended from the ancient German rule of succession to allodial property. In Agnation, too, is to be sought the explanation of that extraordinary rule of English Law, only recently repealed, which prohibited brothers of the half-blood from succeeding to one another's lands. In the Customs of Normandy, the rule applies to *uterine* brothers only, that is, to brothers by the same mother but not by the same father; and, limited in this way, it is a strict deduction from the system of Agnation, under which uterine brothers are no relations at all to one another. When it was transplanted to England, the English judges who had no clue to its principle, interpreted it as a general prohibition against the succession of the half-blood, and extended it to *consanguineous* brothers, that is, to sons of the same father by different wives. In all the literature which enshrines the pretended philosophy of law, there is nothing more

curious than the pages of elaborate sophistry in which Blackstone attempts to explain and justify the exclusion of the half-blood.

It may be shown, I think, that the Family, as held together by the *Patria Potestas*, is the nidus out of which the entire Law of Persons has germinated. Of all the chapters of that Law the most important is that which is concerned with the status of Females. It has just been stated that Primitive Jurisprudence, though it does not allow a Woman to communicate any rights of Agnation to her descendants, includes herself nevertheless in the Agnatic bond. Indeed, the relation of a female to the family in which she was born is much stricter, closer, and more durable than that which unites her male kinsmen. We have several times laid down that early law takes notice of Families only ; this is the same thing as saying that it only takes notice of persons exercising *Patria Potestas*, and accordingly the only principle on which it enfranchises a son or grandson at the death of his Parent, is a consideration of the capacity inherent in such son or grandson to become himself the head of a new family and the root of a new set of Parental Powers. But a woman, of course, has no capacity of the kind, and no title accordingly to the liberation which it confers. There is therefore a peculiar contrivance of archaic jurisprudence for retaining her in the bondage of the Family for life. This is the institution known to the oldest Roman law as the Perpetual Tutelage of Women, under which a Female, though relieved from her Parent's authority by his decease, continues subject through life to her nearest male relations as her Guardians. Perpetual Guardianship is obviously neither more nor less than an artificial prolongation of the *Patria Potestas*, when for other purposes it has been dissolved. In India, the system survives in absolute completeness, and its operation is so strict that a Hindoo Mother frequently becomes the ward of her own sons. Even in Europe, the laws of the Scandinavian nations respecting women preserved it until quite recently. The invaders of the Western Empire had it universally among their indigenous usages, and, indeed, their ideas on the subject of Guardianship, in all its forms, were among the most retrogressive of those which they introduced into the Western world. But from the mature Roman jurisprudence it had entirely disappeared. We should know almost nothing about it, if we had only the compilations of Justinian to consult ; but the discovery of the manuscript of Gaius discloses it to us at a most interesting epoch, just when it had fallen into complete discredit and was verging on extinction. The great jurisconsult himself scouts the popular apology offered for it in the mental inferiority of the female sex, and a considerable part of his volume is taken up with descriptions of the numerous expedients, some of them displaying extraordinary ingenuity, which the



Roman lawyers had devised for enabling women to defeat the ancient rules. Led by their theory of Natural Law, the jurisconsults had evidently at this time assumed the equality of the sexes as a principle of their code of equity. The restrictions which they attacked were, it is to be observed, restrictions on the disposition of property, for which the assent of the woman's guardians was still formally required. Control of her person was apparently quite obsolete.

Ancient Law subordinates the woman to her blood-relations, while a prime phenomenon of modern jurisprudence has been her subordination to her husband. The history of the change is remarkable. It begins far back in the annals of Rome. Anciently, there were three modes in which marriage might be contracted according to Roman usage, one involving a religious solemnity, the other two the observance of certain secular formalities. By the religious marriage or *Confarreatio*; by the higher form of civil marriage, which was called *Coemptio*; and by the lower form, which was termed *Usus*, the Husband acquired a number of rights over the person and property of his wife, which were on the whole in excess of such as are conferred on him in any system of modern jurisprudence. But in what capacity did he acquire them? Not as *Husband*, but as *Father*. By the *Confarreatio*, *Coemptio*, and *Usus*, the woman passed *in manum viri*, that is, in law she became the *Daughter* of her husband. She was included in his *Patria Potestas*. She incurred all the liabilities springing out of it while it subsisted, and surviving it when it had expired. All her property became absolutely his, and she was retained in tutelage after his death to the guardian whom he had appointed by will. These three ancient forms of marriage fell, however, gradually into disuse, so that, at the most splendid period of Roman greatness, they had almost entirely given place to a fashion of wedlock—old apparently, but not hitherto considered reputable—which was founded on a modification of the lower form of civil marriage. Without explaining the technical mechanism of the institution now generally popular, I may describe it as amounting in law to little more than a temporary deposit of the woman by her family. The rights of the family remained unimpaired, and the lady continued in the tutelage of guardians whom her parents had appointed and whose privileges of control overrode in many material respects the inferior authority of her husband. The consequence was that the situation of the Roman female, whether married or unmarried, became one of great personal and proprietary independence, for the tendency of the later law, as I have already hinted, was to reduce the power of the guardian to a nullity, while the form of marriage in fashion conferred on the husband no compensating superiority. But Christianity tended somewhat from

the very first to narrow this remarkable liberty. Led at first by justifiable disrelish for the loose practices of the decaying heathen world, but afterwards hurried on by a passion of asceticism, the professors of the new faith looked with disfavour on a marital tie which was in fact the laxest the Western world has seen. The latest Roman law, so far as it is touched by the constitutions of the Christian Emperors, bears some marks of a reaction against the liberal doctrines of the great Antonine jurisconsults. And the prevalent state of religious sentiment may explain why it is that modern jurisprudence, forged in the furnace of barbarian conquest, and formed by the fusion of Roman jurisprudence with patriarchal usage, has absorbed, among its rudiments, much more than usual of those rules concerning the position of women which belong peculiarly to an imperfect civilization. During the troubled era which begins modern history, and while the laws of the Germanic and Slavonic immigrants remained superposed like a separate layer above the Roman jurisprudence of their provincial subjects, the women of the dominant races are seen everywhere under various forms of archaic guardianship, and the husband, who takes a wife from any family except his own pays a money-price to her relations for the tutelage which they surrender to him. When we move onwards, and the code of the middle ages has been formed by the amalgamation of the two systems, the law relating to women carries the stamp of its double origin. The principle of the Roman jurisprudence is so far triumphant that unmarried females are generally (though there are local exceptions to the rule) relieved from the bondage of the family; but the archaic principle of the barbarians has fixed the position of married women, and the husband has drawn to himself in his marital character the powers which had once belonged to his wife's male kindred, the only difference being that he no longer purchases his privileges. At this point, therefore, the modern law of Western and Southern Europe begins to be distinguished by one of its chief characteristics, the comparative freedom it allows to unmarried women and widows, the heavy disabilities it imposes on wives. It was very long before the subordination entailed on the other sex by marriage was sensibly diminished. The principal and most powerful solvent of the revived barbarism of Europe was always the codified jurisprudence of Justinian, wherever it was studied with that passionate enthusiasm which it seldom failed to awaken.

## CHIEF-JUSTICE MARSHALL

(JOHN MARSHALL, CHIEF-JUSTICE OF SUPREME COURT  
OF THE UNITED STATES)

(1755-1835).

**J**OHN MARSHALL, whom Americans without vainglory may boast of as the greatest lawyer of modern times, immortalized himself and conferred an incalculable benefit on humanity by making it clear for the first time that the law is higher than the government, and that any mere enactment of government repugnant to the fundamental law is *ab initio* void. The principle is not new, for without its operation all power is arbitrary; but in England the struggle had been so long between the arbitrary power of the King on the one hand and of the Parliament on the other, that the supremacy of fundamental law was generally lost sight of except by a few great men,—the Chathams and Burkes, who revered law, not merely as the sovereign will of all the people, but as the moral purpose through which the world was created, and the omnipotent method by which all good purposes are to be achieved.

John Marshall was born in Fauquier County, Virginia, September 24th, 1755. At the age of twenty, he enlisted in the Continental Army, and rose to the rank of Captain. Beginning the practice of law after leaving the army, and pursuing it with great success, he served as a Member of the Virginia Legislature, Member of Congress, Envoy to France, Secretary of State (1800), and from 1801 to his death, July 6th, 1835, as Chief-Justice of the United States Supreme Court. As a member of the Virginia Constitutional Convention of 1788, he gave most effective assistance to Madison in holding the convention against Patrick Henry's eloquent prophecies of disaster, involved, as it seemed to him, in the adoption of the Federal Constitution. On the bench as in his speeches in the Virginia Convention, Chief-Justice Marshall was supposed to favour the Federal Government at the expense of "State rights," but far above all such controversy, his fame as the great champion of law against arbitrary power endures and will endure as long as men love liberty and order well enough to be grateful for what has been done to make them possible.

W.V.B.

## OPPOSING PATRICK HENRY

(Delivered in the Virginia Convention, Debating the Federal Constitution,  
June 10th, 1788).

**I** CONCEIVE that the object of the discussion now before us is whether democracy or despotism be most eligible. I am sure that those who framed the system submitted to our investigation, and those who now support it intend the establishment and security of the former. The supporters of the Constitution claim the title of being firm friends of the liberty and the rights of mankind. They say that they consider it as the best means of protecting liberty. We, sir, idolize democracy. Those who oppose it have bestowed eulogiums on monarchy. We prefer this system to any monarchy, because we are convinced that it has a greater tendency to secure our liberty and promote our happiness. We admire it, because we think it a well-regulated democracy. It is recommended to the good people of this country; they are, through us, to declare whether it be such a plan of government as will establish and secure their freedom.

Permit me to attend to what the honourable gentleman [Mr. Henry] has said. He has expatiated on the necessity of a due attention to certain maxims—to certain fundamental principles, from which a free people ought never to depart. I concur with him in the propriety of the observance of such maxims. They are necessary in any government, but more essential to a democracy than to any other. What are the favourite maxims of democracy? A strict observance of justice and public faith, and a steady adherence to virtue. These, sir, are the principles of a good government. No mischief, no misfortune, ought to deter us from a strict observance of justice and public faith. Would to heaven that these principles had been observed under the present government! Had this been the case, the friends of liberty would not be so willing now to part with it. Can we boast that our government is founded on these maxims? Can we pretend to the enjoyment of political freedom or security, when we are told that a man has been, by an act of assembly, struck out of existence without a trial by jury, without examination, without being confronted with his accusers and witnesses, without the benefits of the law of the land? Where is our safety, when we are told that this act was justifiable because the person was not a Socrates? What has become of the worthy Member's maxims? Is this one of them? Shall it be a maxim that a man shall be deprived of his life

without the benefit of the law? Shall a deprivation of life be justified by answering that the man's life was not taken *secundum artem* because he was a bad man? Shall it be a maxim that government ought not to be empowered to protect virtue?

The honourable Member, after attempting to vindicate that tyrannical legislative act to which I have been alluding, proceeded to take a view of the dangers to which this country is exposed. He told us that the principal danger arose from a government which, if adopted, would give away the Mississippi. I intended to proceed regularly, by attending to the clause under debate; but I must reply to some observations which were dwelt upon to make impressions on our minds favourable to the plan upon the table. Have we no navigation in, or do we derive no benefit from the Mississippi? How shall we retain it? By retaining that weak government which has hitherto kept it from us? Is it thus that we shall secure that navigation? Give the government the power of retaining it, and then we may hope to derive actual advantages from it. Till we do this we cannot expect that a government which hitherto has not been able to protect it will have the power to do it hereafter. Have we attended too long to consider whether this government would be able to protect us? Shall we wait for further proofs of its inefficacy? If, on mature consideration, the Constitution will be found to be perfectly right on the subject of treaties, and containing no danger of losing that navigation, will he still object? Will he object because eight States are willing to part with it? This is no good ground of objection.

He then stated the necessity and probability of obtaining amendments. This we ought to postpone until we come to that clause, and make up our minds whether there be anything unsafe in this system. He conceives it impossible to obtain amendments after adopting it. If he was right, does not his own argument prove that, in his own conception, previous amendments cannot be had? for, sir, if subsequent amendments cannot be obtained, shall we get amendments before we ratify? The reasons against the latter do not apply against the former. There are in this State, and in every State in the Union, many who are decided enemies of the Union. Reflect on the probable conduct of such men. What will they do? They will bring amendments which are local in their nature, and which they know will not be accepted. What security have we that other States will not do the same? We are told that many in the States were violently opposed to it. They are more mindful of local interests. They will never propose such amendments as they think would be obtained. Disunion will be their object. This will be attained by the proposal of unreasonable amendments. This, sir, though a strong cause, is not the only one that will militate

against previous amendments. Look at the comparative temper of this country now, and when the late Federal Convention met. We had no idea then of any particular system. The formation of the most perfect plan was our object and wish. It was imagined that the States would accede to, and be pleased with, the proposition that would be made to them. Consider the violence of opinions, the prejudices and animosities which have been since imbibed. Will not these operate greatly against mutual concessions, or a friendly concurrence? This will, however, be taken up more properly at another time. He says we wish to have a strong, energetic, powerful government. We contend for a well-regulated democracy. He insinuates that the power of the government has been enlarged by the convention, and that we may apprehend it will be enlarged by others. The convention did not, in fact, assume any power.

They have proposed to our consideration a scheme of government which they thought advisable. We are not bound to adopt it, if we disapprove of it. Had not every individual in this community a right to tender that scheme which he thought most conducive to the welfare of his country? Have not several gentlemen already demonstrated that the convention did not exceed their powers? But the Congress have the power of making bad laws, it seems. The Senate, with the President, he informs us, may make a treaty which shall be disadvantageous to us; and that, if they be not good men, it will not be a good Constitution. I shall ask the worthy Member only, if the people at large, and they alone, ought to make laws and treaties. Has any man this in contemplation? You cannot exercise the powers of government personally yourselves. You must trust to agents. If so, will you dispute giving them the power of acting for you, from an existing possibility that they may abuse it? As long as it is impossible for you to transact your business in person, if you repose no confidence in delegates, because there is a possibility of their abusing it, you can have no government; for the power of doing good is inseparable from that of doing some evil.

We may derive from Holland lessons very beneficial to ourselves. Happy that country which can avail itself of the misfortunes of others—which can gain knowledge from that source without fatal experience! What has produced the late disturbances in that country? The want of such a government as is on your table, and having in some measure, such a one as you are about to part with. The want of proper powers in the government, the consequent deranged and relaxed administration, the violence of contending parties, and inviting foreign powers to interpose in their disputes, have subjected them to all the mischiefs which have interrupted their harmony. I cannot express my astonishment at his

high-coloured eulogium on such a government. Can anything be more dissimilar than the relation between the British government and the colonies, and the relation between Congress and the States? We were not represented in Parliament. Here we are represented. Arguments which prove the impropriety of being taxed by Britain do not hold against the exercise of taxation by Congress.

Let me pay attention to the observation of the gentleman who was last up, that the power of taxation ought not to be given to Congress. This subject requires the undivided attention of this House. This power I think essentially necessary, for without it there will be no efficiency in the government. We have had a sufficient demonstration of the vanity of depending on requisitions. How, then, can the general government exist without this power? The possibility of its being abused is urged as an argument against its expediency. To very little purpose did Virginia discover the defects in the old system; to little purpose, indeed, did she propose improvements, and to no purpose is this plan constructed for the promotion of our happiness, if we refuse it now, because it is possible that it may be abused. The Confederation has nominal powers, but no means to carry them into effect. If a system of government were devised by more than human intelligence, it would not be effectual if the means were not adequate to the power. All delegated powers are liable to be abused. Arguments drawn from this source go in direct opposition to government, and in recommendation of anarchy. The friends of the Constitution are as tenacious of liberty as its enemies. They wish to give no power that will endanger it. They wish to give the government powers to secure and protect it. Our inquiry here must be whether the power of taxation be necessary to perform the objects of the Constitution, and whether it be safe and as well guarded as human wisdom can do it. What are the objects of the National Government? To protect the United States and to promote the general welfare. Protection in time of war is one of the principal objects. Until mankind shall cease to have ambition and avarice, wars will arise.

The prosperity and happiness of the people depend on the performance of these great and important duties of the general government. Can these duties be performed by one State? Can one State protect us, and promote our happiness? The honourable gentleman who has gone before me [Governor Randolph] has shown that Virginia cannot do these things. How, then, can they be done? By the national government only. Shall we refuse to give it power to do them? We are answered, that the powers may be abused; that, though the Congress may promote our happiness, yet they may prostitute their powers to destroy our liberties. This goes to the destruction of all confidence in agents.

Would you believe that men who had merited your highest confidence would deceive you? Would you trust them again after one deception? Why, then, hesitate to trust the general government? The object of our inquiry is, Is the power necessary and is it guarded? There must be men and money to protect us. How are armies to be raised? Must we not have money for that purpose? But the honourable gentleman says that we need not be afraid of war. Look at history, which has been so often quoted. Look at the great volume of human nature. They will foretell you that a defenceless country cannot be secure. The nature of man forbids us to conclude that we are in no danger from war. The passions of men stimulate them to avail themselves of the weakness of others. The powers of Europe are jealous of us. It is our interest to watch their conduct, and guard against them. They must be pleased with our disunion. If we invite them by our weakness to attack us, will they not do it? If we add debility to our present situation, a partition of America may take place.

It is, then, necessary to give the government that power in time of peace which the necessity of war will render indispensable, or else we shall be attacked unprepared. The experience of the world, a knowledge of human nature, and our own particular experience, will confirm this truth. When danger shall come upon us, may we not do what we were on the point of doing once already—that is, appoint a dictator? Were those who are now friends to this constitution less active in the defence of liberty on that trying occasion than those who oppose it? When foreign dangers come, may not the fear of immediate destruction by foreign enemies impel us to take a most dangerous step? Where, then, will be our safety? We may now regulate and frame a plan that will enable us to repel attacks and render a recurrence to dangerous expedients unnecessary. If we be prepared to defend ourselves, there will be little inducement to attack us. But if we defer giving the necessary power to the general government till the moment of danger arrives, we shall give it then, and with an unsparing hand. America, like other nations, may be exposed to war. The propriety of giving this power will be proved by the history of the world, and particularly of modern republics. I defy you to produce a single instance where requisitions of several individual States, composing a confederacy, have been honestly complied with. Did gentlemen expect to see such punctuality in America? If they did, our own experience shows the contrary.

We are told that the Confederation carried us through the war. Had not the enthusiasm of liberty inspired us with unanimity, that system would never have carried us through it. It would have been much sooner terminated had that government been possessed of due



energy. The inability of Congress and the failure of States to comply with the constitutional requisitions rendered our resistance less efficient than it might have been. The weakness of that government caused troops to be against us which ought to have been on our side, and prevented all resources of the community from being called at once into action. The extreme readiness of the people to make their utmost exertions to ward off solely the pressing danger supplied the place of requisitions. When they came solely to be depended on, their inutility was fully discovered. A bare sense of duty, or a regard to propriety, is too feeble to induce men to comply with obligations. We deceive ourselves if we expect any efficacy from these. If requisitions will not avail, the government must have the sinews of war some other way. Requisitions cannot be effectual. They will be productive of delay, and will ultimately be inefficient. By direct taxation the necessities of the government will be supplied in a peaceable manner without irritating the minds of the people. But requisitions cannot be rendered efficient without a civil war—without great expense of money and the blood of our citizens. Are there any other means? Yes, that Congress shall apportion the respective quotas previously, and if not complied with by the States, that then this dreaded power shall be exercised. The operation of this has been decided by the gentleman who opened the debate. He cannot be answered. This great objection to that system remains unanswered. Is there no other argument which ought to have weight with us on this subject? Delay is a strong and pointed objection to it.

We are told by the gentleman who spoke last, that direct taxation is unnecessary, because we are not involved in war. This admits the propriety of recurring to direct taxation if we were engaged in war. It has not been proved that we have no dangers to apprehend on this point. What will be the consequence of the system proposed by the worthy gentleman? Suppose the States should refuse?

The worthy gentleman who is so pointedly opposed to the Constitution proposed remonstrances. Is it a time for Congress to remonstrate, or compel a compliance with requisitions, when the whole wisdom of the Union and the power of Congress are opposed to a foreign enemy? Another alternative is that, if the States shall appropriate certain funds for the use of Congress, Congress shall not lay direct taxes. Suppose the funds appropriated by the States for the use of Congress should be inadequate, it will not be determined whether they be insufficient till after the time at which the quota ought to have been paid; and then, after so long a delay, the means of procuring money, which ought to have been employed in the first instance, must be recurred to. May

they not be amused by such ineffectual and temporizing alternatives from year to year, until America shall be enslaved? The failure in one State will authorize a failure in another. The calculation in some States that others will fail, will produce general failures. This will also be attended with all the expenses which we are anxious to avoid. What are the advantages to induce us to embrace this system? If they mean that requisitions should be complied with, it will be the same as if Congress had the power of direct taxation. The same amount will be paid by the people.

It is objected that Congress will not know how to lay taxes so as to be easy and convenient for the people at large. Let us pay strict attention to this objection. If it appear to be totally without foundation, the necessity of levying direct taxes will obviate what the gentleman says; nor will there be any colour for refusing to grant the power.

The objects of direct taxes are well understood; they are but few. What are they? Lands, slaves, stock of all kinds, and a few other articles of domestic property. Can you believe that ten men selected from all parts of the State, chosen because they know the situation of the people, will be unable to determine so as to make the tax equal on, and convenient for, the people at large? Does any man believe that they would lay the tax without the aid of other information besides their own knowledge, when they know that the very object for which they are elected is to lay the taxes in a judicious and convenient manner? If they wish to retain the affections of the people at large, will they not inform themselves of every circumstance that can throw light on the subject? Have they but one source of information? Besides their own experience—their knowledge of what will suit their constituents—they will have the benefit of the knowledge and experience of the State legislature. They will see in what manner the legislature of Virginia collects its taxes. Will they be unable to follow their example? The gentlemen who shall be delegated to Congress will have every source of information that the legislatures of the States can have, and can lay the taxes as equally on the people, and with as little oppression, as they can. If, then, it be admitted that they can understand how to lay them equally and conveniently, are we to admit that they will not do it, but that, in violation of every principle that ought to govern men, they will lay them so as to oppress us? What benefit will they have by it? Will it be promotive of their re-election? Will it be by wantonly imposing hardships and difficulties on the people at large, that they will promote their own interest, and secure their re-election? To me it appears incontrovertible that they will settle them in such a manner as to be easy for the people. Is the system so organized as to make taxation

dangerous? I shall not go to the various checks of the government, but examine whether the immediate representation of the people be well constructed. I conceive its organization to be sufficiently satisfactory to the warmest friend of freedom. No tax can be laid without the consent of the House of Representatives. If there be no impropriety in the mode of electing the representatives, can any danger be apprehended? They are elected by those who can elect representatives in the State legislature. How can the votes of the electors be influenced? By nothing but the character and conduct of the man they vote for. What object can influence them when about choosing him? They have nothing to direct them in the choice, but their own good. Have you not as pointed and strong a security as you can possibly have? It is a mode that secures an impossibility of being corrupted. If they are to be chosen for their wisdom, virtue, and integrity, what inducement have they to infringe on our freedom? We are told that they may abuse their power. Are there strong motives to prompt them to abuse it? Will not such abuse militate against their own interest? Will not they and their friends feel the effects of iniquitous measures? Does the representative remain in office for life? Does he transmit his title of representative to his son? Is he secured from the burden imposed on the community? To procure their re-election, it will be necessary for them to confer with the people at large, and convince them that the taxes laid are for their good. If I am able to judge on the subject, the power of taxation now before us is wisely conceded, and the representatives are wisely elected.

The honourable gentleman said that a government should ever depend on the affections of the people. It must be so. It is the best support it can have. This government merits the confidence of the people, and, I make no doubt, will have it. Then he informed us again of the disposition of Spain with respect to the Mississippi and the conduct of the government with regard to it. To the debility of the Confederation alone may justly be imputed every cause of complaint on this subject. Whenever gentlemen will bring forward their objections, I trust we can prove that no danger to the navigation of that river can arise from the adoption of this Constitution. I beg those gentlemen who may be affected by it to suspend their judgment till they hear it discussed. Will, says he, the adoption of this Constitution pay our debts? It will compel the States to pay their quotas. Without this, Virginia will be unable to pay. Unless all the States pay, she cannot. Though the States will not coin money (as we are told), yet this government will bring forth and proportion all the strength of the Union. That economy and industry are essential to our happiness, will be denied by no man.

But the present government will not add to our industry. It takes away the incitements to industry, by rendering property insecure and unprotected. It is the paper on your table that will promote and encourage industry. New Hampshire and Rhode Island have rejected it, he tells us. New Hampshire, if my information be right, will certainly adopt it. The report spread in this country, of which I have heard, is, that the representatives of that State having, on meeting, found they were instructed to vote against it, returned to their constituents without determining the question, to convince them of their being mistaken, and of the propriety of adopting it.

The extent of the country is urged as another objection, as being too great for a republican government. This objection has been handed from author to author, and has been certainly misunderstood and misapplied. To what does it owe its source? To observations and criticisms on governments, where representation did not exist. As to the legislative power, was it ever supposed inadequate to any extent? Extent of country may render it difficult to execute the laws, but not to legislate. Extent of country does not extend the power. What will be sufficiently energetic and operative in a small territory will be feeble when extended over a wide-extended country. The gentleman tells us there are no checks in this plan. What has become of his enthusiastic eulogium on the American spirit? We should find a check and control, when oppressed, from that source. In this country there is no executive personal stock of interest. The interest of the community is blended and inseparably connected with that of the individual. When he promotes his own, he promotes that of the community. When we consult the common good, we consult our own. When he desires such checks as these, he will find them abundantly here. They are the best checks. What has become of his eulogium on the Virginia constitution? Do the checks in this plan appear less excellent than those of the constitution of Virginia? If the checks in the Constitution be compared to the checks in the Virginia constitution, he will find the best security in the former.

The temple of liberty was complete, said he, when the people of England said to their king that he was their servant. What are we to learn from this? Shall we embrace such a system as that? Is not liberty secure with us, where the people hold all powers in their own hands, and delegate them cautiously, for short periods, to their servants, who are accountable for the smallest maladministration? Where is the nation that can boast greater security than we do? We want only a system like the paper before you to strengthen and perpetuate this security.

The honourable gentleman has asked if there be any safety or freedom when we give away the sword and the purse. Shall the people at large hold the sword and the purse without the interposition of their representatives? Can the whole aggregate community act personally? I apprehend that every gentleman will see the impossibility of this. Must they, then, not trust them to others? To whom are they to trust them but to their representatives, who are accountable for their conduct? He represents secrecy as unnecessary, and produces the British government as a proof of its inutility. Is there no secret there? When deliberating on the propriety of declaring war, or on military arrangements, do they deliberate in the open fields? No, sir. The British government affords secrecy when necessary, and so ought every government. In this plan secrecy is only used when it would be fatal and pernicious to publish the schemes of government. We are threatened with the loss of our liberties by the possible abuse of power, notwithstanding the maxim that those who give may take away. It is the people that give power and can take it back. What shall restrain them? They are the masters who give it, and of whom their servants hold it.

## SIR THOMAS MORE

(1478-1535).

**S**IR THOMAS MORE, author of 'Utopia' and correspondent of Erasmus, was one of the best and greatest of the great men of England in the age of the Tudors. He was the son of Sir John More, a London barrister, who placed him at thirteen years of age in the service of the Archbishop of Canterbury. In 1492 he entered the University of Oxford and improved his time so well that in 1497, when he met Erasmus, then on a visit to England, he won the friendship of that celebrated scholar and retained it through life. He entered Parliament in 1504, and rose in favour until in 1521 he became Sub-treasurer to the King; in 1523, Speaker of the House of Commons; and in 1529, the successor of Wolsey as Chancellor. A zealous Catholic, he opposed Luther and Tyndale to the great satisfaction of Henry VIII., who, however, sent him to the scaffold with characteristic promptness after convicting him of high treason when he refused to recognize the validity of the divorce of Catherine of Aragon. More's speech at his trial and his conduct at his execution on Tower Hill, July 6th, 1535, vindicating the death to which he was condemned by "the just necessity of his cause for the discharge of his conscience," reflect credit on universal human nature, which is honoured by such martyrs, whether they are Catholic or Protestant.

### HIS SPEECH WHEN ON TRIAL FOR LIFE

(Delivered at his Trial, 1535).

**W**HEN I consider the length of my accusation, and what heinous matters are laid to my charge, I am struck with fear lest my memory and understanding, which are both impaired, together with my bodily health, through a long indisposition, contracted by my imprisonment, should now fail me so far as to make me incapable of making such ready answers in my defence as otherwise I might have done. This, my indictment, if I mistake not, consists of four principal heads, each of which I purpose, God willing, to answer in order. As to the first

crime objected against me, that I have been an enemy out of stubbornness of mind to the King's second marriage, I confess I always told his Majesty my opinion of it, according to the dictates of my conscience, which I neither ever would, nor ought to have concealed ; for which I am so far from thinking myself guilty of high treason, that, on the contrary, being required to give my opinion by so great a prince in an affair of so much importance, upon which the peace of the kingdom depended, I should have basely flattered him and my own conscience had I not spoken the truth as I thought ; then, indeed, I might justly have been esteemed a most wicked subject and a perfidious traitor of God. If I have offended the king herein,—if it can be an offence to tell one's mind freely when his sovereign puts the question to him,—I suppose I have been sufficiently punished already for the fault by the great afflictions I have endured, by the loss of my estate, and my tedious imprisonment which has continued already near fifteen months.

The second charge against me is that I have violated the act made in the last Parliament, that is, being a prisoner, and twice examined, I would not, out of malignant, perfidious, obstinate, and traitorous mind, tell them my opinion, whether the king was supreme head of the Church or not, but confessed then that I had nothing to do with that act, as to the justice or injustice of it, because I had no benefice in the Church ; yet I then protested that I had never said or done anything against it ; neither can any one word or action of mine be alleged, or produced, to make me culpable. Nay, this I own was then my answer to their honours, that I would think of nothing else hereafter but of the bitter passions of our blessed Saviour, and of my exit out of this miserable world. I wish nobody any harm, and if this does not keep me alive, I desire not to live. By all which I know I would not transgress any law, or become guilty of any treasonable crime ; for this statute, nor no other law in the world, can punish any man for his silence, seeing they can do no more than punish words or deeds ; 'tis God only that is the judge of the secrets of our hearts.

Attorney—Sir Thomas, though we have not one word or deed of yours to object against you, yet we have your silence, which is an evident sign of the malice of your heart, because no dutiful subject, being lawfully asked this question, will refuse to answer it.

Sir Thomas More—Sir, my silence is no sign of any malice in my heart, which the King himself must own by my conduct upon divers occasions ; neither doth it convince any man of the breach of the law ; for it is a maxim amongst the civilians and canonists, *Qui tacet consentire videtur*,—he that holds his peace seems to give his consent,—and as to what you say, that no good subject will refuse to give a direct answer,

I do really think it to be the duty of every good subject, except he be such a subject as will be a bad Christian, rather to obey God than man, to be more cautious to offend his conscience than of anything else in the whole world, especially if his conscience be not the occasion of some sedition and great injury to his prince and country, for I do sincerely protest that I never revealed it to any man alive.

I come now to the third principal article in my indictment, by which I am accused of malicious attempts, traitorous endeavours and perfidious practices against that statute, as the words therein do allege, because I wrote in the Tower divers packets of letters to Bishop Fisher, whereby I exhorted him to violate the same law, and encouraged him in the like obstinacy. I do insist that these letters be produced and read in court, by which I may be either acquitted or convinced of a lie ; but because you say the Bishop burnt them all, I will here tell you the whole truth of the matter : some of my letters related only to our private affairs, as about our old friendship and acquaintance ; one of them was in answer to his, wherein he desired me to let him know what answers I made upon my examinations concerning the oath of supremacy, and what I wrote to him upon it was this, that I had already settled my conscience, and let him satisfy his according to his own mind. God is my witness, and as I hope he will save my soul, I gave him no other answer, and this, I presume, is no breach of the laws.

As to the principal crime objected against me, that I should say upon my examination in the Tower, that this law was like a two-edged sword : for, in consenting to it, I should endanger my soul, and, in rejecting it, would lose my life. It is evidently concluded, as you say, from this answer because Bishop Fisher made the like, that he was in the same conspiracy. To this I reply that my answer there was conditional ; if there were both danger in allowing or disallowing that act, and therefore, like a two-edged sword, it seemed a hard thing it should be put upon me, who had never hitherto contradicted it either in word or deed ; these were my words. What the Bishop answered I know not ; if his answer was like mine, it did not proceed from any conspiracy of ours, but from the similitude of our learning and understanding. To conclude, I do sincerely avouch that I never spoke a word against this law to any man living, though perhaps the King's Majesty has been told to the contrary.

[“ There was little or no reply made to this full answer by Mr. Attorney, or anybody else ; the word ‘ malice ’ was what was principally insisted on, and in the mouths of the whole court, though for proof of it nobody could produce either words or actions ; nevertheless, to set the



best gloss that could be upon the matter, Mr. Rich was called to give evidence, in open court, upon oath, which he immediately did, affirming what we have already related, concerning a conference between him and Sir Thomas in the Tower ; to which Sir Thomas made answer : "—]

If I were a man, my lords, that had no regard to my oath, I had had no occasion to be here at this time, as is well known to everybody, as a criminal ; and if this oath, Mr. Rich, which you have taken to be true, then I pray I may never see God's face, which, were it otherwise, is an imprecation I would not be guilty of to gain the whole world.

In good faith, Mr. Rich, I am more concerned for your perjury than my own danger ; and I must tell you that neither myself, nor anybody else to my knowledge, ever took you to be a man of such reputation that I, or any other, would have anything to do with you in any matter of importance. You know that I have been acquainted with your manner of life and conversation a long time, even from your youth to the present juncture, for we lived in the same parish ; and you very well know (I am sorry I am forced to speak it) you always lay under the odium of a very lying tongue, of a great gamester, and of no good name and character, either there or in the Temple, where you were educated. Can it, therefore, seem likely to your lordships, that I should, in so weighty an affair as this, act so unadvisedly as to trust Mr. Rich, a man I had always so mean an opinion of in reference to his truth and honesty, so very much before my sovereign lord the King, to whom I am so deeply indebted for his manifold favours, or any of his noble and grave counsellors, that I should only impart to Mr. Rich the secrets of my conscience, in respect to the King's supremacy, the particular subject, and only point, about which I have been so long pressed to explain myself ; which I never did, nor never would reveal, when the act was once made, either to the King himself, or any of his privy counsellors, as is well known to your honours, who have been sent up on no other account, at several times, by his Majesty, to me in the Tower ? I refer it to your judgments, my lords, whether this can seem credible to any of your lordships.

But, supposing what Mr. Rich has sworn should be true, seeing the words were spoken in familiar and private conversation, and that there was nothing at all asserted, but only cases put without any offensive circumstances, it cannot, in justice, be said that they were spoken maliciously, and where there is no malice, there is no offence ; besides, my lords, I cannot think so many reverend bishops, so many honourable personages, and so many virtuous and learned men, of whom the Parliament consisted in the enacting of that law, ever meant to have any man punished with death in whom no malice could be found, taking the

word "*malitia*" for "*malevolentia*,"—for if "*malitia*" be taken in a general signification for any crime, there is no man can be free; wherefore, this word "*maliciously*" is so far significant in this statute as the word "*forcible*" is in that of forcible entry; for in that case, if any enter peaceably and put his adversary out forcibly, it is no offence; but if he enter forcibly, he shall be punished by that statute.

Besides, all the unspeakable goodness of his Majesty towards me, who has been in so many ways my singular good lord, and graciously he, I say, who has so dearly loved and trusted me, even from my first entrance into his royal service, vouchsafing to honour me with the dignity of being one of his privy council, and has most generously promoted me to offices of great reputation and honour, and, lastly to that of lord high chancellor; which honour he never did to any layman before, the same being the highest dignity in this famous kingdom, and next to the King's royal person, so far beyond my merits and qualifications; honouring and exalting me, by his incomparable benignity, for these twenty years and upwards, heaping continual favours upon me, and now, at last, at my own humble request, giving me liberty to dedicate the remainder of my life to the service of God, for the better saving of my soul, has been pleased to discharge and free me from that weighty dignity; before which, he had still heaped more and more honours upon me; I say all this, his Majesty's bounty, so long and so plentifully conferred upon me, is enough, in my opinion, to invalidate the scandalous accusation so injuriously surmised and urged by this man against me.

[When he had received sentence of death, he added:—]

Well, seeing I am condemned, God knows how justly, I will freely speak, for the disburthening my conscience, what I think of this law. When I perceived it was the King's pleasure to sift out from whence the Pope's authority was derived, I confess I studied seven years together to find out the truth of it, and I could not meet with the works of any one doctor, approved by the Church, that avouch that a layman was, or ever could be, the head of the Church.

Chancellor—Would you be esteemed wiser, or to have a sincerer conscience than all the bishops, learned doctors, nobility, and Commons of this realm?

More—I am able to produce against any one bishop which you can produce on your side, a hundred holy and Catholic bishops for my opinion; and against one realm, the consent of Christendom for one thousand years.

Norfolk—Sir Thomas, you show your obstinate and malicious mind.

More—Noble sir, it's no malice or obstinacy that makes me say this ; but the just necessity of the cause obliges me to it, for the discharge of my conscience ; and I call God to witness that nothing but this has excited me to it.

[“ After this,” says Borrow, “ the judges kindly offering him their favourable audience, if he had anything else to say, he answered most mildly and charitably ” :—]

I have no more to say, but that as the blessed Apostle St. Paul, as we read in the Acts of the Apostles, was present at the death of the protomartyr Stephen, and held the clothes of them that stoned him to death, and yet nevertheless they are now both holy saints in heaven, and there will continue friends to eternity, so I verily trust, and shall therefore heartily pray, that albeit your lordships have been on earth my judges to condemnation, yet that we may hereafter meet joyfully together in heaven, to our everlasting salvation, and God preserve you, especially my sovereign lord the King, and grant him faithful counsellors.

## CARDINAL NEWMAN

(For Biographical Note see Section v.).

### THE CHURCH AND LIBERAL KNOWLEDGE

(Delivered in Dublin).

**N**O anxiety, no effort of mind is more severe than his, who in a difficult matter has it seriously at heart to investigate without error and to instruct without obscurity ; as to myself, if the past discussion has at any time tried the patience of the kind persons who have given it their attention, I can assure them that on no one can it have inflicted so great labour and fatigue as on myself. Happy they who are engaged in provinces of thought, so familiarly traversed and so thoroughly explored, that they see everywhere the footprints, the paths, the landmarks, and the remains of former travellers, and can never step wrong ; but for myself, I have felt like a navigator on a strange sea, who is out of sight of land, is surprised by night, and has to trust mainly to the rules and instruments of his science for reaching the port. The everlasting mountains, the high majestic cliffs, of the opposite coast, radiant in the sunlight, which are our ordinary guides, fail us in an excursion such as this ; the lessons of antiquity, the determinations of authority, are here rather the needle, chart, and plummet, than great objects, with distinct and continuous outline and completed details, which stand up and confront and occupy our gaze, and relieve us from the tension and suspense of our personal observation. And thus, in spite of the pains we may take to consult others and avoid mistakes, it is not till the morning comes and the shore greets us, and we see our vessel making straight for harbour, that we relax our jealous watch, and consider anxiety irrational. Such in a measure has been my feeling in the foregoing inquiry ; in which indeed I have been in want neither of authoritative principles nor distinct precedents, but of treatises in extenso on the subject on which I have written—the finished work of writers, who, by their acknowledged judgment and erudition, might furnish me for my private guidance with a running instruction on each point which successively came under review.

I have spoken of the arduousness of my " immediate " undertaking, because what I have been attempting has been of a preliminary nature.

not contemplating the duties of the Church towards a University, nor the characteristics of a University which is Catholic, but inquiring what a University is, what is its aim, what its nature, what its bearings. I have accordingly laid down first, that all branches of knowledge are, at least implicitly, the subject-matter of its teaching; that these branches are not isolated and independent one of another, but form together a whole or system; that they run into each other, and complete each other, and that, in proportion to our view of them as a whole, is the exactness and trustworthiness of the knowledge which they separately convey; that the process of imparting knowledge to the intellect in this philosophical way is its true culture; that such culture is a good in itself; that the knowledge which is both its instrument and result is called Liberal Knowledge; that such culture, together with the knowledge which effects it, may fitly be sought for its own sake; that it is, however, in addition, of great secular utility, as constituting the best and highest formation of the intellect for social and political life; and lastly, that, considered in a religious aspect, it concurs with Christianity a certain way, and then diverges from it; and consequently proves in the event, sometimes its serviceable ally, sometimes, from its very resemblance to it, an insidious and dangerous foe.

Though, however, these Discourses have only professed to be preliminary, being directed to the investigation of the object and nature of the Education which a University professes to impart, at the same time I do not like to conclude without making some remarks upon the duties of the Church towards it, or rather on the ground of those duties. If the Catholic Faith is true, a University cannot exist externally to the Catholic pale, for it cannot teach Universal Knowledge if it does not teach Catholic theology. This is certain; but still, though it had ever so many theological Chairs, that would not suffice to make it a Catholic University; for theology would be included in its teaching only as a branch of knowledge, only as one out of many constituent portions, however important a one, of what I have called Philosophy. Hence a direct and active jurisdiction of the Church over it and in it is necessary, lest it should become the rival of the Church with the community at large in those theological matters which to the Church are exclusively committed,—acting as the representative of the intellect, as the Church is the representative of the religious principle. The illustration of this proposition shall be the subject of my concluding Discourse.

I say then, that, even though the case could be so that the whole system of Catholicism was recognised and professed, without the direct presence of the Church, still this would not at once make such a University a Catholic Institution, nor be sufficient to secure the due

weight of religious considerations in its philosophical studies. For it may easily happen that a particular bias or drift may characterise an Institution, which no rules can reach, nor officers remedy, nor professions or promises counteract. We have an instance of such a case in the Spanish Inquisition ;—here was a purely Catholic establishment, devoted to the maintenance, or rather the ascendancy of Catholicism, keenly zealous for theological truth, the stern foe of every anti-Catholic idea, and administered by Catholic theologians ; yet it in no proper sense belonged to the Church. It was simply and entirely a state institution, it was an expression of that very Church-and-King spirit which has prevailed in these islands ; nay, it was an instrument of the state, according to the confession of the acutest Protestant historians, in its warfare against the Holy See. Considered “ materially,” it was nothing but Catholic ; but its spirit and form were earthly and secular, in spite of whatever faith and zeal and sanctity and charity were to be found in the individuals who from time to time had a share in its administration. And in like manner, it is no sufficient security for the Catholicity of a University, even that the whole of Catholic theology should be professed in it, unless the Church breathes her own pure and unearthly spirit into it, and fashions and moulds its organisation, and watches over its teaching, and knits together its pupils, and superintends its action. The Spanish Inquisition came into collision with the supreme Catholic authority, from the circumstance that its immediate end was of a secular character ; and for the same reason, whereas Academical Institutions (as I have been so long engaged in showing) are in their very nature directed to social, national, temporal objects in the first instance, and since they are living and energising bodies, if they deserve the name of University at all, and of necessity have some one formal and definite ethical character, good or bad, and do of a certainty imprint that character on the individuals who direct and who frequent them, it cannot but be that, if left to themselves, they will, in spite of their profession of Catholic Truth, work out results more or less prejudicial to its interests.

Nor is this all : such Institutions may become hostile to Revealed Truth, in consequence of the circumstances of their teaching as well as of their end. They are employed in the pursuit of Liberal Knowledge, and Liberal Knowledge has a special tendency, not necessary or rightful, but a tendency in fact, when cultivated by beings such as we are, to impress us with a mere philosophical theory of life and conduct, in the place of Revelation. I have said much on this subject already. Truth has two attributes—beauty and power ; and while Useful Knowledge is the possession of truth as powerful, Liberal Knowledge is the appre-

hension of it as beautiful. Pursue it, either as beauty or as power, to its furthest extent and its true limit, and you are led by either road to the Eternal and Infinite, to the intimations of conscience and the announcements of the Church. Satisfy yourself with what is only visibly or intelligibly excellent, as you are likely to do, and you will make present utility and natural beauty the practical test of truth, and the sufficient object of the intellect. It is not that you will at once reject Catholicism, but you will measure and proportion it by an earthly standard. You will throw its highest and most momentous disclosures into the background, you will deny its principles, explain away its doctrines, rearrange its precepts, and make light of its practices, even while you profess it. Knowledge, viewed as Knowledge, exerts a subtle influence in throwing us back on ourselves, and making us our own centre, and our minds the measure of all things. This then is the tendency of that Liberal Education, of which a University is the school, viz., to view Revealed Religion from an aspect of its own—to fuse and recast it—to tune it, as it were, to a different key, and to reset its harmonies—to circumscribe it by a circle which unwarrantably amputates here, and unduly develops there; and all under the notion, conscious or unconscious, that the human intellect, self-educated and self-supported, is more true and perfect in its ideas and judgments than that of Prophets and Apostles, to whom the sights and sounds of Heaven were immediately conveyed. A sense of propriety, order, consistency, and completeness gives birth to a rebellious stirring against miracle and mystery, against the severe and the terrible.

First and chiefly this Intellectualism comes into collision with precept, then with doctrine, then with the very principle of dogmatism. A perception of the Beautiful becomes the substitute for faith. In a country which does not profess the faith, it at once runs, if allowed, into scepticism or infidelity; but even within the pale of the Church, and with the most unqualified profession of her Creed, it acts, if left to itself, as an element of corruption and debility. Catholicism, as it has come down to us from the first, seems to be mean and illiberal; it is a mere popular religion; it is the religion of illiterate ages or servile populations or barbarian warriors; it must be treated with discrimination and delicacy, corrected, softened, improved, if it is to satisfy an enlightened generation. It must be stereotyped as the patron of arts, or the pupil of speculation, or the protégé of science; it must play the literary academician, or the empirical philanthropist, or the political partisan; it must keep up with the age; some or other expedient it must devise, in order to explain away, or to hide, tenets under which the intellect labours and of which it is ashamed—its doctrine, for instance,

of grace, its mystery of the Godhead, its preaching of the Cross, its devotion to the Queen of Saints, or its loyalty to the Apostolic See. Let this spirit be freely evolved out of that philosophical condition of mind, which in former Discourses I have so highly, so justly extolled, and it is impossible but, first indifference, then laxity of belief, then even heresy will be the successive results.

Here then are two injuries which Revelation is likely to sustain at the hands of the Masters of human reason unless the Church, as in duty bound, protects the sacred treasure which is in jeopardy. The first is a simple ignoring of Theological Truth altogether, under the pretence of not recognising differences of religious opinion ;—which will only take place in countries or under governments which have abjured Catholicism. The second, which is of a more subtle character, is a recognition indeed of Catholicism, but (as if in pretended mercy to it) an adulteration of its spirit. I will now proceed to describe the dangers I speak of more distinctly, by a reference to the general subject-matter of instruction which a University undertakes.

There are three great subjects on which Human Reason employs itself : God, Nature, and Man : and theology being put aside in the present argument, the physical and social worlds remain. These, when respectively subjected to Human Reason, form two books : the book of Nature is called Science, the book of man is called Literature. Literature and Science, thus considered, nearly constitute the subject-matter of Liberal Education ; and while Science is made to subserve the former of the two injuries, which Revealed Truth sustains—its exclusion, Literature subserves the latter—its corruption. Let us consider the influence of each upon Religion separately.

I. As to Physical Science, of course there can be no real collision between it and Catholicism. Nature and Grace, Reason and Revelation, come from the same Divine Author, whose works cannot contradict each other. Nevertheless, it cannot be denied that, in matter of fact, there always has been a sort of jealousy and hostility between Religion and physical philosophers. The name of Galileo reminds us of it at once. Not content with investigating and reasoning in his own province, he went out of his way directly to insult the received interpretation of Scripture ; theologians repelled an attack which was wanton and arrogant ; and Science, affronted in her minister, has taken its full revenge upon Theology since. A vast multitude of its teachers, I fear it must be said, have been either unbelievers or sceptics, or at least have denied to Christianity any teaching, distinctive or special, over the Religion of Nature. There have indeed been most illustrious exceptions ; some men protected by their greatness of mind, some by their religious



profession, some by the fear of public opinion ; but I suppose the run of experimentalists, external to the Catholic Church, have more or less inherited the positive or negative unbelief of Laplace, Buffon, Franklin, Priestley, Cuvier, and Humboldt. I do not of course mean to say that there need be in every case a resentful and virulent opposition made to Religion on the part of scientific men ; but their emphatic silence or phlegmatic inadvertence as to its claims have implied, more eloquently than any words, that in their opinion it had no voice at all in the subject-matter, which they had appropriated to themselves. The same antagonism shows itself in the middle ages. Friar Bacon was popularly regarded with suspicion as a dealer in unlawful arts ; Pope Sylvester the Second has been accused of magic for his knowledge of natural secrets ; and the geographical ideas of St. Virgil, Bishop of Saltzburgh, were regarded with anxiety by the great St. Boniface, the glory of England, the Martyr-Apostle of Germany. I suppose, in matter of fact, magical superstition and physical knowledge did commonly go together in those ages : however, the hostility between experimental science and theology is far older than Christianity. Francis Bacon traces it to an era prior to Socrates ; he tells us that, among the Greeks, the atheistic was the philosophy most favourable to physical discoveries, and he does not hesitate to imply that the rise of the religious schools was the ruin of science.

Now, if we would investigate the reason of this opposition between Theology and Physics, I suppose we must first take into account Francis Bacon's own explanation of it. It is common in judicial inquiries to caution the parties on whom the verdict depends to put out of their minds whatever they have heard out of court on the subject to which their attention is to be directed. They are to judge by the evidence ; and this is a rule which holds in other investigations as far as this, that nothing of an adventitious nature ought to be introduced into the process. In like manner, from religious investigations, as such, physics must be excluded, and from physical, as such, religion ; and if we mix them, we shall spoil both. The Theologian, speaking of Divine Omnipotence, for the time simply ignores the laws of nature as existing restraints upon its exercise ; and the physical philosopher, on the other hand, in his experiments upon natural phenomena, is simply ascertaining those laws, putting aside the question of that Omnipotence. If the theologian, in tracing the ways of Providence, were stopped with objections grounded on the impossibility of physical miracles, he would justly protest against the interruption ; and were the philosopher, who was determining the motion of the heavenly bodies, to be questioned about their Final or their First Cause, he too would suffer an illogical

interruption. The latter asks the cause of volcanoes, and is impatient at being told it is "the divine vengeance"; the former asks the cause of the overthrow of the guilty cities, and is preposterously referred to the volcanic action still visible in their neighbourhood. The inquiry into final causes for the moment passes over the existence of established laws; the inquiry into physical, passes over for the moment the existence of God. In other words, physical science is in a certain sense atheistic, for the very reason it is not theology.

This is Francis Bacon's justification, and an intelligible one, for considering that the fall of atheistic philosophy in ancient times was a blight upon the hopes of physical science. "Aristotle," he says, "Galen, and others, frequently introduce such causes as these: the hairs of the eyelids are for a fence to the sight; the bones for pillars whence to build the bodies of animals; the leaves of trees are to defend the fruit from the sun and wind; the clouds are designed for watering the earth. All which are properly alleged in metaphysics; but in physics, are impeding, and as remoras to the ship, that hinder the sciences from holding on their course of improvement, and introducing a neglect of searching after physical causes." Here then is one reason for the prejudice of physical philosophers against Theology: on the one hand, their deep satisfaction in the laws of nature indisposes them towards the thought of a Moral Governor, and makes them sceptical of His interposition; on the other hand, the occasional interference of religious writers in a province not religious, has made them sore, suspicious and resentful.

Another reason of a kindred nature is to be found in the difference of method by which truths are gained in theology and in physical science. Induction is the instrument of Physics, and deduction only is the instrument of Theology. There the simple question is, What is revealed? All doctrinal knowledge flows from one fountain head. If we are able to enlarge our view and multiply our propositions, it must be merely by the comparison and adjustment of existing truths; if we would solve new questions, it must be by consulting old answers. The notion of doctrinal knowledge absolutely novel, and of simple addition from without, is intolerable to our ears, and never was entertained by any one who was even approaching to an understanding of our Creed. Revelation is all in all in doctrine; the Apostles its sole depository, the inferential method its sole instrument, and ecclesiastical authority its sole sanction. The Divine Voice has spoken once for all, and the only question is about its meaning. Now this process, as far as it was reasoning, was the very mode of reasoning which, as regards physical knowledge, the school of Bacon has superseded by the inductive method;

no wonder, then, that that school should be irritated and indignant to find that subject-matter remains still, in which their favourite instrument has no office ; no wonder that they rise up against this memorial of an antiquated system, as an eyesore and an insult ; and no wonder that the very force and dazzling success of their own method in its own departments should sway or bias unduly the religious sentiments of any persons who come under its influence. They assert that no new truth can be gained by deduction ; Catholics assent, but add that, as regards religious truth, they have not to seek at all, for they have it already. Christian Truth is purely of revelation ; that revelation we can but explain, we cannot increase, except relatively to our own apprehensions ; without it we should have known nothing of its contents, with it we know just as much as its contents, and nothing more. And, as it was a divine act independent of man, so will it remain in spite of man. Niebuhr may revolutionise history, Lavoisier chemistry, Newton astronomy ; but God Himself is the author as well as the subject of theology. When Truth can change, its Revelation can change ; when human reason can outreason the Omniscient, then may it supersede His work.

Avowals such as these fall strange upon the ear of men whose first principle is the search after truth, and whose starting-points of search are things material and sensible. They scorn any process of inquiry not founded on experiment ; Mathematics indeed they endure, because that science deals with ideas, not with facts, and leads to conclusions hypothetical rather than real ; " Metaphysics " they even use as a by-word of reproach ; and Ethics they admit only on condition that it gives up conscience as its scientific ground, and bases itself on tangible utility ; but as to Theology, they cannot deal with it, they cannot master it, and so they simply outlaw it and ignore it. Catholicism, forsooth, " confines the intellect," because it holds that God's intellect is greater than theirs, and that what He has done, man cannot improve. And what in some sort justifies them to themselves in this extravagance is the circumstance that there is a religion close at their doors which, discarding so severe a tone, has actually adopted their own principle of inquiry. Protestantism treats Scripture just as they deal with Nature ; it takes the sacred text as a large collection of phenomena, from which, by an inductive process, each individual Christian may arrive at just those religious conclusions which approve themselves to his own judgment. It considers faith a mere modification of reason, as being an acquiescence in certain probable conclusions till better are found. Sympathy, then, if no other reason, throws experimental philosophers into alliance with the enemies of Catholicism.

I have another consideration to add, not less important than any

I have hitherto adduced. The physical sciences, Astronomy, Chemistry, and the rest, are doubtless engaged upon divine works, and cannot issue in untrue religious conclusions. But at the same time it must be recollected that Revelation has reference to circumstances which did not arise till after the heavens and the earth were made. They were made before the introduction of moral evil into the world : whereas the Catholic Church is the instrument of a remedial dispensation to meet that introduction. No wonder then that her teaching is simply distinct, though not divergent, from the theology which Physical Science suggests to its followers. She sets before us a number of attributes and acts on the part of the Divine Being, for which the material and animal creation gives no scope ; power, wisdom, goodness are the burden of the physical world, but it does not and could not speak of mercy, long-suffering, and the economy of human redemption, and but partially of the moral law and moral goodness. " Sacred Theology," says Francis Bacon, " must be drawn from the words and the oracles of God ; not from the light of nature or the dictates of reason. It is written, that ' the Heavens declare the glory of God ' ; but we nowhere find it that the Heavens declare the will of God ; which is pronounced a law and a testimony, that men should do according to it. Nor does this hold only in the great mysteries of the Godhead, of the creation, of the redemption . . . . We cannot doubt that a large part of the moral law is too sublime to be attained by the light of nature ; though it is still certain that men, even with the light and law of nature, have some notions of virtue, vice, justice, wrong, good, and evil." That the new and further manifestations of the Almighty, made by Revelation, are in perfect harmony with the teaching of the natural world, forms indeed one subject of the profound work of the Protestant Bishop Butler ; but they cannot in any sense be gathered from nature, and the silence of nature concerning them may easily seduce the imagination, though it has no force to persuade the reason, to revolt from doctrines which have not been authenticated by facts, but are enforced by authority. In a scientific age, then, there will naturally be a parade of what is called Natural Theology, a widespread profession of the Unitarian creed, an impatience of mystery, and a scepticism about miracles.

And to all this must be added the ample opportunity which physical science gives to the indulgence of those sentiments of beauty, order, and congruity, of which I have said so much as the ensigns and colours (as they may be called) of a civilised age in its warfare against Catholicism.

It being considered, then, that Catholicism differs from physical science, in drift, in method of proof, and in subject-matter, how can it fail to meet with unfair usage from the philosophers of any Institution

in which there is no one to take its part? That Physical Science itself will be ultimately the loser by such ill-treatment of Theology, I have insisted on at great length in the first three of these Discourses; for to depress unduly, to encroach upon any science, and much more on an important one, is to do an injury to all. However, this is not the concern of the Church; the Church has no call to watch over and protect Science; but towards Theology she has a distinct duty: it is one of the special trusts committed to her keeping. Where Theology is, there she must be; and if a University cannot fulfil its name and office without the recognition of Revealed Truth, she must be there to see that it is a *bonâ fide* recognition, sincerely made and consistently acted on.

2. And if the interposition of the Church is necessary in the Schools of Science, still more imperatively is it demanded in the other main constituent portion of the subject-matter of Liberal Education—Literature. Literature stands related to Man as Science stands to Nature; it is his history. Man is composed of body and soul; he thinks and he acts; he has appetites, passions, affections, motives, designs; he has within him the lifelong struggle of duty with inclination; he has an intellect fertile and capacious; he is formed for society, and society multiplies and diversifies in endless combinations his personal characteristics, moral and intellectual. All this constitutes his life; of all this Literature is the expression; so that Literature is to man in some sort what autobiography is to the individual; it is his Life and Remains. Moreover, he is this sentient, intelligent, creative, and operative being, quite independent of any extraordinary aid from Heaven, or any definite religious belief; and as such, as he is in himself, does Literature represent him; it is the Life and Remains of the natural man, or man *in purâ naturâ*. I do not mean to say that it is impossible in its very notion that Literature should be tintured by a religious spirit; Hebrew Literature, as far as it can be called Literature, certainly is simply theological, and has a character imprinted on it which is above nature; but I am speaking of what is to be expected without any extraordinary dispensation; and I say that, in matter of fact, as Science is the reflection of Nature, so is Literature also—the one, of Nature physical, the other, of Nature moral and social. Circumstances, such as locality, period, language, seem to make little or no difference in the character of Literature, as such; on the whole, all Literatures are one; they are the voices of the natural man.

I wish this were all that had to be said to the disadvantage of Literature; but while Nature physical remains fixed in its own laws, Nature moral and social has a will of its own, is self-governed, and never remains any long while in that state from which it started into action.

Man will never continue in a mere state of innocence ; he is sure to sin, and his literature will be the expression of his sin, and this whether he be heathen or Christian. Christianity has thrown gleams of light on him and his literature ; but as it has not converted him, but only certain choice specimens of him, so it has not changed the characters of his mind or of his history ; his literature is either what it was, or worse than what it was, in proportion as there has been an abuse of knowledge granted and a rejection of truth. On the whole, then, I think it will be found, and ever found, as a matter of course, that Literature, as such, no matter of what nation, is the science or history, partly and at best of the natural man, partly of man fallen.

Here then, I say, you are involved in a difficulty, greater than that which besets the cultivation of Science ; for, if Physical Science be dangerous, I have said it is dangerous, because it necessarily ignores the idea of moral evil ; but Literature is open to the more grievous imputation of recognising and understanding it too well. Some one will say to me perhaps : " Our youth shall not be corrupted. We will dispense with all general or national Literature whatever, if it be so exceptionable ; we will have a Christian Literature of our own, as pure, as true, as the Jewish." You cannot have it : I do not say you cannot form a select literature for the young, or for the middle or lower classes ; this is another matter altogether : I am speaking of University Education, which implies an extended range of reading, which has to deal with standard works of genius, or what are called the classics of a language : and I say, from the nature of the case, if Literature is to be made a study of human nature, you cannot have a Christian Literature. It is a contradiction in terms to attempt a sinless Literature of sinful man. You may gather together something very great and high, something higher than any Literature ever was ; and when you have done so, you will find that it is not Literature at all. You will have simply left the delineation of man, as such, and have substituted for it, as far as you have had anything to substitute, that of man, as he is or might be, under certain special advantages. Give up the study of man, as such, if so it must be ; but say you do so. Do not say you are studying him, his history, his mind and his heart, when you are studying something else. Man is a being of genius, passion, intellect, conscience, power. He exercises these various gifts in various ways, in great deeds, in great thoughts, in heroic acts, in hateful crimes. He founds states, he fights battles, he builds cities, he ploughs the forest, he subdues the elements, he rules his kind. He creates vast ideas, and influences many generations. He takes a thousand shapes, and undergoes a thousand fortunes. Literature records them all to the life. He pours out his

fervid soul in poetry ; he sways to and fro, he soars, he dives, in his restless speculations ; his lips drop eloquence ; he touches the canvas, and it glows with beauty ; he sweeps the strings, and they thrill with an ecstatic meaning. He looks back into himself, and he reads his own thoughts, and notes them down ; he looks out into the universe, and tells over and celebrates the elements and principles of which it is the product.

Such is man : put him aside, keep him before you ; but, whatever you do, do not take him for what he is not, for something more divine and sacred, for man regenerate. Nay, beware of showing God's grace and its work at such disadvantage as to make the few whom it has thoroughly influenced compete in intellect with the vast multitude who either have it not, or use it ill. The elect are few to choose out of, and the world is inexhaustible. From the first, Jabal and Tubalcain, Nimrod "the stout hunter," the learning of the Pharaohs, and the wisdom of the East country, are of the world. Every now and then they are rivalled by a Solomon or a Bezaleel, but the habitat of natural gifts is the natural man. The Church may use them, she cannot at her will originate them. Not till the whole human race is regenerate will its literature be pure and true. Possible of course it is in idea, for nature, inspired by heavenly grace, to exhibit itself on a large scale, in an originality of thought or action, even far beyond what the world's literature has recorded or exemplified ; but, if you would in fact have a literature of saints, first of all have a nation of them.

What is a clearer proof of the truth of all this than the structure of the Inspired Word itself ? It is undeniably not the reflection or picture of the many, but of the few ; it is no picture of life, but an anticipation of death and judgment. Human literature is about all things, grave or gay, painful or pleasant ; but the Inspired Word views them only in one aspect, and as they tend to one scope. It gives us little insight into the fertile developments of mind ; it has no terms in its vocabulary to express with exactness the intellect and its separate faculties : it knows nothing of genius, fancy, wit, invention, presence of mind, resource. It does not discourse of empire, commerce, enterprise, learning, philosophy, or the fine arts. Slightly too does it touch on the more simple and innocent courses of nature and their reward. Little does it say of those temporal blessings which rest upon our worldly occupations, and make them easy ; of the blessings which we derive from the sunshine day and the serene night, from the succession of the seasons, and the produce of the earth. Little about our recreations and our daily domestic comforts ; little about the ordinary occasions of festivity and mirth, which sweeten human life ; and nothing at all about various

pursuits or amusements, which it would be going too much into detail to mention. We read indeed of the feast when Isaac was weaned, and of Jacob's courtship, and of the religious merry-makings of holy Job ; but exceptions, such as these, do but remind us what might be in Scripture, and is not. If then by Literature is meant the manifestation of human nature in human language, you will seek for it in vain except in the world. Put up with it, as it is, or do not pretend to cultivate it ; take things as they are, not as you could wish them.

Nay, I am obliged to go further still ; even if we could, still we should be shrinking from our plain duty, did we leave out Literature from Education. For why do we educate, except to prepare for the world ? Why do we cultivate the intellect of the many beyond the first elements of knowledge, except for this world ? Will it be much matter in the world to come whether our bodily health or whether our intellectual strength was more or less, except of course as this world is in all its circumstances a trial for the next ? If then a University is a direct preparation for this world, let it be what it professes. It is not a Convent, it is not a Seminary ; it is a place to fit men of the world for the world. We cannot possibly keep them from plunging into the world, with all its ways and principles and maxims, when their time comes ; but we can prepare them against what is inevitable ; and it is not the way to learn to swim in troubled waters, never to have gone into them. Proscribe, I do not merely say particular authors, particular works, particular passages, but Secular Literature as such ; cut out from your class books all broad manifestations of the natural man ; and those manifestations are waiting for your pupil's benefit at the very doors of your lecture room in living and breathing substance. They will meet him there in all the charm of novelty, and all the fascination of genius or of amiableness. To-day a pupil, to-morrow a member of the great world : to-day confined to the Lives of the Saints, to-morrow thrown upon Babel ;—thrown on Babel, without the honest indulgence of wit and humour and imagination ever permitted to him, without any fastidiousness of taste wrought into him, without any rule given him for discriminating " the precious from the vile," beauty from sin, the truth from the sophistry of nature, what is innocent from what is poison. You have refused him the masters of human thought, who would in some sense have educated him because of their incidental corruption : you have shut up from him those whose thoughts strike home to our hearts, whose words are proverbs, whose names are indigenous to all the world, the standard of their mother tongue, and the pride and boast of their countrymen, Homer, Ariosto, Cervantes, Shakespeare, because the old Adam smelt rank in them ; and for what have you reserved him ?



You have given him "a liberty unto" the multitudinous blasphemy of his day; you have made him free of its newspapers, its reviews, its magazines, its novels, its controversial pamphlets, of its parliamentary debates, its law proceedings, its platform speeches, its songs, its drama, its theatre, of its enveloping, stifling atmosphere of death. You have succeeded but in this—in making the world his University.

Difficult then as the question may be, and much as it may try the judgment and even divide the opinions of zealous and religious Catholics, I cannot feel any doubt myself that the Church's true policy is not to aim at the exclusion of Literature from Secular Schools, but her own admission into them. Let her do for Literature in one way what she does for Science in another; each has its imperfection, and she supplies it for each. She fears no knowledge, but she purifies all; she represses no element of our nature, but cultivates the whole. Science is grave, methodical, logical; with Science then she argues, and opposes reason to reason. Literature does not argue, but declaims and insinuates; it is multiform and versatile: it persuades instead of convincing, it seduces, it carries captive; it appeals to the sense of honour, or to the imagination, or to the stimulus of curiosity; it makes its way by means of gaiety, satire, romance, the beautiful, the pleasurable. Is it wonderful that with an agent like this the Church should claim to deal with a vigour corresponding to its restlessness, to interfere in its proceedings with a higher hand, and to wield an authority in the choice of its studies and of its books which would be tyrannical, if reason and fact were the only instruments of its conclusions? But, anyhow, her principle is one and the same throughout: not to prohibit truth of any kind, but to see that no doctrines pass under the name of Truth but those which claim it rightfully.

Such at least is the lesson which I am taught by all the thought which I have been able to bestow upon the subject: such is the lesson which I have gained from the history of my own special Father and Patron, St. Philip Neri. He lived in an age as traitorous to the interests of Catholicism as any that preceded it, or can follow it. He lived at a time when pride mounted high, and the senses held rule; a time when kings and nobles never had more of state and homage, and never less of personal responsibility and peril; when mediæval winter was receding, and the summer sun of civilisation was bringing into leaf and flower a thousand forms of luxurious enjoyment; when a new world of thought and beauty had opened upon the human mind, in the discovery of the treasures of classic literature and art. He saw the great and the gifted, dazzled by the Enchantress, and drinking in the magic of her song; he saw the high and the wise, the student and the artist, painting, and

poetry, and sculpture, and music, and architecture, drawn within her range, and circling round the abyss : he saw heathen forms mounting thence, and forming in the thick air :—all this he saw, and he perceived that the mischief was to be met, not with argument, not with science, not with protests and warnings, not by the recluse of the preacher, but by means of the great counter-fascination of purity and truth. He was raised up to do a work almost peculiar in the Church,—not to be a Savonarola, though Philip had a true devotion towards him and a tender memory of his Florentine house ; not to be a St. Carlo, though in his beaming countenance Philip had recognised the aureole of a saint ; not to be a St. Ignatius, wrestling with the foe, though Philip was termed the Society's bell of call, so many subjects did he send to it ; not to be a St. Francis Xavier, though Philip had longed to shed his blood for Christ in India with him ; not to be a St. Caietan, or hunter of souls, for Philip preferred, as he expressed it, tranquilly to cast in his net to gain them ; he preferred to yield to the stream, and direct the current which he could not stop, of science, literature, art, and fashion, and to sweeten and to sanctify what God had made very good and man had spoilt.

And so he contemplated as the idea of his mission, not the propagation of the faith, nor the exposition of doctrine, nor the catechetical schools ; whatever was exact and systematic pleased him not ; he put from him monastic rule and authoritative speech, as David refused the armour of his king. No ; he would be but an ordinary individual priest as others : and his weapons should be but unaffected humility and unpretending love. All he did was to be done by the light, and fervour, and convincing eloquence of his personal character and his easy conversation. He came to the Eternal City and he sat himself down there, and his home and his family gradually grew up around him, by the spontaneous accession of materials from without. He did not so much seek his own as draw them to him. He sat in his small room, and they in their gay worldly dresses, the rich and the well-born, as well as the simple and the illiterate, crowded into it. In the mid-heats of summer, in the frosts of winter, still was he in that low and narrow cell at San Girolamo, reading the hearts of those who came to him, and curing their souls' maladies by the very touch of his hand. It was a vision of the Magi worshipping the infant Saviour, so pure and innocent, so sweet and beautiful was he ; and so loyal and so dear to the gracious Virgin Mother. And they who came remained gazing and listening, till at length, first one and then another threw off his bravery, and took his poor cassock and girdle instead : or, if they kept it, it was to put haircloth under it, or to take on them a rule of life, while to the world they looked as before.

## SIR ROBERT PEEL

(1788-1850).

**S**IR ROBERT PEEL, twice Prime Minister of England, was a man of the most versatile mind and varied activities, but he is remembered chiefly by his part in bringing about the repeal of the Corn Laws and by his establishment of the regular Constabulary who were called after him "Peelers." He was born near Bury, in Lancashire, February 5th, 1788, the son of Sir Robert Peel, a calico printer. After taking his degree at Oxford with a "double first" (in Classics and Mathematics), he was elected to Parliament and was rapidly advanced by his Tory associates who recognised his abilities. As Under-Secretary for Ireland, he opposed Catholic emancipation and led the most extreme opponents of Irish autonomy. He was Home Secretary under Lord Liverpool and again under the Duke of Wellington. After changing his ideas and losing the confidence of his political friends by consenting to Catholic emancipation, he regained his place in their esteem by opposing the Reform Bill. He became Prime Minister in 1834, and resigned in 1835. Restored to the Premiership in 1841, he became a convert to Free Trade, and on January 27th, 1846, moved, and was largely instrumental in securing, the repeal of the Corn Laws. He died July 2nd, 1850.

### HOLLAND, GREECE AND BELGIUM

(Delivered in Parliament, July 20th, 1832).

**T**HE right honourable gentleman stated that the present Government had found themselves bound hand and foot by the engagements of their predecessors, who consented to guarantee a loan of £800,000 in aid of Prince Leopold, on his election to the throne of Greece. The right honourable gentleman had no right to say that the hands of himself and coadjutors were tied by the last Ministers. They were no parties to the original Treaty of 1827; but when they came into office they found themselves compelled to fulfil the treaties made by their predecessors. The Duke of Wellington, in 1830, three years after the treaty had been

made, and not very long after he came into power, was engaged in the consideration of the Greek question. Prince Otho of Bavaria was then proposed as the Sovereign of Greece, and the Duke of Wellington objected to the appointment of that prince on account of his youth, he being then not more than fourteen. After considerable discussion, the Powers, parties to the treaty, agreed to the nomination of Prince Leopold, and the question of pecuniary aid was proposed. The Duke of Wellington said the Government of England had never given pecuniary aid in such a case, and refused to accede to the proposition. Prince Leopold then applied to the three sovereigns and declared he would not accept the throne of Greece unless the money were advanced. The Government of the Duke of Wellington, being anxious to establish a sovereign on the throne of Greece, did, at last, reluctantly concur with Russia and France rather than by withholding their consent from the proposed arrangement deprive Greece of the services of Prince Leopold and separate the policy of this country from that of France and Russia. The right honourable Secretary might have contended that the present Government found themselves bound to guarantee a loan to Prince Leopold; but he was not warranted in saying that they were pledged by the acts of a former Government to guarantee a loan to any other prince. To come to the question immediately before the committee, he admitted that it was a case involved in considerable difficulty. He could conceive that circumstances might be established which would compel him to acquiesce in the payment of the money to Russia. He had some doubts as to whom the money was payable to, and as to the justice of the arrangements into which this country was about to enter. These doubts might, however, be removed by explanation; and he must say, that while England retained possession of the colonies wrested from Holland, she ought not to be very astute in finding reasons for excepting herself from the terms of her contract. With the information at present before the House, he was not prepared to state whether the payments were due to Holland or to Russia, but to one or other they were, in his opinion, due. If his vote were to imply a decided opinion that the money was not due to Russia, he would not give it. The right honourable gentleman assented—and it was an important admission—to the opinion he had formerly expressed, that the obligation of this country arose out of mixed considerations. His impression was, that there was a doubtful claim on this country, arising out of the convention of 1815; but he had admitted that there might be other considerations, independently of the convention, which would justify Ministers in promising to pay the money to Russia; that if they could show him that the payment of this money would enable them to maintain the peace

of Europe, and to bring the depending negotiations to a satisfactory conclusion, he was prepared to give them his support. But why did the Ministers press a vote, when they were unable to give the House satisfaction upon these points? It was clear, from the right honourable gentleman's admission, that this question depended on mixed considerations; but he objected to being called upon to confirm the arrangement until he was satisfied, by the production of documents, of the extent of each of these mixed considerations. The negotiations were not complete, and they were, perhaps, the most important for the honour of England, for the independence of small states, and for the general tranquillity of Europe, in which this country was ever engaged. The right honourable gentleman said that the Government which preceded the present determined on the separation of Belgium from Holland. Here again he was incorrect. The former Ministers were called upon to interfere as mediators. In compliance with the Treaty of 1815, the King of Holland applied to the great powers for counsel. England at once told him that she was not prepared to assist him in re-establishing by force his authority over Belgium; but when the late Ministers left office it had never been decided that Belgium must, of necessity, be transferred from the dominion of the House of Nassau. He had even some recollection that the present Prime Minister had been taunted in the Belgic Chamber of Deputies for having expressed a hope which pervaded almost every British mind, that Belgium might be established as a separate kingdom under the authority of a prince of that illustrious family. That alone was sufficient to prove that the complete independence of Belgium of the House of Orange was not decided upon when the present Ministers entered office. But further, at the very time when he and his colleagues resigned office, an honourable gentleman (Sir J. C. Hobhouse) had a notice of a motion in the book, the object of which was to compel the Government to explain their supposed conduct in favouring, not the separation of Belgium from Holland, but the King of Holland against his revolted subjects. But to return to the ground on which he objected to being pledged to the arrangement now proposed—namely, that he was in possession of no information respecting the negotiations which were now being carried on. What course had the Government pursued with respect to Greece? The loan to Prince Otho had been guaranteed for a considerable time, and yet the House had not been called upon to ratify the treaty, and the reason assigned by the noble lord for this delay was, that Government wished first to lay upon the table of the House every protocol connected with negotiations. If Ministers pursued this conduct with respect to the Greek loan, why did they call upon the House to sanction the proposed arrangement with respect to Russia, without

information? It might be said that the money was now due, but it had been due in July, and was not then paid. No further payment would be due until January, by which time, in all probability, pending negotiations would be brought to a close. Why, then, force the House now to express an opinion? He could not conceive what answer could be made to this question, in a parliamentary point of view. Was there ever an instance in which Parliament had been called upon to vote public money, arising out of negotiations, whilst they were yet pending?

During the time these negotiations had been carried on, he and his friends had abstained from expressing any opinion concerning them, and had brought forward no motion calculated to embarrass the Government. And yet, before the negotiations were concluded, the Government called upon the House to vote the money. He made no objection to the amount. He did not deny that his impression was that there might be good and sufficient reason for the payment of this money, although it was not to be found on the face of the treaty; but he contended that it was contrary to all parliamentary custom to call upon the House to pronounce an opinion on the subject before it was put into possession of any information. The object of the arrangement professedly was, to induce Russia to unite her policy with ours, to preserve the balance of power and the peace of Europe. He asked whether the measures which Ministers were pursuing were likely to preserve the peace of Europe? In the second article of the treaty, now upon the table, Russia engaged, if the arrangements at present agreed upon should be endangered, not to enter into other arrangements without the concurrence of England. The arrangements were in danger at the present moment. Negotiations, it might be said, were yet pending; but, if that were a complete answer against the giving of information, it was also complete against calling upon the House to vote the money. Had the ratifications of the treaties of 1831 been accompanied by any reserve? If so, ought this important point to be concealed? In the whole of Europe, the English House of Commons was the only place where no information was to be obtained on these points. Communications had been made to the Chambers of Holland and Belgium; every foreign newspaper had contained authentic copies of documents which were most important in explaining the policy pursued at different periods of the negotiations; the House of Commons, however, possessed not a tittle of information on the subject. This course was according to precedent, because the negotiations were pending; but it was equally in conformity with precedent that, under these circumstances, the House ought not to be called upon to pledge itself to the payment of the money. It had been stated in an official newspaper, published in Holland, that Russia accompanied the ratification with an

important reserve. The treaty before the House contained twenty-four articles, the execution of which was guaranteed by the contracting parties ; but those articles, as far as the distribution of territory was concerned, could not be acted upon until Holland and Belgium should sign and ratify another treaty. The first question, then, was, had Belgium and Holland signed the treaty on which the execution of the other depends ? The answer was, No ; they had not. Under these circumstances it was practising a delusion on Parliament to talk of the treaty being ratified. It was well known that Holland insisted on the modification of three articles contained in this treaty. She insisted on not being compelled to abandon Luxembourg, on not being compelled to permit the free access of Belgic navigation to artificial canals, and on not being compelled to permit the Belgians to make the military roads through the new territories assigned to them. It was premature to enter into the question whether Holland was right or wrong in insisting on these points ; but it was a notorious fact that Russia had accompanied her ratification of the treaty with this reserve—that Holland shall not be compelled to consent to the articles which she objected to. This, he might remark, was a proof that the policy of Russia was not concurrent with ours. It was evident that, if this reservation of Russia were insisted upon, it would be fatal to the treaty, and therefore it was not treating the House fairly to make the dry statement that Russia had ratified the treaty, without informing it whether her ratification was accompanied with such a reservation. The House ought, also, to be made acquainted with the reasons why the treaty was not ratified at the appointed time. It was stipulated that the ratifications should be exchanged within six weeks after the signing of the convention. The signatures were affixed to the convention on November 16th ; but, from a paper signed by Mr. Pemberton, by order of the Lords of the Treasury, it appeared that the ratifications were not received on June 4th. That was an additional proof that the policy of Russia was not concurrent with our own. Was it so, when Russia ratified with a reservation ? Did that reservation still exist ? If so, was it consistent with our policy ? It was a mere mockery of the functions of the House of Commons to require it to fulfil the conditions of this convention whilst Ministers were unable to explain the state in which the negotiations stood at the present moment. It had been justly observed by his honourable friend the member for the University of Oxford, that it was a critical day. July 20th was the day by which it had been intimated to Holland by France and England that the treaty must be signed. This, at least, was understood to be the case. Documents had been published which contained a threat that force would be applied to compel Holland to give her consent to the treaty. Holland said that

she would ratify the treaty provided the articles to which she objected were altered. The conference replied, "You shall ratify first, and try to get the articles altered afterwards." Holland very naturally objected to this arrangement, because she thought that, when she applied to Belgium to alter the objectionable articles, Belgium would reply that the treaty had been ratified, and Holland must be bound by it. This was the state of the case; and the House of Commons ought to have been consulted before any naval armament was undertaken, or any demonstration of a warlike nature made.

### REPEAL OF THE CORN LAWS

(Delivered in the House of Commons, May 15th, 1846).

**S**IR, I believe it is nearly three months since I first proposed, as the organ of her Majesty's Government, the measure which, I trust, is about to receive to-night the sanction of the House of Commons; and considering the lapse of time, considering the frequent discussions, considering the anxiety of the people of this country that these debates should be brought to a close, I feel that I should be offering an insult to the House if I were to condescend to bandy personalities upon such an occasion. Sir, I foresaw that the course which I have taken from a sense of public duty would expose me to serious sacrifices. I foresaw as its inevitable result, that I must forfeit friendship which I most highly valued, that I must interrupt political relations in which I felt a sincere pride; but the smallest of all the penalties which I anticipated, were the continued venomous attacks of the member for Shrewsbury. Sir, I will only say of that honourable gentleman that if he, after reviewing the whole of my public life, a life extending over thirty years previous to my accession to office in 1841, if he then entertained the opinion of me which he now professes, if he thought I was guilty of these petty larcenies from Mr. Horner and others, it is a little surprising that in the spring of 1841, after his long experience of my public career, he should have been prepared to give me his confidence. It is still more surprising that he should have been ready, as I think he was, to unite his fortunes with mine in office, thus implying the strongest proof which any public man can give of confidence in the honour and integrity of a minister of the Crown.

Sir, I have explained more than once what were the circumstances under which I felt it to be my duty to take this course. I did feel in



November last that there was just cause for apprehension of scarcity and famine in Ireland. I am stating what were the apprehensions I felt at that time, what were the motives from which I acted ; and those apprehensions though they may be denied now, were at least shared then by those honourable gentlemen who sit below the gangway. The honourable member for Somersetshire expressly declared that, at the period to which I referred, he was prepared to acquiesce in the suspension of the Corn Laws. An honourable member also, a recent addition to this House, who spoke with great ability the other night, the honourable member for Dorsetshire, distinctly declared, that he thought I should have abandoned my duty if I had not advised that, considering the circumstances of Ireland, the restrictions on the importation of foreign corn should be temporarily removed. I may have been wrong, but my impression was first, that my duty towards a country threatened with famine required that that, which had been the ordinary remedy under all similar circumstances, should be resorted to, namely, that there should be free access to the food of man from whatever quarter it might come. I was prepared to give the best proof which public men generally can give of the sincerity of their opinions, by tendering my resignation of office, and devolving upon others the duty of proposing this measure ; and, Sir, I felt this, that if these laws were once suspended, and there was unlimited access to food, the produce of other countries, I and those with whom I acted felt the strongest conviction that it was not for the interest of the agricultural party, that an attempt should be made permanently to reimpose restrictions on the importation of food.

I could not propose the re-establishment of the existing law with any guarantee for its permanence. As the noble lord says, I had acted with Mr. Huskisson in 1822, 1825, and 1826, in revising the commercial system, and applying to that system the principles of free trade. In 1842, after my accession to office, I proposed a revision of the Corn Laws. Had anything taken place at the election of 1844 which precluded that revision ? Was there a public assurance given to the people of this country, at the election of 1841, that the existing amount of protection should be retained ? (Yes, yes.) There was, was there ? Then if there was, you were as guilty as I. What was the assurance given ? If it was that the amount of protection to agriculture, which existed in 1843 and 1841, should be retained, opposition ought to have been made by you to the revision of 1842. Why was the removal of the prohibition on the importation of foreign meat and foreign cattle assented to ? That removal must have been utterly at variance with any assurance that the protection to agriculture, which existed in 1840 and 1841, should be retained. Yet that removal was voted by the House by large majorities :

and after the bill of 1842, was I not repeatedly asked this question—“ Now that you have passed this Bill establishing a new Corn Law, will you give a public assurance, that to that you will, at all times, adhere ? ” Did I not uniformly decline to give any such assurance ? I said I had no intention of proposing an alteration of that law at the time when the question was put to me ; but I distinctly declared that I would not fetter for ever my discretion by giving such a pledge. These things are on record. It was quite impossible for me, consistently with my own convictions, after a suspension of import duties, to propose the re-establishment of the existing law with any security for its continuance.

Well, then, the question which naturally arose was this :—Shall we propose some diminished protection to agriculture, or, in the state of public feeling which will exist after the suspension of the restriction, shall we propose a permanent and ultimate settlement of the question ? To be of any avail, it must have been diminished greatly below its present standard, and that diminution, I believe, would have met with much opposition from the agricultural body as the attempt finally to settle the question. And now, after all these debates, I am firmly convinced that it is better for the agricultural interest to contemplate the final settlement of this question, rather than to attempt the introduction of a law giving a diminished protection. My belief is, that a diminished protection would, in no respect, conciliate agricultural feeling : and this I must say, nothing could be so disadvantageous as to give an ineffectual protection and yet incur all the odium of giving an adequate one. What have we been told during this discussion ? With scarcely an exception, I have listened attentively to every speech that has been made on this side of the House, and, admitting the talent that has been displayed, I confess they have, in no respect, altered the conviction upon which I have acted. You tell me it would have been possible, with such support as I should have received, to have continued the existing law. I believe it might be possible to continue this protection, but after the suspension of it, for I now assume that the suspension would have been assented to on account of the necessities of Ireland, the difficulty of maintaining it would have been greatly increased, because it would have been shown, after the lapse of three years, that, although it had worked tolerably well during the continuance of the abundance, or at least of average harvests, yet at the moment it was exposed to the severe trial of scarcity, it then ceased to effect the object for which it was enacted, and that, in addition to the state of public feeling with reference to restrictions on imports generally, would have greatly added to the difficulty of maintaining the law. There would have been public proof of its inefficiency for one of the great objects for which it was enacted.

But let me say, although it has not been brought prominently under consideration, that, without any reference to the case of Ireland, the working of the law, as far as Great Britain is concerned, during the present year, has not been satisfactory. You would have to contend not merely with difficulties arising from suspension on account of the case of Ireland, but it would have been shown to you that the rate of duty has been high on account of the apparent lowness in the price of corn, while that lowness of price has arisen not from abundance in quantity, but from deficient quality. It would have been shown, and conclusively, that there are greater disparities of price, in most of the principal markets of this country, between corn of the highest quality and of the lowest than have ever existed in former periods. It would have been proved that there never was a greater demand than there has been during the present year for wheat of fine quality, for the purpose of mixing with wheat of inferior quality, which forms the chief article brought for sale into our domestic markets. It would have been shown you that had there been free access to wheat of higher quality than they have assumed, the whole population of this country would for the last four months have been consuming bread of a better quality. My belief, therefore, is that, in seeking the re-enactment of the existing law after its suspension, you would have to contend with greater difficulties than you anticipate.

Still I am told "You would have had a majority." I think a majority might have been obtained. I think you could have continued this law, notwithstanding these increased difficulties, for a short time longer; but I believe that the interval of its maintenance would have been but short, and that there would have been, during the period of its continuance a desperate conflict between different classes of society; that your arguments in favour of it would have been weak; that you might have had no alternative at an early period, had the cycle of unfavourable harvests returned—and who can give an assurance that they would not? that you might, at an early period, have had no alternative but to concede an alteration of this law under circumstances infinitely less favourable than the present to a final settlement of the question.

The honourable gentleman the member for Dorsetshire said, "We can fight the League with their own weapons;" that is to say, finding that we cannot control by law those measures resorted to by the Anti-Corn-Law League, which I cannot defend, and which I very sincerely regret were ever resorted to—the establishment of voters in counties, not being naturally voters in those counties—the honourable gentleman said, "We can make faggot votes as well as they," and the landed interest, he said, by the greater facilities which they possess, would be able to beat the League. Well, but what a sad alternative is this! what a sad

conflict to be carrying on! Even admitting that it would be necessary and might be done from honest convictions of that necessity, could you do it without destroying the county constituencies? Surely it is wise to consider the alternative, and, believe me, you who are anxious for the maintenance of the aristocratic system, you who desire wisely, and justly desire, to discourage the infusion of too much of the democratic principle into the Constitution of the country, although you might, for a time, have relied on the faggot votes you created in a moment of excitement, yet the interval would not be long before that weapon would break short in your hands. You would find that those additional votes created for the purpose of combating the votes of the League, though when brought up at the first election under the influence of an excitement connected with the Corn Laws, they might have been true to your side, yet after the lapse of a short time, some exciting question connected with democratic feelings would arise, and then your votes and the votes of the League, not being subjected to legitimate influence, would unite, and you would find you had entailed on the country permanent evils, destroying the Constitution for the purpose of providing a temporary remedy. It was the foresight of these consequences, it was the belief that you were about to enter into a bitter and, ultimately, an unsuccessful struggle, that has induced me to think that for the benefit of all classes, for the benefit of the agricultural class itself, it was desirable to come to a permanent and equitable settlement of this question.

Sir, I do not rest my support of this Bill upon the temporary ground of scarcity in Ireland. I do not rest my support of the Bill upon that temporary scarcity; but I believe that scarcity left no alternative to us but to undertake the consideration of this subject; and, that consideration being necessary, I think that a permanent adjustment of the question is not only imperative, but the best policy for all concerned. And I repeat now, that I have a firm belief that it is for the general benefit of all, for the best interests of the country, independent of the obligation imposed on us by temporary scarcity, it is for the general interests of the great body of the people that an arrangement should be made for a permanent removal of the restrictions upon the introduction of food.

I will assign my reasons for that opinion. I take my facts from the opponents of this measure. I take the speech of the honourable gentleman, the member for Oxfordshire, a speech distinguished by all the ability and usual clearness and research of the honourable gentleman. We shall have no difference respecting our facts, for I shall take them from the opponents of this measure. The only question is as to the just inference to be drawn from these facts. The honourable gentleman said,

“Allowing that the facts and figures which we have produced for the last thirty years are correct, then I find that there has been a great increase in trade, that there has been a cheapening of commodities ; but there has been no improvement in the social condition of the great masses of the people.” Now, all of you admit that the real question at issue is the improvement of the social and moral condition of the masses of the population. We wish to elevate, in the gradation of society, that great class which gains its support by manual labour. This is agreed on all hands. The mere interest of the landlords, the mere interest of the occupying tenants, important as they are, are subordinate to the great question—what is calculated to increase the comforts, to improve the condition, and elevate the social character of the millions who subsist by manual labour, whether they are engaged in manufactures or in agriculture. What, then, says the honourable member for Oxfordshire ? Take his statements to be correct, and they suggest matter for grave consideration. Here is a country in which wealth has increased, in which trade has increased, in which commodities have been cheapened ; but, said the honourable gentleman, “the social condition of the people has not been raised. I have tried it by every test by which I can determine the fact, and the conclusion, I come to is, that it has not.” If that be so, is it not a formidable state of things ? If increased wealth and enjoyment, if increased trade and cheaper commodities have not given the people more contentment, have not elevated them in the moral scale ; if the moral and social improvement of those who form the foundation and platform of society has not advanced, is that not a subject of serious reflection ? He says, “I look to the state of crime, it has increased. I look to the great articles, not of consumption, but of luxury, which have become necessities ; I look to sugar, to tea, and to other articles of a similar nature, and I find there has been no corresponding increase of consumption.” He says, “I draw my inferences from the facts and the statistics of the last thirty years.” Well, let us go back to the period at which the thirty years commence, that is the year 1815 ; then began the present system of protection to agriculture.

You say you have carefully considered this state of things, that you have looked at them for the last thirty years, and you find increased wealth, increased trade, but a deteriorated condition of the people. With what do you compare the condition of the people for the last thirty years ? With what preceding period do you institute the comparison ? Take any period of the last century. Let us exclude the war ; because, during the war which began in 1793, there was a great dislocation of capital, and a great derangement of social interest. Our comparison, to take a period of peace similar to that of the last

thirty years, must be a period which preceded the French war. We must go to the last century. Take what period you please ; take the period from 1700 down to 1791 ; and now let us compare what was the state of the law when the people, according to your showing, were in a more prosperous condition than during the last thirty years. Let us compare the state of the law at this period, or at any part of this period, with that when protection to agriculture began in 1815. Why, for the first thirty-six years of the last century there was no impediment to the importation of corn. For the first sixty-six years of that century, this country was an exporting country. Let me ask you, what were the agriculturists of Croatia and Hungary at this time about ? Why did they not send us corn ? This country was exporting corn at that time : the price of corn was low and did not exceed 41s. What was the law passed in 1773 ? Why, foreign corn was admitted at a duty of 6*d.*, when the price was above 49s. 6*d.* ; and, under that law, for six years after it was passed, this country was an exporting country. And did agriculture suffer during that period ? Why, sir, there were more enclosure bills passed during that period, when there was a free importation of foreign corn, when it might be brought in at a duty of 6*d.* if the price exceeded 49s. than ever before. There were not less than 1560 enclosure bills passed. You say, then, that the condition of the people was comparatively better in point of morality and comfort than since 1815. In 1815 the commencement of the period of thirty years, this law was passed, that foreign corn should not be imported into England, until after the price had arrived at 80s. There was a positive prohibition of foreign corn unless the price arrived at 80s. That was the perfection of protection. Was that to continue ? You relaxed it. In 1822 you permitted the importation of foreign corn when the price exceeded 70s. You altered this law again, which the honourable member for Newcastle-under-Lyme ranks with principles and ancient institutions. By the law of 1828, you subjected foreign corn, when the price was under 64s. to a duty of 23s. 8*d.* ; when it was at 69s., you subjected it to a duty of 16s. 8*d.* ; and that law remained in force till 1842. And it was under the influence of this law, until you altered it in 1842, that you have the admission of the honourable gentleman, the member for Oxfordshire, that the social and moral condition of the people has not improved.

What also did we in 1815 ? We imposed enormous duties and positive prohibitions upon other articles, the produce of foreign countries. At that time the duty upon foreign butter and cheese was 2s. 6*d.* and 1s. 6*d.* respectively : we raised it to £1, and 10s. 6*d.* Therefore, we did in 1815 adopt the principle of strict protection to agriculture ; and the honourable gentleman says that he finds crime increased, and the command over

comforts and the moderate luxuries which partake of the nature of necessaries, lessened. He says, that is the result of the inspection of thirty years. So much, then, for the condition of the great body of the people.

Now I come to the facts of the honourable member for the North Riding of Yorkshire. I heard his speech. I was sorry to observe the indisposition under which he laboured, an indisposition which in no degree prevented the exercise of his intellectual faculties, or prevented him from speaking with his usual clearness and power. I ask you to take the facts of the honourable gentleman since 1815. I am quoting the very expressions he used. The account I am giving of agriculture since that period is not mine but his. I followed him closely, and took down his account of the condition of agriculture under a state of almost perfect protection. In 1815 you had prohibition of foreign importation till corn exceeded 80s. And these are the historical annals of the honourable gentleman, the advocate of agricultural protection. In 1816 and 1817, he says, you had severe distress. (Mr. Cayley.—In 1815 and 1816.) I think it was after 1815 and 1816. I think it was in 1817 that a speech was made from the throne lamenting the state of society, and the efforts that were made by designing men to take advantage of the distress of the country. It was in 1817 that the Habeas Corpus Act was suspended, and the Seditious Meetings Bill was passed. In 1819, the honourable gentleman said that such was the distress that the six Acts were passed. In 1822, he said agricultural distress was so intense that a Committee was appointed for the purpose of devising a remedy. He said that at that time the price of wheat, of beautiful wheat, was 40s. ; that a farmer stated, I think, that where there were 150 persons usually out of employment, there were then 300 ; and that he had the greatest difficulty, on account of the low price of wheat, in giving employment to the agricultural labourers. From 1822 the honourable gentleman advanced to 1830, and he said that in 1830, on account of the depressed state of agriculture, we had the " Swing " Fires. In 1833 agriculture was again so depressed that it was necessary to appoint a committee to consider that distress and to attempt to devise a remedy. He said that there were thirty-five villages in the north of England with a population of 200,000 persons depending upon their labour, and their wages did not exceed 3s. 8½*d.* per week per man. In 1834, he said, the Preston operatives presented a petition to this House, in which they complained of poverty, of ignorance, and of vice. The year 1835, he said, was as bad as the year 1822, and the prices were so low that the ordinary employment of agriculture could not be afforded. 1836 and 1837, he said, were years of sudden prosperity ; but that came to an end in 1838, and there was prostration and suffering from 1839 to 1842.

This is the account which the honourable member gives of the state of agriculture under that protection which was terminated by the Bill of 1842. Now, observe what the honourable member also said. He said that there was a constant alternation of high prices and low prices and he said, differing from many who concur with him in their vote, that the low prices, though caused by favourable harvests, entailed the greatest suffering upon the agricultural classes, and that in 1822 and 1835, the farmer who had sold his wheat for less than 40s. complained on account of the lowness of prices that he could not give the usual employment. That lowness of price did not arise from competition with foreign corn. There was no foreign corn imported to reduce prices. That low price was caused by competition among the home-growers of corn. There was a glut arising from productive harvests, there was no outlet for it, and there was prostration and suffering of the agriculturists in consequence. That is the account which the honourable member gives of the result of high protection, not upon the manufacturing interest, but upon the agricultural; and when he had given that account, when he had detailed those sufferings on the part of the agriculturists, I was surprised to hear the honourable gentleman conclude with a quotation:—

“ Woodman, spare that tree ! ”

But, now, is there no exception to be made from this period of thirty years? Did nothing occur at the latter part of that period of thirty years to exempt it from the stigma which the honourable gentleman cast upon the preceding part? There have been three years, 1843, 1844, 1845, during which you have had, from some cause or other, the benefits of plenty and of cheapness. During the last three of these thirty years, the average price of wheat a little exceeded 50s. And let us see whether, during that period, that censure will apply which applies to the former period; let us see whether, during the last three years, there has been no increase of comfort, no improvement in morality, no abatement of seditious feeling or disaffection. I care not what may be the cause of the abundance which has prevailed during the last three years. You say the cause is not to be attributed to the tariff, but that good harvests have produced abundance. Be it so. But there has been comparative abundance. There has been a less outlay required for the purchase of articles of first necessity. You say there has been a demand for labour on railways. Why, that is an effect, and not a cause. It is on account of your prosperity that you are enabled to apply your capital to internal improvements, causing this demand for labour and giving increased



wages. And do you believe if wheat had been at 70s. instead of 50s. there would have been the same stimulus to the application of capital? But grant that the tariff of 1842 had nothing to do with the abatement of price in 1843, 1844, and 1845. I will concede it to you that it is attributable to the favour of Providence, to good harvests. But let us see what has been the result of this abundance. I will take the tests of the honourable gentleman. He says, facts and figures show that there has been no increase of consumption. Now, I will show that during the last three years trade has flourished, capital has accumulated, but that you cannot say of the last three years what you can say of the preceding twenty-seven years, that there has been a deterioration in the social condition of the people. I will, first, take those articles which enter largely into consumption. I have here a statement of the quantities of certain articles entered for home consumption in the United Kingdom from 1839 to 1841 and from 1843 to 1846, showing the average quantity of each article in each of those periods. In the first three years, when the prices of provisions were high, the average consumption of sugar for the three years ending in 1841 was 3,826,000 cwt. The average consumption for the last three years ending the 1st January, 1846, had increased from 3,826,000 cwt. to 4,346,000 cwt. The average consumption of tea in the first three years was 34,685,000 lbs.; in the last three years it increased to 42,000,000 lbs. The average consumption of coffee during the first three years of high price was 27,941,000 lbs. annually; the average consumption of the last three years was 31,883,000 lbs. The consumption of cocoa in the first three years averaged 1,859,000 lbs. annually; in the last three years, 2,575,000 lbs. Take another article which, though in a smaller degree, enters largely into the consumption of the poor, and which is not a bad test of their comfort. During the first three years the consumption of currants averaged 175,000 cwt.; in the last three years it had increased to 285,000 cwt. I take, then, the tests of the honourable member for Oxfordshire, the consumption of articles necessary to the comfort of the people, and I show him that comparative plenty has produced this change in the command of the working classes over the smaller luxuries of life.

I will next come to a more important point, the state of crime. You have now an official record, presented within a few days, of what has been the state of crime in this country during the last thirty years. Now, what was the state of crime during the first period of twenty-seven years? From the first record in 1815 down to 1842, when the commitments attained the maximum number hitherto recorded, the increase in crime progressed from year to year, until it had extended to above 60 per cent. In 1843 a change commenced. In that year the number

of commitments decreased. Within the last six years, three years of great increase of crime have been followed by three years during which the decrease was so considerable, that the number of commitments in 1845 has been reduced to what it was seven years ago. In the three years of high prices, this was the state of crime in each year :—the number of commitments in the first year was 27,187 ; in the second, 27,760 ; and in the third, 31,309. During the last three years, the number of commitments has been, in the first year, 29,591 ; in the second, 26,542 ; and in the third, 24,303. Well, then, I take this other test of criminality and the extension of morality, and I ask whether we can resist the legitimate inference, that the comparative cheapness and plenty, which have existed during the last three years, have had their effect in producing this diminished criminality ? The gentleman who drew up this return says :—“ The decrease of commitments in England,” for the last three years, “ has, therefore, been general, continued and extensive, to a degree of which there is no recorded example in this kingdom.” He says again :—“ In the sixth class containing those offences which do not fall within the definitions of the foregoing classes ” (violence to the person and offences against property) “ there is a total absence of commitments for seditious riots or sedition.”

A total absence of commitments for these offences ! Why, can you have a stronger proof of the improvement of a country, apart from the command of comforts, than the fact that there should have been this progressive diminution in commitments, and a total absence of any commitment for sedition or seditious riots ? I say, therefore, comparing the result of the three years when we have had diminished protection to agriculture and a reduced price of provisions with the twenty-seven preceding years, the inference is just, that the diminution of crime is attributable to an increased command over those articles which constitute the food of the people. But you say, “ As this happy state of things has arisen during the existence of the present Corn Laws, as the present Corn Laws have been consistent with cheapness and plenty, on what principle do you seek to disturb this happy arrangement ? You have proved that, co-existent with the Corn Laws, there have been cheapness and plenty. Why, then, do you now come forward to propose their alteration ? ” Why, if you can show me that those laws were the cause of this happiness and plenty, that would, no doubt, be a strong and powerful reason for their continuance. But it cannot be denied that, simultaneously with a reduced protection to agriculture, there has been not only no diminution in agricultural improvement, but increased exertions, an increased demand for agricultural products, and increased comforts for the people.

As you have proceeded downwards from 1815 to 1842, there has been a corresponding benefit from the abatement of protection. If we could anticipate that the law of 1842 would continue to produce all the advantages to which I have referred, that might be a conclusive reason for adhering to it. But you assert that favourable harvests have occasioned these advantages. Why, what guarantee have you for the continuance of favourable harvests? You have had comparatively favourable harvests for the last three years, and you say then, as a matter of necessity, that we ought to continue this law. Continue the law, say I too, if you can prove that this particular law has been the cause of these benefits. If, however, you say that favourable harvests have been the cause, I say then that does not constitute any reason for continuing the law. Those who have observed attentively the vicissitudes of the seasons, have remarked that there are cycles of favourable and unfavourable years. There was an unfavourable cycle of years in 1839, 1840, and 1841, during which time there was great distress. There has been since a favourable cycle of years during which there has been comparative abundance. But supposing that this cycle of years, in which we have had unfavourable harvests, should again return, have we, I ask, any security that the law of 1842 will enable us to obtain an ample supply of food? Suppose, also, that consistent with those unfavourable harvests we had also a depressed state of manufactures, shall we then be in a favourable position for making any alteration in the law? Remember how short a time has elapsed since we had the state of Paisley, of Sheffield and of Stockport brought under our special notice. Now, if these times should again return, after this interval of comparative happiness, when the contrast of our misery will be considerably heightened by the preceding period of happiness which has prevailed, do you believe it would be possible to maintain in existence a law which leaves a duty of 16s. a quarter upon wheat when it had arrived at the price of 56s.? You may say, "Disregard the progress of public opinion; defy the League; enter into a combination against it; determine to fight the battle of protection, and you will succeed." My firm belief is, without yielding to the dictation of the League, or any other body (Oh, oh!) yes, subjecting myself to that imputation, I will not hesitate to say my firm belief is, that it is most consistent with prudence and good policy, most consistent with the real interests of the landed proprietors themselves, most consistent with the maintenance of a territorial aristocracy, seeing by how precarious a tenure, namely, the vicissitude of the seasons, you hold your present protective system; I say it is my firm belief that it is for the advantage of all classes, in these times of comparative comfort and comparative calm, to anticipate the angry discussions which

might arise, by proposing at once a final adjustment of the question.

I have stated the reasons which have induced me to take the present course. You may, no doubt, say that I am only going on the experience of three years, and am acting contrary to the principles of my whole life. Well, I admit that charge; I admit that I have defended the existence of the Corn Laws; yes, and that up to the present period, I have refused to acquiesce in the proposition to destroy them. I candidly admit all this. But, when I am told that I am acting inconsistently with the principles of my whole life by advocating free trade, I give this statement a peremptory denial. During the last three years I have subjected myself to many taunts on this question, and you have often said to me that Earl Grey had found out something indicating a change in my opinions. Did I not say I thought that we ought not hastily to disturb vested interests by any rash legislation? Did I not declare that the principle of political economy suggested the purchasing in the cheapest and the selling in the dearest market? Did I not say that I thought there was nothing so special in the produce of agriculture that should exempt it from the application of this principle which we have applied already to other articles? You have a right, I admit, to taunt me with any change of opinion upon the Corn Laws; but when you say that, by my adoption of the principle of free trade, I have acted in contradiction to those principles which I have always avowed during my whole life, that charge at least, I say, is destitute of foundation.

Sir, if I look to the prerogative of the Crown, if I look to the position of the Church, if I look to the influence of the aristocracy, I cannot charge myself with having taken any course inconsistent with Conservative principles, calculated to endanger the privileges of any branch of the Legislature, or any institutions of the country. My earnest wish has been, during my tenure of power, to impress the people of this country with a belief that the Legislature was animated by a sincere desire to frame its legislature upon the principles of equity and justice. I have a strong belief that the greatest object, which we or any other Government can contemplate, should be to elevate the condition of that class of the people with whom we are brought into no direct relationship by the exercise of the elective franchise. I wish to convince them that our object has been to apportion taxation, that we shall relieve industry and labour from any undue burden, and transfer it, so far as is consistent with the public good, to those who are better enabled to bear it. I look to the present peace of this country; I look to the absence of all disturbance, to the non-existence of any commitment for a seditious offence; I look to the calm that prevails in the public mind; I look

to the absence of all disaffection ; I look to the increased and growing public confidence on account of the course you have taken in relieving trade from restrictions and industry from unjust burdens : and where there was dissatisfaction, I see contentment ; where there was turbulence, I see there is peace ; where there was disloyalty, I see there is loyalty : I see a disposition to confide in you, and not to agitate questions that are at the foundations of your institutions. Deprive me of power to-morrow, you can never deprive me of the consciousness that I have exercised the powers committed to me from no corrupt or interested motives, from no desire to gratify ambition, or attain any personal object ; that I have laboured to maintain peace abroad consistently with the national honour and defending every public right, to increase the confidence of the great body of the people in the justice of your decisions, and by the means of equal law to dispense with all coercive powers, to maintain loyalty to the Throne and attachment to the Constitution, from a conviction of the benefit that will accrue to the great body of the people.

## PERICLES

(c. 495-429 B.C.).

**T**HE Age of Pericles is celebrated as the climax of Athenian civilization. In its poetry, its architecture, and its sculpture, the Athens of that age illustrated the highest excellence of the Greek intellect. Æschylus, Sophocles, and Euripides, the three greatest tragic poets of antiquity, all belong to this period, and the building of the Parthenon was a manifestation of its controlling idea—the idea that the intellect should be so developed as to express in all things the highest sense of order, and beauty, never extravagant, and directed always by the severest chastity of respect for law. This spirit is illustrated in the eloquence of Pericles, as Thucydides reports him. The history of Athens under Pericles has a parallel in that of England in the Shakespearean age, when as a result of what might best be called “provincialism,” if that word did not have an odious suggestion, local sympathy made possible the production of intellectual masterpieces never surpassed and seldom equalled in the history of the world. Born about 495 B.C., Pericles became active in Athenian politics about the year 459. Becoming the leader of the Democratic party, he brought about the ostracism of his principal opponents, and gained complete control of the city. The house of his mistress, Aspasia, was the resort of the most celebrated writers and philosophers of Athens.

The text is that of Thucydides (Book II., 35-43), translated by Thomas Hobbes in 1629.

### THE CAUSE OF ATHENIAN GREATNESS

(Delivered at the Public Funeral of the Athenian Soldiers killed in the first year of the Peloponnesian War, 431 B.C.).

**T**HOUGH most that have spoken formerly in this place have commended the man that added this oration to the law, as honourable to be spoken over those that are brought to be interred from the wars; yet to me it seems sufficient, that they who have shown their valour by action, should also by an action have their honour, (as now you see they have, in this their sepulture performed by the state); and not to have the virtue of many hazarded on one, to be believed according as he speaks

well or ill. For, to speak of men, preserving a due medium, is a hard matter ; and especially about things in which a fixed persuasion of the truth is with difficulty established. The favourable hearer, that knows what was done, will perhaps think what is spoken, short of what he would have it and what he knows it to be ; and he that is ignorant, will find some things through envy, which he will think too much extolled, if he hear aught above the reach of his own nature. For to hear another man praised, is endurable so long as each man shall think he could have done somewhat of that he hears. And if one exceed in their praises, the hearer presently through envy thinks it false. But since our ancestors have so thought good, I also, following the same ordinance, must endeavour to be answerable to the desires and opinions of everyone of you, as far as I can.

I will begin at our ancestors, it being a thing both just and becoming, that to them first be given the honour of remembrance in an oration of this kind : for they, without any variation of race, having been always the inhabitants of this land, by their valour, have delivered to us the same in a succession of posterity to the present time, in the state of liberty ; and they indeed deserve commendation : but our fathers deserve yet more, for that besides what descended on them, not without great labour of their own, they have acquired this our present dominion, and have also left the same to us that now are. Which in a great part also, we ourselves here present, who are even yet for the most part in the maturity of our age, have improved ; and so furnished the city with everything both for peace and war, and it is now all-sufficient in itself. The actions of war, whereby each particular thing has been attained, and the deeds of arms, both of ourselves and our fathers, by which we have with alacrity repelled war coming upon us, whether from Barbarian or Greek, being unwilling to enlarge upon them, amongst you that are well acquainted, I will pass over. But by what institutions we arrived at this, by what form of government, and by what means we have advanced the state to this greatness, when I shall in the first place have laid open this, I will then descend to these men's praises. For I think they are things both fit for the purpose in hand, and profitable to the whole company, both of citizens and strangers, to hear related.

For we use a form of government, not formed by imitation of the laws of neighbouring states, nay, we are rather a pattern to others than imitating others ourselves ; and this, because in the administration it hath respect not to a few, but to the multitude, is called a democracy. Wherein, though there be an equality amongst all men in point of law for their private controversies, yet one man is preferred before another as to public charges, according to his reputation, as each is held in repute

for anything, not more because he belongs to a privileged class, than on account of his individual excellence ; nor is he put back through poverty, for the obscurity of his condition, if he can do any good service to the commonwealth. And we live not only free in the administration of the state, but also one with another, as to any jealousy, touching each other's daily course of life ; not offended at any man for pleasing himself nor assuming censorious looks, which though they inflict no injury, yet cause pain. So that living cheerfully one with another, as regards our private intercourse, we stand chiefly in fear to transgress against the public, by our obedience to those that are in succession our rulers and to the laws, and principally to such laws as are laid down for protection against injury, and such as being unwritten bring down undeniable shame to the transgressors.

We have also found out many ways to give our minds recreation from labour, by the institution of games and sacrifices for all the days of the year ; and by the handsome entertainments of private men ; by the daily delight whereof we expel sadness. By the greatness of our city also, all things from all parts of the earth are imported hither ; whereby we no less familiarly enjoy the commodities of all other nations than our own.

We differ also in the studies of war from our enemies in this ; we throw our city open to all men, nor do we ever, by the banishing strangers, deny them the learning or seeing of any of those things which, if not hidden, an enemy might reap the advantage by ; not relying more on secret preparations and deceit, than upon our own courage in the action. And as to our methods of instruction, they aim at attaining manliness directly from their youth up with laborious exercise, and yet we that live remissly, advance no less boldly than they against equal dangers. For example, the Lacedæmonians invade not our dominions with the single forces of any one of their states, but with the aid of all. But when we invade our neighbours, though we fight in hostile ground, against such as in their ground fight in defence of their own substance, yet for the most part we get the victory. No enemy hath yet met our whole forces at once, both because we apply ourselves much to navigation, and by land also send many of our men into foreign countries. But when fighting with a part of it, they chance to get the better, they boast they have beaten the whole. And yet though in careless ease rather than in studious labour, and with a valour arising rather from natural disposition than from laws, we are willing to undertake any danger, we have this advantage by it, that we faint not beforehand at the coming troubles, and in the action we appear no less confident than they that are ever toiling.



And both in these respects our city is worthy of admiration and also in divers other things. For we study good taste, and yet with frugality ; and philosophy, and yet without effeminacy. And we use riches rather for opportunities of action, than for verbal ostentation ; and hold it not disgraceful for anyone to confess poverty, but not to have avoided it by exertion, that rather do we consider disgraceful. Moreover there is in the same men a care, both of their own and of the public affairs, and a sufficient knowledge of public matters, even in such others as labour with their hands. For we alone think him that takes no part in these matters to be a man, not that meddles with nothing, but that is good for nothing. We likewise weigh what we undertake, and apprehend it perfectly in our minds ; not accounting words a hindrance to action, but that it is rather a hindrance to action, to take in hand to perform in earnest what is necessary to be done, without the instruction of words before. For also in this we excel others ; that we dare to undertake as much as any, and that we consider well what we undertake ; whereas with other men, ignorance makes them daring, and consideration dastards ; and they may be most rightly reputed valiant, who though they perfectly apprehend both what is most dangerous, and what is agreeable, are never the more thereby diverted from adventuring. Again, we run contrary to most men as regards zeal for serving others, for we acquire our friends, not by receiving, but by bestowing benefits. And he that bestows the favour is the more constant and firmer friend, in order to keep alive the obligation due to him by means of goodwill, exhibited towards the person, on whom he has conferred it. Whereas the friendship of him that owes a benefit is dull and flat, as knowing that he has to pay back the kindness, not as a favour but as a debt ; so that we alone freely do good to others, not upon computation of profit, but in the confiding spirit of generosity.

In short, it may be said, both that the city is in general the school of Greece, and that the men here have everyone in particular his person disposed to the greatest diversity of actions, and yet with gracefulness and the happiest versatility. And that this is not now rather a boast of words upon the occasion than real truth, this power of the city, which by these institutions we have obtained, makes evident. For it is the only power now found greater in proof than in fame ; and the only power that neither contains anything to cause the indignation of the invader when he miscarries, as to the quality of those from whom he suffers, nor gives cause to the subjected states to murmur, as being in subjection to men unworthy. For both with present and future ages we shall be in admiration as displaying a power, not without testimony, but made evident by great arguments ; needing neither a Homer to praise,

nor any other such, whose poems may indeed for the present bring delight, though the truth will afterwards confute the opinions conceived of the actions. For we have opened to us by our courage, all seas and lands, and set up eternal monuments on all sides, both of the evil we have done to our enemies, and the good we have done to our friends. Such is the city for which these men, determined that it should not be taken from them, nobly fought and died ; and it is fit that every man of you that is left, should be willing to undergo any dangers for the same.

And I have therefore spoken so much concerning the city in general, as well to show you that the stakes between us and them who have nothing of these things that I have mentioned in a like degree with us, are not equal ; as also clearly to make known by sure proofs the praises of these men, over whom I now speak ; of which the greatest part has been already delivered. For all that I have spoken in honour of the city, hath by these and such as these been achieved ; for not among many of the Grecians would the fame appear on an equal balance with the actions, as it does in the case of these men ; the present end of these men's lives seeming to me an argument of their virtues, which is at once manifested and confirmed with the last seal. For even over those who are in other respects inferior, it is just to hold forth as a veil to their faults the valour they have displayed against their enemies in defence of their country. For having by their good actions abolished the memory of their evil, they have profited the state thereby more than they have hurt it by their private behaviour. Yet there was none of these, that, preferring the further enjoyment of his wealth, was thereby rendered effeminate, or that for hope to overcome his poverty at length, and to attain to riches, did for that cause withdraw himself from the danger. For their principal desire was not wealth, but revenge on their enemies, which esteeming the most honourable cause of danger, they were willing by undergoing it, both to revenge themselves on the one, and to aim at procuring the other ; leaving the uncertainty of success to hope ; but for that which was before their eyes, relying upon themselves in the action ; and therein choosing rather to fight and die than to give way and be saved. They fled from shame, but with their bodies they endured the battle ; and so in a moment, when their fortune was at its height, they were taken away from what was their glory rather than their fear.

Such were these men, worthy of their country ; and for you that remain, you may pray for a safer fortune ; but you ought not to be less boldly minded against the enemy ; not weighing the profit by an oration only, which any man amplifying, may recount to you that know as well as he, the many advantages that arise by valiantly repelling your enemies ; but rather day by day, having regard in your actions to the power of

the state, and becoming passionately attached to it. And when this power of the city shall seem great to you, consider then that the same was purchased by valiant men, and by men that knew their duty, and by men that were sensible of dishonour when they were in flight : and by such men, as though they failed of their attempt, yet would not be wanting to the city with their virtue, but made unto it a most honourable contribution. For having everyone given his body to the commonwealth, they receive in place thereof an undecaying commendation, and a most conspicuous sepulchre, not wherein they are buried so much, as wherein their glory is laid up on all occasions, both of speech and action, to be remembered for ever. For to men of renown all the earth is a sepulchre, and not only does the inscription on their monuments in their own country testify their virtues, but even in a foreign land an unwritten record of the mind rather than of any monument, remains with everyone for ever. In imitation therefore of these men, and placing happiness in liberty, and liberty in valour, be not sluggish to encounter the dangers of war. For the miserable and desperate men are not they that have the most reason to be prodigal of their lives ; but rather such men, as, if they live, run the chance of a change of fortune, and whose losses are greatest if they miscarry in aught. For to a man of spirit, suffering joined with cowardice is more grievous than death suddenly coming upon him whilst he is in vigour and full of common hope.

## BARON PLUNKETT

(WILLIAM CONYNGHAM PLUNKETT)

(1765-1854).

**I**N his speech prosecuting Robert Emmet for treason, Plunkett used with the utmost skill the arguments with which the Conservatism he represented always attempts to maintain the *status quo* and to punish those who disturb it. Plunkett was an Irishman only by the accident of birth. He was born in the County of Fermanagh in 1765 of English ancestry, and educated in Dublin and London. He began the practice of law in 1787 and the next year was elected to the Irish Parliament. In 1804 he was made Solicitor-General of Ireland, and subsequently became Attorney-General. In 1812 he was elected to the English Parliament to represent Trinity College, Dublin. In 1827 he became Chief-Justice of the Court of Common Pleas and was raised to the peerage as Baron Plunkett. Between 1830 and 1834, and again from 1835 to 1841, he was Lord Chancellor of Ireland. He died January 5th, 1854.

### PROSECUTING ROBERT EMMET

(Speech at the Trial of Emmet, for High Treason, at Dublin, September 19th, 1803).

**Y**OU need not entertain any apprehension that at this hour of the day I am disposed to take up a great deal of your time, by observing upon the evidence which has been given. In truth, if this were an ordinary case, and if the object of this prosecution did not include some more momentous interests than the mere question of the guilt or innocence of the unfortunate gentleman who stands a prisoner at the bar, I should have followed the example of his counsel and should have declined making any observation upon the evidence. But, gentlemen, I do feel this to be a case of infinite importance, indeed. It is a case important like all others of this kind, by involving the life of a fellow-subject ; but it is doubly and tenfold important because from the evidence which has been given in the progress of it the system of this conspiracy

against the laws and Constitution of the country has been developed in all its branches ; and in observing upon the conduct of the prisoner at the bar, and in bringing home the evidence of his guilt, I am bringing home guilt to a person, who, I say, is the centre, the lifeblood, and soul of this atrocious conspiracy.

Gentlemen, with respect to the evidence which has been offered upon the part of the Crown to substantiate the guilt of the prisoner, I shall be very short indeed, in recapitulating and observing upon it ; I shall have very little more to do than to follow the statement which was made by my learned and eloquent friend, who stated the case upon the part of the Crown ; because it appears to me that the outline which was given by him has been, with an exactness and precision seldom to be met with, followed up by the proof. Gentlemen, what is the sum and substance of that proof ? I shall not detain you by detailing the particulars of it. You see the prisoner at the bar returning from foreign countries, some time before hostilities were on the point of breaking out between these countries and France. At first avowing himself, not disguising or concealing himself ; he was then under no necessity of doing so, but when hostilities commenced and when it was not improbable that foreign invasion might co-operate with domestic treason, you see him throwing off the name by which he was previously known, and distinguishing himself under new appellations and characters. You see him, in the month of March or April, going to an obscure lodging at Harold's Cross, assuming the name of Hewitt, and concealing himself there—for what purpose ? Has he called upon any witness to explain it to you ? If he were upon any private enterprise,—if for fair and honourable views, or any other purpose than that which is imputed to him by the indictment, has he called a single witness to explain it ? No ; but after remaining six weeks or two months in this concealment, when matters began to ripen a little more, when the house was hired in Thomas Street, which became the depot and magazine of military preparation, he then thinks it necessary to assume another character and another place of abode, accommodated to a more enlarged sphere of action ; he abandons his lodging, he pays a fine of sixty-one guineas for a house in Butterfield Lane, again disguised by another assumed name, that of Ellis. Has he called any person to account for this, or to excuse by argument, or even by assertion, this conduct ? Why, for any honest purpose, should he take this place for his habitation under a feigned name ?

But you find his plans of treason becoming more mature. He is there associated with two persons. One of the name of Dowdall ; we have not explained in evidence what his situation is or what he had been : the other is Quigley ; he has been ascertained by the evidence to have

been a person originally following the occupation of a bricklayer, but he thought proper to desert the humble walk in which he was originally placed and to become a framer of constitutions and a subverter of empires.

With these associates he remains at Butterfield Lane, occasionally leaving it and returning again ; whether he was superintending the works which were going forward, or whatever other employment engaged him, you will determine. Be it what it may ; if it were not for the purpose of treason and rebellion, he has not thought proper by evidence to explain it. So matters continued until some short time before the fatal night of the twenty-third of July. Matters became somewhat hastened by an event which took place about a week before the breaking out of the insurrection ; a house in Patrick Street, in which a quantity of powder has been collected for the purpose of the rebellion, exploded. An alarm was spread by this accident ; the conspirators found that if they delayed their schemes and waited for foreign co-operation, they would be detected and defeated, and, therefore, it became necessary to hasten to immediate action. What is the consequence ? From that time the prisoner is not seen in his old habitation ; he moves into town, and becomes an inmate and constant inhabitant of this depot. These facts which I am stating are not collected from inference from his disguise, his concealment, or the assumption of a feigned name, or the other concomitant circumstances, but are proved by the positive testimony of three witnesses, all of whom positively swear to the identity of his person,—Fleming, Coghlan, and Farrell, every one of whom swears he saw the prisoner, tallying exactly with each other as to his person, the dress he wore, the functions he exercised ; and every one of whom had a full opportunity of knowing him. You see him at Butterfield Lane under the assumed name of Ellis ; you see him carrying the same name into the depot, not wishing to avow his own until the achievement of the enterprise would crown it with some additional éclat. . . . You heard the kind of implements which were prepared, their account of the command assumed by the prisoner,—living an entire week in the depot, animating his workmen, and hastening them to the conclusion of their business. When the hour of action arrived, you see him dressed in military array, putting himself at the head of the troops who had been shut up with him in this asylum, and advancing with his party, armed for the capture of the castle and the destruction of his fellow-citizens.

Gentlemen, with regard to the mass of accumulated evidence, forming irrefragable proof of the guilt of the prisoner, I conceive no man, capable of putting together two ideas, can have a doubt ; why, then, do I address you, or why should I trespass any longer upon your time and your attention ? Because, as I have already mentioned, I feel this to be a case

of great public expectation—of the very last national importance ; and, because, when I am prosecuting a man, in whose veins the very lifeblood of this conspiracy flowed, I expose to the public eye the utter meanness and insufficiency of its resources. What does it avow itself to be ? A plan not to correct the excesses or reform the abuses of the Government of the country ; not to remove any specks of imperfection which might have grown upon the surface of the Constitution, or to restrain the overgrown power of the Crown, or to restore any privilege of Parliament, or to throw any new security around the liberty of the subject ; no, but it plainly and boldly avows itself to be a plan to separate Great Britain from Ireland, uproot the monarchy, and establish “ a free and independent republic of Ireland ” in its place ! To sever the connection between Great Britain and Ireland ! Gentlemen, I should feel it a waste of words and of public time were I addressing you or any person within the limits of my voice, to talk of the frantic desperation of the plan of any man who speculates upon the dissolution of that empire, whose glory and whose happiness depend upon its indissoluble connection. But were it practicable to sever that connection, to untie the links which bind us to the British Constitution, and to turn us adrift upon the turbulent ocean of revolution, who could answer for the existence of this country as an independent power for a year ? God and nature have made the two countries essential to each other ; let them cling to each other to the end of time, and their united affection and loyalty will be proof against the machinations of the world.

But how was this to be done ? By establishing “ a free and independent republic ! ” High-sounding name ! I would ask whether this man who used it understood what he meant. I will not ask what may be its benefits, for I know its evils. There is no magic in the name. We have heard of “ free and independent republics,” and have since seen the most abject slavery that ever groaned under iron despotism growing out of them.

Formerly, gentlemen of the jury, we have seen revolutions effected by some great call of the people, ripe for change and unfitted by their habits for ancient forms ; but here from the obscurity of concealment and by the voice of that pygmy authority, self-created and fearing to show itself but in arms under cover of the night, we are called upon to surrender a constitution which has lasted for a period of one thousand years. Had any body of the people come forward stating any grievance, or announcing their demand for a change ? No, but while the country is peaceful, enjoying the blessings of the Constitution, growing rich and happy under it, a few desperate, obscure, contemptible adventurers in the trade of revolution form a scheme against the constituted

authorities of the land, and by force and violence to overthrow an ancient and venerable Constitution, and to plunge a whole people into the horrors of civil war!

If the wisest head that ever lived had framed the wisest system of laws which human ingenuity could devise,—if he were satisfied that the system were exactly fitted to the disposition of the people for whom he intended it, and that a great proportion of that people were anxious for its adoption, yet give me leave to say that under all these circumstances of fitness and disposition a well-judging mind and a humane heart would pause a while and stop upon the brink of his purpose, before he would hazard the peace of the country by resorting to force for the establishment of his system. But here, in the frenzy of distempered ambition, the author of the proclamation conceives the project of “a free and independent Republic,”—he at once flings it down and he tells every man in the community, rich or poor, loyal or disloyal, he must adopt it at the peril of being considered an enemy to the country, and of suffering the pains and penalties attendant thereupon.

Gentlemen, so far I have taken up your time with observing upon the nature and extent of the conspiracy, its objects, and the means by which they proposed to effectuate them. Let me now call your attention to the pretexts by which they seek to support them. They have not stated what particular grievance or oppression is complained of, but they have travelled back into the history of six centuries,—they have raked up the ashes of former cruelties and rebellions, and upon the memory of them they call upon the good people of this country to embark into similar troubles; but they forget to tell the people that until the infection of new-fangled French principles was introduced, this country was for a hundred years free from the slightest symptom of rebellion, advancing in improvement of every kind beyond any example, while the former animosities of the country were melting down into a general system of philanthropy and cordial attachment to each other. They forget to tell the people whom they address that they have been enjoying the equal benefit of laws by which the property, the person, and constitutional rights and privileges of every man are abundantly protected. They have not pointed out a single instance of oppression. Give me leave to ask any man who may have suffered himself to be deluded by those enemies of the law, what there is to prevent the exercise of honest industry, and enjoying the produce of it? Does any man presume to invade him in the enjoyment of his property? If he does, is not the punishment of the law brought down upon him? What does he want? What is it that any rational friend to freedom could expect that the people of this country are not fully and amply in the possession



of? And, therefore, when those idle stories are told of six hundred years of oppression and of rebellions prevailing, when this country was in a state of ignorance and barbarism, and which have long since passed away, they are utterly destitute of a fact to rest upon; they are a fraud upon feeling, and are the pretext of the factious and ambitious, working upon credulity and ignorance.

Gentlemen, why do I state these facts? Is it to show that the Government need not be vigilant, or that our gallant countrymen should relax in their exertions? By no means; but to convince the miserable victims, who have been misled by those phantoms of revolutionary delusion, that they ought to lose no time in abandoning a cause which cannot protect itself, and exposes them to destruction, and to adhere to the peaceful and secure habits of honest industry. If they knew it, they have no reason to repine at their lot; Providence is not so unkind to them in casting them in that humble walk in which they are placed. Let them obey the law and cultivate religion, and worship their God in their own way. They may prosecute their labour in peace and tranquillity; they need not envy the higher ranks of life, but may look with pity upon that vicious despot who watches with the sleepless eye of disquieting ambition, and sits a wretched usurper trembling upon the throne of the Bourbons. But I do not wish to awaken any remorse, except such as may be salutary to himself and the country, in the mind of the prisoner. But when he reflects that he has stooped from the honourable situation in which his birth, talents, and his education placed him, to debauch the minds of the lower orders of ignorant men with the phantoms of liberty and equality, he must feel that it was an unworthy use of his talents; he should feel remorse for the consequences which ensued, grievous to humanity and virtue, and should endeavour to make all the atonement he can by employing the little time which remains for him in endeavouring to undeceive them.

Liberty and equality are dangerous names to make use of; if properly understood they mean enjoyment of personal freedom under the equal protection of the laws; and a genuine love of liberty inculcates an affection for our friends, our king, and country; a reverence for their lives, an anxiety for their safety; a feeling which advances from private to public life, until it expands and swells into the more dignified name of philanthropy and philosophy. But in the cant of modern philosophy these affections which form the ennobling distinctions of man's nature are all thrown aside; all the vices of his character are made the instrument of moral good—an abstract quantity of vice may produce a certain quantity of moral good. To a man whose principles are thus poisoned and his judgment perverted, the most flagitious crimes lose their names,—robbery

and murder become moral good. He is taught not to startle at putting to death a fellow-creature, if it be presented as a mode of contributing to the good of all. In pursuit of these phantoms and chimeras of the brain, they abolish feelings and instincts, which God and nature have planted in our hearts for the good of humankind. Thus, by the printed plan for the establishment of liberty and a free republic, murder is prohibited and proscribed; and yet you heard how this caution against excesses was followed up by the recital of every grievance that ever existed, and which could excite every bad feeling of the heart, the most vengeful cruelty and insatiate thirst of blood.

## JOHN PYM

(1584-1643).

**I**N some respects Pym was the most remarkable man of the revolution against the Stuarts. He had a keener intellect than Hampden, and a power of sustained thought of which Cromwell was never capable. There are times when Cromwell's speeches read as if they were the result of the attempt of a disturbed mind to express itself in a feverish dream, but Pym in such speeches as that impeaching Strafford showed a power of intellect and a strength of expression seldom equalled in political discussion. "The law," he says, "is the safeguard of all private interests. Your honours, your lives, your liberties and estates are all in the keeping of the law. Without this, every man hath a like right to anything. This is the condition into which the Irish were brought by the Earl of Strafford; and the reason which he gave for it hath more mischief in it than the thing itself. 'They were a conquered nation.' There cannot be a word more pregnant and fruitful in treason than that word is. . . . If the King, by right of a conqueror, give laws to his people, shall not the people by the same reason be restored to the right of the conquered, to recover their liberty if they can?" He was born in Somersetshire in 1584. Entering Parliament in 1621, two years after leaving Oxford University, he became one of the promoters of Buckingham's impeachment in 1626, and in 1628 was active in support of the Petition of Right. In the troubled year 1640, he became very prominent, and, as he was instrumental in impeaching both Strafford and Laud, he was especially detested by the court. Charles I. attempted to send him to the Tower in 1642, but was defeated by the firm stand the House of Commons took for its privileges. Pym died December 8th, 1643.

### GRIEVANCES AGAINST CHARLES I.

(Delivered in Parliament, November 7th, 1640).

**T**HE distempers of this kingdom are well known; they need not repetition; for though we have good laws, yet they want their execution: or if they were executed, it is in a wrong sense. I

shall endeavour to apply a remedy to the breaches that are made, and to that end, I shall discover first the quality of the disease.

Firstly, there is a design to alter law and religion ; the parties that effect this are Papists, who are obliged by a maxim in their doctrine that they are not only bound to maintain their religion, but also to extirpate all others.

The second is their hierarchy which cannot amount to the height they aim at, without a breach of our law. To which their religion necessarily joins, that if the one stand, the other must fall.

Thirdly, agents and pensioners to foreign States, who see we cannot comply to them if we maintain our religion established, which is contrary to theirs. Here they intend chiefly the Spanish white gold works which are of most effect.

Fourthly, favourites, such as for promotion prize not conscience, and such are our judges spiritual and temporal ; such are also some of our counsellors of state. All these, though severed, yet in their contrivements aim at one end, and to this they walk on four feet.

Firstly, discountenancing of preachers and virtuous men, they persecute under the law of purity.

Secondly, countenancing of preachers of contrary dispositions.

Thirdly, the negotiating with the faction of Rome by preaching, and to instructions to preach up the absolute monarchy of kings.

(Here follow several heads :—)

Firstly, the political interpretation of the law to serve their terms, and thus to impose taxes with a colour of law ; a judge said it when a *habeas corpus* was paid for.

Secondly, by keeping the king in continual want, that he may seek to their counsel for relief : to this purpose, to keep the Parliaments in distaste, that their counsels may be taken. The king by them is brought to this, as a woman that used herself to poison could not live with good meat. Search the chronicles, and we see no king that ever used Parliaments was brought to this want.

Thirdly, arbitrary proceedings in courts of justice ; we have all law left to the conscience of a single man. All courts are now courts of conscience, without conscience.

Fourthly, plotters to enforce a war between Scotland and us, that when we had well wearied one another, we might be both brought to what scorn they pleased ; the partition wall is only unity.

Fifthly, the sudden dissolving of Parliaments, and punishing of Parliament men, all to affright us from speaking what we think. One was committed for not delivering up the petitions of the House ; then a declaration which slandered our proceedings, as full of lies as leaves,

who would have the first ground to be our example. And Papists are under appearance to the king his best subjects, for they contribute money to the war, which the Protestants will not do.

Sixthly, another is military, by getting places of importance into the Papists' hands, as who are commanders in the last army but they ? none more strong in arms than they, to whom their armour is delivered contrary to the statute. Their endeavour is to bring in strangers to be billeted upon us ; we have had no accompt of the Spanish navy, and now our fear is from Ireland.

Lastly, the next is papistical that proceeds of agents here in London, by whose desires many monasteries and nunneries here in London were erected.

## LAW AS THE SAFEGUARD OF LIBERTY

(Opening of the Reply to Strafford delivered in Parliament, in 1641).

**M**ANY days have been spent in maintenance of the impeachment of the Earl of Strafford by the House of Commons, whereby he stands charged with high treason ; and your lordships have heard his defence with patience, and with as much favour as justice will allow. We have passed through our evidence and the result is that it remains clearly proved that the Earl of Strafford hath endeavoured by his words, actions, and counsels, to subvert the fundamental laws of England and Ireland, and to introduce an arbitrary and tyrannical government. This will best appear if the quality of the offence be examined by that law to which he himself appealed, that universal, that supreme law,—*Salus populi*,—the welfare of the people ! This is the element of all laws, out of which they are derived ; the end of all laws to which they are designed, and in which they are perfected. The offence comprehends all other offences. Here you shall find several treasons, murders, rapines, oppressions, perjuries. The earth hath a seminary virtue, whereby it doth produce all herbs and plants and other vegetables ; there is in this crime a seminary of all evils hurtful to a State ; and if you consider the reason of it, it must needs be so.

The law is that which puts a difference betwixt good and evil,—betwixt just and unjust. If you take away the law, all things will fall into a confusion. Every man will become a law to himself, which, in the depraved condition of human nature must needs produce many great enormities. Lust will become a law, and envy will become a law ;

covetousness and ambition will become laws ; and what dictates, what decisions such laws will produce may easily be discerned in the late government of Ireland ! The law hath a power to prevent, to restrain, to repair evils ; without this, all kind of mischief and distempers will break in upon a State.

It is the law that doth entitle the King to the allegiance and service of his people ; it entitles the people to the protection and justice of the King. It is God alone who subsists by himself, all other things subsist in a mutual dependence and relation. He was a wise man that said that the King subsisted by the field that is tilled ; it is the labour of the people that supports the Crown ; if you take away the protection of the King, the vigour and cheerfulness of allegiance will be taken away, though the obligation remains.

The law is the boundary, the measure between the King's prerogative and the people's liberty ; while these move in their own orbs, they are a support and a security to one another ; the prerogative a cover and defence to the liberty of the people, and the people by their liberty are enabled to be a foundation to the prerogative ; but if these bounds be so removed that they enter into contention and conflict, one of these mischiefs must ensue ; if the prerogative of the King overwhelms the liberty of the people, it will be turned into tyranny ; if liberty undermine the prerogative, it will grow into anarchy.

The law is the safeguard, the custody of all private interest. Your honours, your lives, your liberties and estates, are all in the keeping of the law ; without this, every man hath a like right to anything. This is the condition into which the Irish were brought by the Earl of Strafford ; and the reason which he gave for it hath more mischief in it than the thing itself,—they were a conquered nation. There cannot be a word more pregnant and fruitful in treason than that word is. There are few nations in the world that have not been conquered, and no doubt but the conqueror may give what laws he pleases to those that are conquered but if the succeeding pacts and agreements do not limit and restrain that right, what people can be secure ? England hath been conquered, Wales hath been conquered, and by this reason will be in little better case than Ireland ; if the King by right of a conqueror give laws to his people, shall not the people by the same reason be restored to the right of the conquered, to recover their liberty if they can ? What can be more hurtful, more pernicious to both, than such propositions as these ? And in these particulars is determined the first consideration.

The second consideration is this : Arbitrary power is dangerous to the King's person and dangerous to his crown ; it is apt to cherish ambition, usurpation, and oppression in great men, and to beget sedition

and discontent in the people ; and both these have been, and in reason must ever be, causes of great trouble and altercation to princes and states.

If the histories of those Eastern countries be perused, where princes order their affairs according to the mischievous principles of the Earl of Strafford, loose and absolved from all rules of government, they will be found to be frequent in combustions, full of massacres and of the tragical ends of princes. If any man should look into our own histories, in the times when the laws were most neglected, he shall find them full of commotions, of civil distempers, whereby the kings that then reigned were always kept in want and distress ; the people consumed with civil wars ; and by such wicked councils as these, some of our princes have been brought to such miserable ends as no honest heart can remember without horror and earnest prayer, that it may never be so again.

The third consideration is this : The subversion of the laws, and this arbitrary power, as it is dangerous to the King's person and to his crown, so is it in other respects very prejudicial to his Majesty, in his honour, profit, and greatness ; and yet these are the gildings and paintings that are put upon such counsels ; these for your honour, for your service, whereas in truth they are contrary to both ; but if I shall take off this varnish, I hope they shall then appear in their own native deformity, and therefore I desire to consider them by these rules.

It cannot be for the honour of the King that his sacred authority should be used in the practice of injustice and oppression ; that his name should be applied to patronize such horrid crimes as have been represented in evidence against the Earl of Strafford ; and yet how frequently, how presumptuously his commands, his letters, have been vouched throughout the course of this defence. Your lordships have heard, when the judges do justice, it is the King's justice, and this for his honour, because he is the fountain of justice ; but when they do injustice the offence is their own ; but those officers and ministers of the King, who are most officious in the exercise of this arbitrary power, they do it commonly for their advantages, and when they are questioned for it, then they fly to the King's interest, to his direction ; and truly, my lords, this is a very unequal distribution for the King that the dishonour of evil courses should be cast upon him, and they to have the advantage.

The prejudice which it brings to him in regard of his profits is no less apparent ; it deprives him of the most beneficial and most certain revenue of his crown, that is, the voluntary aids and supplies of his people ; his other revenues, consisting of goodly demesnes and great manors, have by grants been alienated from the crown, and are now exceedingly diminished and impaired ; but this revenue, it cannot be sold, it cannot be burdened with any pensions or annuities, but comes

entirely to the crown. It is now almost fifteen years since his Majesty had any assistance from his people ; and these illegal ways of supplying the King were never pressed with more violence and art than they have been in this time ; and yet I may, upon very good grounds, affirm that in the last fifteen years of Queen Elizabeth she received more, by the bounty and affection of her subjects, than hath come to his Majesty's coffers by all the inordinate and rigorous courses which have been taken. And as those supplies were more beneficial, in the receipt of them, so were they likewise in the use and employment of them.

Another way of prejudice to his Majesty's profit, is this ; such arbitrary courses exhaust the people, and disable them, when there shall be occasion, to give such plentiful supplies as otherwise they would do. I shall need no other proof of this than the Irish government under my Lord of Strafford, where the wealth of the kingdom is so consumed by those horrible exactions and burdens, that it is thought the subsidies lately granted will amount to little more than half the proportion of the last subsidies. The two former ways are hurtful to the King's profit, in that respect which they call *lucrum cessans*, by diminishing his receipts ; but there is a third, fuller of mischief ; and it is in that respect, which they call *damnum emergens*, by increasing his disbursements ; such irregular and exorbitant attempts upon the liberties of the people are apt to produce such miserable distractions and distempers, as will put the King and kingdoms to such vast expenses and losses in a short time, as will not be recovered in many years. We need not go far to seek a proof of this ; these last two years will be a sufficient evidence, within which time I assure myself it may be proved that more treasure hath been wasted, more loss sustained, by his Majesty and his subjects, than was spent by Queen Elizabeth in all the war of Tyron, and in those many brave attempts against the King of Spain and the royal assistance which she gave to France and the Low Countries during all her reign.

As for greatness, this arbitrary power is apt to hinder and impair it, not only at home, but abroad. A kingdom is a society of men enjoined under one government for common good. The world is a society of kingdoms and states. The King's greatness consists, not only in his dominion over his subjects at home, but in the influence which he hath upon states abroad ; that he should be great even among kings, and, by his wisdom and authority, so to incline and dispose the affairs of other states and nations, and those great events which fall out in the world, as shall be for the good of mankind and for the peculiar advantage of his own people. This is the most glorious and magnificent greatness to be able to relieve distressed princes, to support his own friends and allies, to prevent the ambitious designs of other kings ; and how much



this kingdom hath been impaired in this kind by the late mischievous counsels, your lordships best know ; who, at a near distance, and with a more clear sight, do apprehend these great and public affairs than I can do. Yet thus much I dare boldly say, that if his Majesty had not, with great wisdom and goodness, forsaken that way wherein the Earl of Strafford had put him, we should, within a short time, have been brought into that miserable condition, as to have been useless to our friends, contemptible to our enemies, and incapable of undertaking any great design, either at home or abroad.

A fourth consideration is, that this arbitrary and tyrannical power, which the Earl of Strafford did exercise in his own person, and to which he did advise his Majesty, is inconsistent with the peace, the wealth, the prosperity of a nation ; it is destructive to justice, the mother of peace to industry, the spring of wealth ; to valour, which is the active virtue, whereby the prosperity of a nation can only be procured, confirmed, and enlarged.

It is not only apt to take away peace, and so entangle the nation with wars, but doth corrupt peace, and put such a malignity into it as produceth the effects of war. We need seek no other proof of this but the Earl of Strafford's government, where the Irish, both nobility and others, had as little security of their persons or estates in this peaceable time, as if the kingdom had been under the rage and fury of war.

And as for industry and valour, who will take pains for that, which, when he hath gotten, is not his own ? or who fight for that wherein he hath no other interest, but such as is subject to the will of another ? The ancient encouragement to men that were to defend their countries was this, that they were to hazard their person, *pro aris et focis*, for their religion, and for their houses ; but by this arbitrary way which was practised in Ireland, and counselled here, no man had any certainty, either of religion, or of his house, or anything else to be his own ; but besides this, such arbitrary courses have an ill operation upon the courage of a nation, by embasing the hearts of the people ; a servile condition does for the most part beget in men a slavish temper and disposition. Those that live so much under the whip and the pillory, and such servile engines as were frequently used by the Earl of Strafford, they may have the dregs of valour, sullenness, and stubbornness, which may make them prone to mutinies and discontents ; but those noble and gallant affections which put men to brave designs and attempts for the preservation or enlargement of a kingdom, they are hardly capable of. Shall it be treason to embase the King's coin, though but a piece of tweldepence, or sixpence ? and must it not needs be the effect of a greater treason to embase the spirits of his subjects, and to set a stamp and character

of servitude upon them, whereby they shall be disabled to do anything for the service of the King and Commonwealth ?

The fifth consideration is this, that the exercise of this arbitrary government in times of sudden danger by the invasion of an enemy, will disable his Majesty to preserve himself and his subjects from that danger. This is the only pretence by which the Earl of Strafford, and such other mischievous counsellors, would induce his Majesty to make use of it ; and if it be unfit for such an occasion, I know nothing that can be alleged in maintenance of it.

When war threatens a kingdom by the coming of a foreign enemy, it is no time then to discontent the people, to make them weary of the present government, and more inclinable to a change ; the supplies which are to come in this way, the distractions, divisions, distempers which this course is apt to produce will be more prejudicial to the public safety than the supply can be advantageous to it, and of this we have had sufficient experience the last summer.

The sixth, that this crime of subverting the laws and introducing an arbitrary and tyrannical government is contrary to the pact and covenant between the King and his people ; that which was spoken of before was the legal union of allegiance and protection ; this is a personal union by mutual agreement and stipulation, confirmed by oath on both sides ; the King and his people are obliged to one another in the closest relation, as of a father and a child ; it is called in law *pars patris* ; he is the husband of the Commonwealth, they have the same interests, they are inseparable in their condition, be it good or evil ; he is the head, they are the body ; there is such an incorporation as cannot be dissolved without the destruction of both.

When Justice Thorp, in Edward the Third's time, was by the Parliament condemned to death for bribery, the reason of that judgment is given because he had broken the King's oath, not that he had broken his own oath, but he had broken the King's oath, that solemn and great obligation which is the security of the whole kingdom ; if for a judge to take a final sum in a private cause was adjudged capital, how much greater was this offence, whereby the Earl of Strafford hath broken the King's oath in the whole course of his government in Ireland, to the prejudice of so many of his Majesty's subjects in their lives, liberties, and estates, and to the danger of all the rest ?

\* The doctrine of the Papists, *Fides non est servanda cum hereticis*, is an abominable doctrine ; yet that other tenet, more peculiar to the Jesuits, is more pernicious, whereby subjects are discharged from their oath of allegiance to their prince, whensoever the Pope pleaseth ; this may be added to make the third no less mischievous and destructive

to human society than either of the rest. That the King is not bound by that oath which he hath taken to observe the laws of the kingdom, but may, when he sees cause, lay taxes and burdens upon them without their consent, contrary to the laws and liberties of the kingdom—this hath been preached and published by divers persons, and this is that which hath been practised in Ireland by the Earl of Strafford, in his government there, and endeavoured to be brought into England by his counsel here.

The seventh is this: it is an offence that is contrary to the end of government; the end of government was to prevent oppressions, to limit and restrain the executive power and violence of great men, to open the passages of justice, with indifferency towards all; this arbitrary power is apt to induce and encourage all kinds of insolences.

Another end of government is to preserve men in their estates, to secure them in their lives and liberties; but if this design had taken effect, and could have been settled in England, as it was practised in Ireland, no man would have had more certainty in his own, than power would have allowed him; but these two have been spoken of heretofore; there are two behind more important, which have not yet been touched.

It is the end of government that virtue should be cherished, vice suppressed; but where this arbitrary and unlimited power is set up, a way is open, not only for the security, but for the advancement and encouragement of evil; such men as are apt for the execution and maintenance of this power are only capable of preferment; and others who will not be instruments of any unjust commands, who make a conscience to do nothing against the laws of the kingdom and liberties of the subject, are not only passable for employment, but subject to much jealousy and danger.

It is the end of government that all accidents and events, all counsels and designs should be improved to the public good; but this arbitrary power is apt to dispose all to the maintenance of itself. The wisdom of the council-table, the authority of the courts of justice, the industry of all the officers of the Crown, have been most carefully exercised in this; the learning of our divines, the jurisdiction of our bishops have been moulded and disposed to the same effect, which though it were begun before the Earl of Strafford's employment, yet it hath been exceedingly furthered and advanced by him.

Under this colour and pretence of maintaining the King's power and prerogative, many dangerous practices against the peace and safety of the kingdom have been undertaken and promoted. The increase of popery and the favours and encouragement of papists have been, and still are, a great grievance and danger to the kingdom; the innovation in matters of religion, the usurpations of the clergy, the manifold

burdens and taxations upon the people, have been a great cause of our present distempers and disorders ; and yet those who have been chief furtherers and actors of such mischiefs have had their credit and authority from this that they were forward to maintain this power. The Earl of Strafford had the first rise of his greatness from this, and in his apology and defence, as your lordships have heard, this hath had a main part.

The royal power and majesty of kings is most glorious in the prosperity and happiness of the people ; the perfection of all things consists in the end for which they were ordained ; God only is his own end ; all other things have a further end beyond themselves, in attaining whereof their own happiness consists. If the means and end be set in opposition to one another, it must needs cause impotency and defect of both.

## EARL OF ROSEBERY

(For Biographical Note see Section iv.).

### OUTLINE OF SCOTTISH HISTORY\*

**I**T marked a great week in Scotland, when they celebrated the five hundredth anniversary of the foundation of that University. It was the crowning of St. Andrews with the accumulated glories of centuries. And he would that for such an occasion they could have chosen someone steeped in St. Andrew's traditions, accustomed to inhale the keen and piercing St. Andrew's air, or that they had at least allowed him to depute one of these experts to deliver that Rectorial address. The University seemed to have been obscurely at work in 1410. The Charter was no doubt given by Bishop Wardlaw in 1411, but the chronological vicissitudes had carried it forward into 1412, and it was not till 1414 that the Charter was confirmed by the Pope. No less than five Bulls were brought to St. Andrew's by Henry Ogilvy, and on a Sunday in February, 1414, they were presented with conspicuous pomp to the Bishop as Chancellor of the University.

After that ceremony the inhabitants, learned and unlearned, gave themselves up to revelry and rejoicing. Bonfires blazed, and wine flowed. A sort of symposium of that day. Two days afterwards a solemn procession comprising no less than four hundred clergy expressed the gratitude of the community for the Papal boon.

In the exaltation they triumphed more wisely than they knew, for they were celebrating the greatest and most pregnant fact of Scottish history during that century. The planting of the first Scottish University, in that bleak north, was analogous to the erection of a lighthouse on a rocky and savage coast, only on a higher plane, and with a larger scope. That magnetic spark appearing in Fife was the source of illumination for all the darkness of Scotland. Before the foundation of St. Andrews it was scarcely too much to say that outside the priesthood, there was no higher education in Scotland at all.

The ignorance was past belief. It was calculated that not one of the nobility could sign his name before 1370, forty years before the foundation. Two centuries after the foundation Patrick, Earl of Orkney, the virtual king of those islands, a noble of Royal lineage, was so ignorant that being scarcely able to repeat the Lord's Prayer, his execution was postponed for a few days so that he could receive a little instruction before

\* With the very kind permission of the Earl of Rosebery.

he left that life. The foundation of St. Andrews excited wise and generous emulation. Forty years afterwards Glasgow claimed and obtained similar privileges. That University was also founded by a Bishop under a Bull from a Pope, for indeed, there was no other way, but without the public spirit of the Bishop there would have been nothing to set the Papal machine in action, and so no Universities. Let them not then forget the debt they owed to those Prelates, though their office had so long been an offence and stumbling-block to zealous Presbyterians.

A like period again elapsed, and Aberdeen in a similar way obtained its University, founded with a view to civilising the Highland clergy—whose ignorance, as they might well believe, seemed to have been formidable. But it was from St. Andrews that the light and inspiration came, and it was St. Andrews which must be hailed as the Mother University of Scotland.

It is impossible to over-estimate the blessing which St. Andrews thus conferred upon the ancient Kingdom, for it was not only the Highland priests who needed civilising. It was the nation itself. We cannot exaggerate the barbarism of our country at that time—the reign of naked violence, of unblushing cupidity, of relentless cruelty.

Some ten years before the foundation of that University on the very spot where it was inaugurated, the eldest son of the king, the heir to the Crown, was torn or allured from the Castle of St. Andrews, and carried to Falkland to be murdered by, it was alleged, a death of calculated agony. Twenty-five years afterwards the King of Scots was himself assassinated. They remembered the mournful utterance of King Robert the Third in the "Fair Maid of Perth."—"Alas! reverend Father, there is in Scotland only one place where the shriek of the victim and the threats of the oppressor are not heard; and that, Father, is the grave."

That was the summary of the state of Scotland at that time. At the very time, indeed, when their University was founded, our King was a prisoner in the Tower of London.

These things, which we could scarcely realise now in this Coronation year, when the King and Queen and Heir-Apparent had been received with such a frenzy of enthusiasm, sufficiently characterised the epoch, and made it all the more remarkable that at that black and cruel time the first University was being set up in Scotland.

Assassination, indeed, was not the fruit or symbol of any age. It was always with us, but in the very year they were celebrating that day, the year 1411, there was a stranger sight to be seen, one famous and unique. On July 24th—St. James' Eve—there were to be seen by the Water Urny, in Aberdeenshire, some score of miles north of Aberdeen, a Highland and Lowland army arrayed in battle against each other, the one led by the Lord of the Isles and the other by the Earl of Mar. Both fought desperately, but the undisciplined valour of the Highlanders broke in vain on the solid square of their opponents.

It was difficult to believe, as Burton told them, that the Battle of Harlaw was felt in the Lowlands to be a greater deliverance than Bannockburn. The Highlander was not less the enemy than the Southron. To imagine that the Highlander and the Lowlander could be blended into one nation, proud of the union and the common name, would have seemed in 1411, an insane delusion to either side. This fight decided whether civilisation should rule in Scotland.

What a strange spectacle for our infant University. Its pulses must have ceased to beat while the result of the raid remained in suspense, and what a strange collocation of history which marks 1411 with St. Andrews and Harlaw, the beginning of Scottish learning and the final struggle with Scottish barbarism.

Not that Harlaw closed the reign of Scottish violence in the Lowlands or the Highlands.

For two centuries after this our domestic annals, if domestic they could be called, recorded little else. Savage murders, followed by savage vendettas, were found on every page. It was not until the seventeenth century that they saw any real note of civilisation or any sign of amelioration. This then was the age of darkness in which their little glow-worm of a University displayed its modest light. These were the conditions with which it had to cope; this was the lump which it had set to leaven.

Nothing could be more unpromising, but mark the results. Now I ask you to remember this that our University of St. Andrews, for I belong to it and am proud to belong to it—our University of St. Andrews is all that remains of the Scotland of that time with the possible exception of the Convention of Royal Burghs.

All that Scotsmen in 1411 prized and venerated had disappeared like a snow wreath; only that little University, bleached by time, often

poverty-stricken, often all but submerged, lashed by a thousand storms of the ocean of politics, of religion, of circumstance, that alone remained.

Surely this is a notable fact. Before this fair shrine of learning by the Northern Sea the lamp has always been kept alight. And the reason possibly is that, partly from the veneration it inspired, partly from its learned character, partly from its comparative poverty, it has remained outside the political arena. What the acid of party touches it generally corrodes and often destroys. But this venerable institution, though it has witnessed some of the most stirring and tragic episodes in Scottish history, had kept itself aloof from the political life of the time.

That day they stood looking across the abyss of five centuries, face to face with the University at the moment of its birth. It was wonderful to think how little in outward form it had been changed by the lapse of time when all else had been transformed past recognition.

Now, while considering his double function of celebrating their quincentenary and delivering a rectorial address, a strange, whimsical fancy came into his head. He likened himself to one of the Struldbrugs, the race doomed to immortality, one of the weirdest conceptions that ever proceeded from the powerful brain of Swift in his "Gulliver's Travels." As a Struldbrug or an "immortal" Lord Rector he weaved a fanciful picture. Please, he said, imagine with me your first Lord Rector, whoever he may have been, as an intelligent and remarkable Struldbrug. He must have lived through five centuries, noting, not without an occasional spasm, the vast changes that he had witnessed. He asked them to dream with him, and imagine what such a figure would have to utter to them that day. The first Rector was alleged to be Laurence of Lindores, Abbot of Scone, a great theologian, and, like the theologians of that day, a great persecutor. He was chosen for his character and authority, and, according to his hypothesis, watched intelligently the course of events. He would scarcely for one thing have remained a respecter of persons.

He would have seen a fair proportion of our few archbishops hanged or assassinated. He would have seen dummy bishops content to collect their lawful incomes for the benefit of unscrupulous laymen and appointed for no other purpose. He would have seen the Scottish peerage almost annihilated on a single battlefield. He would have seen five of his Sovereigns die violent deaths and their line eventually wither and perish in a foreign land. He would have seen the great Church which had overshadowed Scotland, full of wealth, power, and renown, fall like



the walls of Jericho at the blast of the trumpet, which would also blast the material prosperity of St. Andrews. He would have seen the church which succeeded it, not less ambitious of power, attempt to found a theocracy of which they should be the visible instruments, but ultimately confined by the good sense of the people to its spiritual functions, for its own great advantage, and for the strengthening of its legitimate action.

He would be told one morning that the chief man in Scotland, the great Cardinal of St. Andrews, had been murdered in his bedroom, and would see his ghastly figure dangling from the castle. He would hear the wail of Flodden. He would learn with dismay that the young Queen, whom he had seen a girl of beauty in this city, had been imprisoned and beheaded in England. He would see her son depart to mount the English throne; and, henceforward, for long generations, his Kings would be as nothing to him. He would see much of John Knox, who must have been an awful figure to the old Romanist, sometimes in his vigour "dinging his pulpit to blads," sometimes in his old age tottering about the city, leaning on what was destined to be a great ecclesiastical institution in Scotland; the minister's servant sometimes suspected, and they may be sure believed by their rector, to be raising the devil in his back garden. He would receive with respectful awe Jerome Carden, the physician of world-wide renown, who came from St. Andrew's, led, or at least rewarded, by an enormous fee, to cure the Archbishop, who was saved by his care, but saved only for the gallows.

He would watch among the students the gay youth of Montrose, and the reserved youth of Argyll, both destined to conspicuous lives and to the scaffold, faced with equal dignity and courage. He would mark the exquisite features of Claverhouse, doomed to a bloody renown and a triumphant death. Later again he would see a sturdy student of Argyll's clan who rose to the woolsack and the seat of Chief Justice by hard work, who enriched our literature with books full of entertainment, the best about himself, and many racy volumes about the other Chancellors—he meant Lord Campbell. He came oddly with Montrose and Claverhouse. He would see Charles I. come and go. He would see Cromwell come and go. He would see Charles II. and James II. come and go. He would see firefly flutter of favourites come and go, Albanies, Bothwells, Lennoxes, Anguses, and the like. One favourite, the Chastelard, whom poets still remembered, he would see executed there in St. Andrews. He would bloom or wither, as the case might be, under the long line of ecclesiastics who had adorned or controlled St. Andrews, the Beatons and the Melvilles, Wardlaw, Kennedy, Knox, Rutherford, Sharpe, Chalmers, and Tulloch. "I might also include

Buchanan," said Lord Rosebery, "as a Moderator of the General Assembly, a post to which no lay man, not even our Chancellor himself, might now aspire." He would see the University sometimes plundered, sometimes ruined, sometimes shivering in dumb decay, but containing an indestructible principle of life which enables it to survive.

And in the material world he would have beheld strange transformations. Æneas Sylvius had marvelled to see the poor at the church doors depart joyfully on receiving an armful of stones. These stones our Rector would have literally seen turned into bread, for these rare coals were the germs of that great industry which has been at the root of so much of Scotland's prosperity. He who had seen the little fleets of Scotland would behold the affluent Clyde developed into one of the greatest shipyards of the world. Near at hand he would see the Forth, arched by a gigantic bridge, and blazing at night with ships of war, a fraction of the Imperial armada. He would have seen the barren wolds and moors of Scotland transformed by science and labour into the very models of agriculture. He would have seen developed the mystery of steam, cutting through deserts, ploughing through the ocean, awakening to life the Hebrides and the Orkneys. He would have seen a score of obscure villages transformed into puissant communities, ringing with hammers and machinery and with passionate din of toil. The naked, plundered, harassed Scotland of his youth would he have seen changed into a fervid hive of industry.

And then at last he would come to that hall and deliver a Rectorial address, telling them that his one great joy, as the centuries progressed, was to be free from religious intolerance. The next great transformation which he would contemplate with complacency would be the supersession of violence by law.

Now, our Rector would find not a total absence of violence, far from it, very far, but he would see the excuse for it removed by the sway of justice, from the Sheriffs to the High Court, from the High Court to the Higher Court which lurks in the ruins of the House of Lords.

Then, after dwelling on the two greatest changes which had occurred in Scotland in his time, he would, perhaps, condescend to give, in the way of counsel, some positive result of his enormous experience. Well, he would tell them to take large views, not with regard to their trade or profession, or the gaining of their daily bread, or even with regard to their studies, but with regard to the circumstances of their time.

He would show how the Reformation, which was for the moment

a merciless revolution, which ruined St. Andrews and much else besides, but which roused Scotland into a keener intelligence and a manlier faith, was accompanied by a rapacity on the part of the aristocracy and a brutality of wreckage which must have obscured its benefits, and caused sorrow and alarm to many of its well-wishers. Then he would point out how this manifold reform again degenerated into a spiritual tyranny and a domestic inquisition which, had it been successful, might have crushed and emasculated the nation.

Then came the Union, and my Struldbrug would tell you that it seemed the end of all, seemed to disappear all but our Universities and frugal colleges cultivating the humanities on a little oatmeal. The King had long vanished, but now there followed him southwards Ministers, Parliament, nobles, and all the waiters upon Providence. The life-blood of the country seemed sucked into England. Some of it went, no doubt. Ay, but the heart remained. The patient peasantry, the doughty lairds, too poor or too proud to go, the parochial divines, the merchants produced and nourished by the Union, remained, and wrought out undisturbed the prosperity and character of the nation, undisturbed by politics and the selfish contention of politicians and nobles which had so long blighted the country. What had seemed ruin was indeed salvation, for it brought about the disappearance of party strife in Scotland. For a century and a quarter after the Treaty Scotland was free from politics, a result due to the Union. Outside the pious polemics of the General Assembly there reigned a supreme calm.

Mark, then, adds our eternal Rector, how on a large survey we perceive that what had seemed the wreck and catastrophe of the nation was the direct cause of such wealth, power and peace as it had never known before. Mark, too, he would add, how little statesmen can do for a strong, reliant race. Scotland rose and thrived by neglect. She prospered more in the century during which she was forgotten and ignored by Parliament, than in all the centuries before or since. That is a lesson from which many inferences may be drawn, some visible, some occult, which in any case are not likely to be recognised now, but which may be realised hereafter. But this at least may be noted.

We at this time seem to be in some danger of becoming a spoon-fed nation. What is in the spoon it is not for me to say; the future can only reveal. It may be nourishment, it may be poison, it may be simply some languid and relaxing potion. Whatever it be, noxious or beneficial, let us at least remember that it was not by such means, or in this way, that the Scottish nation was braced and built up.

By proceeding on our present lines we may produce a nation stronger, nobler, and more self-reliant than it has hitherto been. But it was not by such methods that the strong, noble, and self-reliant Scottish nation, as we have known it, was evolved. How then would our undying Rector sum up? "Be of good cheer," I think he would say, "you have gained enormously in my long recollection, much in freedom, much in prosperity, and the admiration of mankind for your race. If there are momentary shadows, remember this, that depression often arises from too limited a view. I entered upon office in mediæval times, forty years before the date of the fall of Constantinople, at which modern history is supposed to begin. I have seen eclipses that seemed eternal, and the rivers as in Egypt, turned to blood. I have seen life and death and glory chasing each other like shadows on a summer sea, and all has seemed to be vanity.

But I remain in the conviction that though individuals may suffer, when we take stock of a century at its end, we shall find that the world is better and happier than it was at the beginning. Lift up your hearts, for the world is moving onward. Its chariot wheels may crush for the moment, but it does not move to evil. It is guided from above, and guided, we may be sure, with wisdom and goodness which cannot fail. That is the comfort which even in blackest darkness must afford light. And (so your ancient Rector would continue), if I am destined to live through the next five centuries, and behold the millenary of St. Andrews, I shall see no doubt a community as different from this as is this from that of 1414, but as much better, happier, and wiser than the University of 1911, as is the last from the first."

To these words, which convey the wisdom of your first Rector, his present fleeting successor has nothing to add. He is perhaps not so convinced an optimist as his excellent and fictitious predecessor—he sees the present shadows and distractions more clearly than the ultimate outcome. He, poor mortal, cannot chew the cud of centuries; he cannot see beyond the horizon or discern the silver linings of the clouds. He can only look to the morrow, and scarcely to that. But he believes that the patriarch substantially expresses the historical truth in the crumbs of ripe experience which we have the privilege to gather.

And to those who have ears to hear there will always be a voice from these old walls which will speak as a second conscience, calling on you to aim high and follow the right, where the light cannot be discerned, bidding you, in the words of your own motto, "Be foremost and excel," and exhorting you to face the necessary storms and tribulations of life with the same patient strength which has enabled your ancient University to endure and survive the revolutions of five centuries.

## RICHARD RUMBOLD

(1622-1685).

“**N**ONE comes into the world with a saddle on his back, neither any boot and spurred to ride him.” This statement, which comes nearer, perhaps, than any other single saying on record to expressing adequately the spirit of modern times, was Richard Rumbold’s farewell to the world as he stepped on the trap of the gallows at the Market Cross in Edinburgh, where he was hanged, drawn, and quartered, after the Monmouth Rebellion in 1685. When asked if he did not think such a sentence dreadful, Rumbold replied that he wished he had a quarter for every town in Christendom. That there was no bravado in this, he shows by the quiet and strong assurance of his speech on the scaffold. That he did not go out of his way to find martyrdom, he demonstrated when, on the attempt of the militia of Hamilton of Raploch to arrest him, he killed one and wounded two before his horse was shot under him. “He was flying into England,” says Lord Fountainhall in his manuscript ‘Memoirs,’ quoted by Fox, “being conducted by one Turnbull, a man of Polwart. He was bold, answerable to his name, and killed one and wounded two in the taking, and if one had not been somewhat wiser than the rest by causing them to shoot his horse under him, he might have escaped them all. However, he undervalued much our Scotch soldiers as wanting both courage and skill. What had unfortunately engaged him in this enterprise was that he had been bred up from his infancy in the republican and antimonarchical principles; and he owned he had been fighting against these idols of monarchy and prelacy since he was nineteen years of age—for he was now past sixty-three. He was a lieutenant in Oliver Cromwell’s army and fought at Dundee and sundry of the Scotch battles. It was deposed against him that this Rumbold had undertaken to kill the late King, in April 1683, as he should return from Newmarket to London, at his own house at the Rye in Hogsdown in the county of Hertford, where he had married a Maltster’s relict—whence he was designated ‘the Maltster.’” He intended to have a cart overturned in that narrow place to facilitate the

assassination, but God disappointed them by sending the accidental fire at Newmarket which forced the King to return a week sooner to London. But Rumbold absolutely denied any knowledge of that designed murder though on the breaking out of that plot he fled with others to Holland, and there made acquaintance with Argyle.

### AGAINST BOOTED AND SPURRED PRIVILEGE

(Delivered on the Gallows at the Market Cross in Edinburgh, in June, 1685).

**I**T is for all men that come into the world once to die ; and after death the judgment ! And since death is a debt that all of us must pay, it is but a matter of small moment what way it be done. Seeing the Lord is pleased in this manner to take me to himself, I confess, something hard to flesh and blood, yet blessed be his name, who hath made me not only willing, but thankful for his honouring me to lay down the life he gave, for his name ; in which, were every hair in this head and beard of mine a life, I should joyfully sacrifice them for it, as I do this. Providence having brought me hither, I think it most necessary to clear myself of some aspersions laid on my name ; and, first, that I should have had so horrid an intention of destroying the King and his brother. . . It was also laid to my charge that I was antimonarchical. It was ever my thoughts that kingly government was the best of all where justly executed ; I mean, such as it was by our ancient laws ;—that is, a King, and a legal, free-chosen Parliament,—the King having, as I conceive, power enough to make him great ; the people also as much property as to make them happy ; they being, as it were, contracted to one another ! And who will deny me that this was not the justly-constituted government of our nation ? How absurd is it, then, for men of sense to maintain that though the one party of his contract breaketh all conditions, the other should be obliged to perform their part ? No ; this error is contrary to the law of God, the law of nations, and the law of reason. But as pride hath been the bait the devil hath caught most by ever since the creation, so it continues to this day with us. Pride caused our first parents to fall from the blessed state wherein they were created,—they aiming to be higher and wiser than God allowed, which brought an everlasting curse on them and their posterity. It was pride caused God to drown the old world. And it was Nimrod's pride in building Babel that caused that heavy curse of division of tongues to be spread among us, as it is at this day, one of the

greatest afflictions the Church of God groaneth under, that there should be so many divisions during their pilgrimage here ; but this is their comfort that the day draweth near when, as there is but one shepherd, there shall be but one sheepfold. It was, therefore, in the defence of this party, in their just rights and liberties, against popery and slavery—

[Being here interrupted by drum beating, he said that they need not trouble themselves, for he should say no more of his mind on that subject, since they were so disingenuous as to interrupt a dying man. He then continued :—]

I die this day in the defence of the ancient laws and liberties of these nations ; and though God, for reasons best known to himself, hath not seen it fit to honour us, as to make us the instruments for the deliverance of his people, yet as I have lived, so I die in the faith that he will speedily arise for the deliverance of his Church and people. And I desire of all you to prepare for this with speed. I may say this is a deluded generation, veiled with ignorance, that, though popery and slavery be riding in upon them, do not perceive it ; though I am sure there was no man born marked of God above another ; for none comes into the world with a saddle on his back, neither any booted and spurred to ride him ; not but that I am well satisfied that God hath wisely ordered different stations for men in the world, as I have already said ; kings having as much power as to make them great, and the people as much property as to make them happy. And to conclude, I shall only add my wishes for the salvation of all men who were created for that end.

## RICHARD JOHN SEDDON

(1845-1906).

**C**OLONIAL Statesman and Imperialist, born at St. Helens, at an early age he emigrated to New Zealand where he quickly became prominent in politics as a strong social democrat.

He was first elected to the Colonial Parliament in 1879. In 1893 he became Premier and held this office to the end of his life. During the Boer War he recruited by his eloquent appeals thousands of men who came to fight for the Mother-country. As years rolled on Seddon's influence increased so that his popular cognomen throughout Australasia was, "King Dick."

Seddon's name and political career will not be quickly forgotten, for he was one of the foremost of those who fostered the sense of common action upon which the British Commonwealth of nations is based and sustained.

### NEW ZEALAND AND THE BOER WAR

(Delivered in the House of Representatives, New Zealand, on September 28th, 1899).

**O**N no previous occasion have I risen in this House with a greater sense of the responsibility that is cast upon me than I rise to make the proposals now submitted. An emergency has arisen; the occasion now exists for us to prove our devotion to the Empire, and honourable members are called upon to-day to pass a resolution offering a contingent for service in the Transvaal. The passing of this resolution means entailing a heavy expenditure upon our Colony. Outside that expenditure it also entails a grave responsibility; and not only that, but what we propose means in the case of war that some of our Volunteers—our New Zealanders—will go to the Transvaal, perhaps many never to return. Now I hope members will approach this subject and deal with it in a manner creditable to us and to the benefit of the Empire. It will be necessary, before I go into reasons for making the proposals,



that I should inform members as to the expenditure likely to be entailed upon the resolution being carried, which I have no fear will be the case. The resolution is—

“That a respectful address be presented to His Excellency the Governor, requesting him to offer to the Imperial Government, for service in the Transvaal, a contingent of mounted rifles, and that, in the event of the offer being accepted, the Government be empowered, after selection by the Commander of the Forces, to provide, equip, and despatch the force.”

The volunteers will be asked to provide their own horses. The personal expense we estimate at about £10 per head. This we intend to provide. Taking the two companies, with officers—and there will be the commanding officer, two captains, six lieutenants, four sergeant-majors, twelve sergeants, twelve corporals, four drummers, and 168 privates—that means a cost per day, according to our Volunteer regulations, of £49-7s. You may reckon therefore that the expense entailed in maintaining the company from start to finish will amount roughly to £50 per day. In addition to that—because, whilst we are doing this, let us do it well—the cost, I say, should not be taken into consideration, and we should, I think, provide the transport to the Transvaal and all expenses, and land, clear of expense to the Imperial authorities, our force in the Transvaal.

I think as far as the horses are concerned, the men in some cases will provide their own. I have also reason to believe that will be the case; but we will insure the horses for them, so that they will not be at any loss. I think, provisionally, that is as far as we can go. The following telegram we propose to submit to the officers commanding districts. It is drafted by the Commander of the Forces, and is as follows: “In case of men being wanted for the Transvaal, could you raise from mounted corps in your command two officers and fifty men, to be between the ages of twenty-three and forty; pay according to scale laid down in Volunteer Regulations, with free rations; all men to be unmarried? The men may take their own horses, or Government will find them. In the case of own horses compensation will be given if mishap to them. The volunteers must be at least second-class shots; distribute volunteers equally amongst corps if possible, should be prepared to join at Wellington at early date. Wire replies urgent as received from each corps. Officers to take two horses each. Free kits supplied to all rank and file.”

We belong to and are an integral part of a great Empire. The flag that floats over us and protects us, was expected to protect our kindred and countrymen who are in the Transvaal.

There are in the Transvaal: New Zealanders, Australians, English, Irish, and Scotch, and others from British dependencies; they are of our own race and our kindred. As one coming from the goldfields, I know what tempted many from our shores to the Transvaal. I know what transpired years ago when they left the Mother-country, other countries of the globe, and other Colonies, and came to New Zealand; but when they came here they had their freedom. They had their civil rights granted to them, and there is nothing so dear—almost next to life itself—as civil rights to the British race. Our kindred to the number of 150,000 in the Transvaal have been deprived of these civil rights and civil freedom. Now, in considering carefully the situation in the Transvaal and what has led to it, we must acquit the Imperial authorities of any desire on their part to make unreasonable, unjust, or unfair demands. I say the demands made upon the Transvaal Government are moderate and righteous. The British Government has given time and opportunity to the Boer Government to fairly consider the position; and, as I say, what was asked on behalf of the Outlanders at the Conference by the representative of the British Government, Sir Alfred Milner, of whom every Britisher should feel proud, was moderate manly, and just. The diplomatic negotiations have on the part of the Imperial authorities been carried out in a manner commendable to all, and every fair-play has been exercised. Had the conditions made by the British representative been over-bearing, harsh, or unjust, or in the slightest degree degrading to the Transvaal Government, I should not have felt justified in taking the course that I now ask the House to take. But the fact is that the British Government have, consistent with honour, done everything possible to avoid a conflict, and have given the Boer Government the fullest time to consider the position. That hesitancy has, in my opinion, been taken as a sign of weakness; but it was better to wait. It was better to hesitate before the dogs of war were let loose. As you will note by the cablegrams you have read, the civilized world commends the British Government for the merciful course they have taken. Further, the nations of the civilized world say, the demands made by the British Government are just and reasonable, and in this honourable members will, I feel sure, heartily concur. Under these circumstances, I say we have no reason—nor would it be in keeping with our position—to question the action of the British Government. They have a grave responsibility on their shoulders, and I am satisfied that that responsibility is borne by men whose only object, whose only desire, is to maintain the integrity of the Empire, and to conserve to British subjects in the Transvaal their just rights and their freedom. That is the only motive, I feel sure, which has actuated

the Imperial authorities. I hope there will be no receding, no going back. In the words of the Right Honourable Mr. Chamberlain, the Secretary of State, they have put their hands to the plough; there must be no turning back. We must, and I say it is our duty, as Englishmen, to strengthen and support that course. It is not for me to go into "the wretched past" in regard to the Transvaal. The present situation, I think it may be truthfully said, would never have arisen had there been a Government in power in years gone by when the crisis occurred, who would have acted energetically and firmly, and have insisted on the due fulfilment of the pledges given. When the sovereignty was established the Boers who are now the cause of the trouble were glad to have the protection of the British flag. But, whilst then they had the advantage of the protection of the flag, what did they do years afterwards? They flouted that flag and dragged it in the dust; and there was a Government in power who, for some inscrutable reason, made peace, but without honour to our country. Things have gone on and drifted until we find now the present unfortunate situation. I desire, in proposing this motion, to abstain from blaming unduly those responsible for the past; but in justice to those now in power, it is necessary I should state the cause of the present situation having risen. Another reason why we should take action is that we are a portion of the dominant family of the world—we are of the English-speaking race. Our kindred are scattered in different parts of the globe, and wherever they are, no matter how far distant apart, there is a feeling of affection—there is that crimson tie, that bond of unity existing which time does not affect, and as years go by it grows firmer, stronger, and in the end will become indispensable. It was said in years gone by, that the moment the colonies became sufficiently strong they would seek to sever the tie between themselves and the Mother-country. There were those misguided statesmen who said the only way to bind the colonies to the Mother-country was by using a firm hand, and denying them self government, but there were others, again, who said: "Give the greatest freedom, trust to better nature and the natural tie, and that trust will not be misplaced." To-day we have that faith justified. We have undoubted proof, that with a free Constitution, with the right of self government, mutual confidence has been established, and with the greater freedom has grown a patriotism hardly possible to conceive, and, as years have rolled on, the tie between the Motherland and her colonies has grown so strong, so firm, that to-day we have a sight which, whilst gratifying to us, mystifies and almost paralyses the other nations of the globe. This pleasing feature, this drawing closer together, gladdens the hearts of our kindred at home, and tends to their prosperity and well-being.

and it is especially pleasing also to those in this colony. When adversity comes there is sincere sympathy and there is a feeling on our part in the colonies as far as we can to mitigate and help to remove and minimise that adversity. Some two years ago you will remember that from all parts of the earth there were those who gathered together to do honour to our good and gracious Queen, and by that Jubilee pageant and those who took part therein, a lesson was taught as to what our Constitution really meant. We were honourably upholding and demonstrating that Constitution, and paying a well deserved tribute to its head—the greatest and best woman living. And not only that, but we proved that, though far distant, and under many climes, there is a bond between her children and liege subjects which can never be severed ; and as we sent our troops to take part in that Jubilee, and as they were admired by our kindred at home, and by those of other nations who were gathered together on that great occasion, so will the world yet recognise that on the battlefield ; and when the necessity arises for that valour, which distinguished our race, being displayed, there will be no hesitation, no holding back on our part, and that to the death shall we prove true to our race, and prove that we are akin. I say the civilized world, whilst wondering, will admire and applaud : and I have no hesitation in saying that, as our troops acquitted themselves very creditably at home on the occasion of the Jubilee, so, should the occasion arise, will they give a good account of themselves on the battlefield of the Transvaal. I again repeat that in prosperity we are with our kindred, and that in adversity they shall have our help and sympathy. The question with the unthinking may arise as to what is the connection between the colonies and the Empire. I say it is a connection so closely interwoven with our interests, so inseparably bound are we together, that, if you take from the Empire her colonies, you weaken that Empire. If, on the other hand, you keep together the Empire is strengthened. Take it on sordid grounds if you like, and we know how much to us is the Empire. We know that the Mother-country has given us our birthright of freedom. We know of course what she is doing for us each and every day of our existence. The British flag is our protection—without belonging to the Empire where would New Zealand be ? What would be the natural result ? We should be under some other nation, perhaps treated as are the Outlanders in the Transvaal. Should we enjoy the rights and privileges which are dear to Englishmen and which we at present possess ? The answer is, " No." I therefore say it is to our interest to remain as we are. It is our bounden duty to support the Empire and to assist in every way the Imperial authorities whenever occasion demands. I would like to direct the attention of honourable members to our first line of

defence in these Colonies—the Australian squadron. Of course we pay our share—something like £20,000 a year—but see what the British taxpayer contributes to the maintenance of that squadron. I say that our contribution is small indeed compared to the total cost and what is borne for us in this respect by the British taxpayer. Has there been a single complaint, has there been a murmur, from the British taxpayer—our kindred at home—against the granting of this protection by maintaining the squadron? The answer is “No.” They do it well; they do it cheerfully; and I say it is little in return that we should take the course I am now advocating and prove to those of our race and those in the Motherland that we are prepared, outside all question of expense, to help them, and to help them as we are going to do on this occasion by sending a contingent to the Transvaal. I am voicing the mind and the feeling of the people of this Colony when I say that they support this proposal. We in this House are only the mouthpiece for the time being of the people. Take the Press of this colony; and all those who have read what appears therein must come to the conclusion that they are with us in the movement now taking place. But if you want further expression, and a further idea of what is prevailing, see the number of our Volunteers who have asked that arrangements should be made to send a contingent from this colony. The other day when discussing this matter with a leading citizen he said, “Do you think you will get a sufficient number?” I say if we wanted two thousand, let alone two hundred, there are those in our colony prepared to go forth and do battle for our Empire whenever and wherever it is deemed necessary. I am not so sure whether it would not be wise, outside these proposals—because there will be heart-burnings amongst those not selected; there are those, probably, of the native race who cannot comply with the conditions laid down by the Commander of the Forces—to say, “We will pay the passages of those who volunteer to join the British Forces and fight with those more favoured who will go in the New Zealand contingent.”

## LUCIUS ANNÆUS SENECA

(4 B.C.—65 A.D.).

**W**HETHER or not the address to Nero, attributed to Seneca by Tacitus, was actually delivered as Tacitus reports it, it is a fair illustration of the only kind of eloquence possible in Rome after the fall of the Republic. Of the younger Pliny's imitations of Cicero, only the eulogy of Trajan survives, and one of his recent biographers calls it "a laboured production which scarcely excites regret that the rest have perished"; so that, except for a few eulogies of the emperors or pleas before them, such as this attributed to Seneca, Roman oratory, it may be fairly said, died with Cicero and the Republic. Seneca's philosophical works in prose are numerous, and the exalted morality they inculcate is in strong contrast with the degradation forced on him by his connection with Nero. He was born at Corduba, but was brought to Rome, when a child, by his parents and carefully educated in rhetoric and philosophy. His first prominence was achieved as a pleader in law cases, but under Caligula he became a member of the Senate and in the first year of the reign of Claudius he was of sufficient importance to be banished at the instigation of Messalina. In 49 A.D. he was recalled and made tutor to Nero. When, six years later, his pupil became Emperor, he was the "power behind the throne" until his attempts to restrain Nero's vices made him odious and led to his downfall. His ruin came 65 A.D. in the shape of an order to commit suicide, which he at once obeyed. The tragedies attributed to him have been spoken of lightly by some critics, but they contain many passages of great beauty. The chorus in the 'Troades' beginning—

*"Verum est an fabula timidos decipit  
Umbras vivere corporibus conditis"*—

is without doubt a noble surviving example of Latin iambic verse. The occasion for the address to Nero, as explained by Tacitus, is suggested in the speech itself,—the attacks made upon Seneca by his enemies because of his wealth accumulated while he was acting as Minister. He was not allowed to retire to private life, and the ruin he anticipated was not long postponed. It is said that he was very avaricious, and that he habitually lent money at excessive rates of usury.

## HIS ADDRESS TO NERO

(Reported by Tacitus as having been delivered 62 A.D.).

**I**T is now, Cæsar, the fourteenth year since I was placed near your person ; of your reign it is the eighth. In that space of time you have lavished upon me both wealth and honours with so liberal a hand that to complete my happiness nothing now is necessary but moderation and contentment. In the humble request which I presume to make, I shall take the liberty to cite a few examples, far indeed above my condition, but worthy of you. Augustus, your illustrious ancestor, permitted Marcus Agrippa to retire to Mitylene ; he allowed Mæcenas to live almost a stranger in Rome, and in the heart of the city to dwell, as it were, in solitude. The former of those illustrious men had been the companion of his wars ; the latter supported the weight of his administration ; both, it is true, received ample rewards, but rewards fairly earned by great and eminent services. For myself, if you except some attainments in literature, the fruit of studies pursued in the shade of retirement, what merit can I assume ? My feeble talents are supposed to have seasoned your mind with the first tincture of letters, and that honour is beyond all recompense.

But your liberality knows no bounds. You have loaded me with favours and with riches. When I reflect on your generosity, I say to myself : Shall a man of my level, without family pretensions, the son of a simple knight, born in a distant province, presume to rank with the grandees of Rome ? My name, the name of a new man, figures among those who boast a long and splendid line of ancestors. Where is now the mind, which long since knew that to be content with little is true happiness ? The philosopher is employed in laying out gardens and improving pleasure grounds. He delights in the extent of ample villas ; he enjoys a large rent-roll, and has sums of money laid out at interest. I have but one apology : your munificence was a command, and it was not for me to resist.

But the measure of generosity on your part, and submission on mine, is now complete. What a prince could give, you have bestowed ; what a friend could take, I have received. More will only serve to irritate envy and inflame the malice of my enemies. You, indeed, tower above the passions of ill-designing men ; I am open to their attacks ; I stand in need of protection. In a campaign, or on a march, if I found myself fatigued and worn out with toil, I should not hesitate to sue for some

indulgence. Life is a state of warfare ; it is a long campaign in which a man in years, sinking under a load of cares, and even by his riches made obnoxious, may crave leave to retire. I am willing to resign my wealth ; let the auditors of the imperial revenue take the account, and let the whole return to its fountain head. By this act of self-denial, I shall not be reduced to poverty ; I shall part with that superfluity which glitters in the eyes of my enemies, and for the rest the time which is spent in the improving of gardens and the embellishing of villas I shall transfer to myself, and for the future lay it out in the cultivation of my mind. You are in the vigour of your days ; a long train of years lies before you. In full possession of the sovereign power, you have learned the art of reigning. Old age may be permitted to seek repose. It will, hereafter, be your glory that you knew how to choose men of moderation who could descend from the summit of fortune to dwell with peace and humble content in the vale of life.



## THEOBALD WOLFE TONE

(1763-1798).

**T**AKEN prisoner in the fight off Lough Swilly, which the "Hoche" sustained for six hours against four English battleships, Wolfe Tone had hopes of passing as a French officer until a former fellow-student named Hill recognised, and, obeying inherited instincts, betrayed him. He was brought before a "court martial" in one of the Dublin barracks, and condemned to be hanged.

### BEFORE THE COURT MARTIAL

(November 10th, 1798).

**I** MEAN not to give the court any useless trouble, and wish to spare them the idle task of examining witnesses. I admit all the facts alleged, and only request leave to read an address which I have prepared for this occasion.

Questioned; does he mean by this that he has acted traitorously against his Majesty?

Stripping this charge of the technicality of its terms, it means, I presume, by the word traitorously, that I have been found in arms against the soldiers of the King in my native country. I admit this accusation in its most extended sense, and request again to explain to the court the reasons and motives of my conduct.

Mr. President and Gentlemen of the Court Martial,—I mean not to give you the trouble of bringing judicial proof to convict me legally of having acted in hostility to the government of his Britannic Majesty in Ireland. I admit the fact. From my earliest youth I have regarded the connection between Great Britain and Ireland as the curse of the Irish nation, and felt convinced that, whilst it lasted this country could never be free or happy. My mind has been confirmed in this opinion by the experience of every succeeding year, and the conclusions which I have drawn from every fact before my eyes. In consequence, I was determined to employ all the powers which my individual efforts could move, in order to separate the two countries. That Ireland was not able

of herself to throw off the yoke, I knew ; I therefore sought for aid wherever it was to be found. In honourable poverty I rejected offers which, to a man in my circumstances, might be considered highly advantageous. I remained faithful to what I thought the cause of my country, and sought in the French Republic an ally to rescue three millions of my countrymen.

I believe there is nothing in what remains for me to say which can give any offence ; I mean to express my feelings and gratitude towards the Catholic body, in whose cause I was engaged. I have laboured to create a people in Ireland by raising three millions of my countrymen to the rank of citizens. I have laboured to abolish the infernal spirit of religious persecution, by uniting the Catholics and Dissenters. To the former I owe more than ever can be repaid. The services I was so fortunate as to render them they rewarded munificently ; but they did more : when the public cry was raised against me—when the friends of my youth swarmed off and left me alone—the Catholics did not desert me ; they had the virtue even to sacrifice their own interests to a rigid principle of honour ; they refused, though strongly urged, to disgrace a man who, whatever his conduct towards the Government might have been, had faithfully and conscientiously discharged his duty towards them ; and in so doing, though it was in my own case, I will say they showed an instance of public virtue of which I know not whether there exists another example.

I shall, then, confine myself to some points relative to my connection with the French army. Attached to no party in the French Republic—without interest, without money, without intrigue—the openness and integrity of my views raised me to a high and confidential rank in its armies. I obtained the confidence of the Executive Directory, the approbation of my generals, and I will venture to add, the esteem and affection of my brave comrades. When I review these circumstances, I feel a secret and internal consolation which no reverse of fortune, no sentence in the power of this court to inflict, can deprive me of, or weaken in any degree. Under the flag of the French Republic I originally engaged with a view to save and liberate my own country. For that purpose I have encountered the chances of war amongst strangers ; for that purpose I repeatedly braved the terrors of the ocean, covered, as I knew it to be, with the triumphant fleets of that power which it was my glory and my duty to oppose. I have sacrificed all my views in life ; I have courted poverty ; I have left a beloved wife unprotected, and children whom I adored, fatherless. After such a sacrifice, in a cause which I have always considered—conscientiously considered—as the cause of justice and freedom, it is no great effort at this day, to add the sacrifice of my life. But I hear it said that this unfortunate country has been a

prey to all sorts of horrors. I sincerely lament it. I beg, however, it may be remembered that I have been absent four years from Ireland. To me these sufferings can never be attributed. I designed by fair and open war to procure the separation of the two countries. For open war I was prepared, but instead of that a system of private assassination has taken place. I repeat, whilst I deplore it, that it is not chargeable on me. Atrocities, it seems, have been committed on both sides. I do not less deplore them. I detest them from my heart ; and to those who know my character and sentiments I may safely appeal for the truth of this assertion ; with them I need no justification. In a case like this success is everything. Success, in the eyes of the vulgar, fixes its merits. Washington succeeded, and Kosciusko failed. After a combat nobly sustained—a combat which would have excited the respect and sympathy of a generous enemy—my fate has been to become a prisoner to the eternal disgrace of those who gave the orders. I was brought here in irons like a felon. I mention this for the sake of others ; for me I am indifferent to it. I am aware of the fate which awaits me, and scorn equally the tone of complaint and that of supplication. As to the connection between this country and Great Britain, I repeat it—all that has been imputed to me (words, writings, and actions) I here deliberately avow. I have spoken and acted with reflection and on principle, and am ready to meet the consequences. Whatever be the sentence of the court I am prepared for it. Its members will surely discharge their duty—I shall take care not to be wanting in mine.

I wish to offer a few words relative to one single point—the mode of punishment. In France our *émigrés*, who stand nearly in the same situation in which I now stand before you, are condemned to be shot. I ask that the court shall adjudge me the death of a soldier, and let me be shot by a platoon of grenadiers. I request this indulgence rather in consideration of the uniform I wear—the uniform of a Chef de Brigade in the French army—than from any personal regard to myself. In order to evince my claim to this favour, I beg that the court may take the trouble to peruse my commission and letters of service in the French army. It will appear from these papers that I have not received them as a mask to cover me, but that I have been long and *bona fide* an officer in the French service.

## SIR HENRY VANE

(1612-1662).

**H**E was born in Kent in 1612. His father, Sir Henry Vane, was comptroller of the household of Charles I., and there was nothing in the antecedents of his family to make any member of it an opponent of royal power. In his early youth, however, the younger Vane adopted religious views which controlled his life in spite of hereditary influences and social connections. When he associated himself with Pym and the popular party, his ability was so marked that strong efforts were made to win him to the royal party. He had emigrated to Massachusetts, and, after serving a term as Governor of the Province, had returned and taken the leadership of the Independents in the Short Parliament. The King knighted him, and made him Joint Treasurer of the Navy, but throughout his life he remained faithful to the cause of popular government, not only against Charles but against Cromwell. After the Protectorate had become a military dictatorship, Cromwell was obliged to send Vane to prison. Elected to Parliament after Cromwell's death, he attacked and was chiefly instrumental in overthrowing the protectorate of Richard Cromwell. After the Restoration, Charles II. wrote to Clarendon that Vane was "too dangerous a man to let live if we can honestly put him out of the way." He was accordingly arrested on a charge of high treason, and, after the formality of a trial, was executed on June 14th, 1662.

### AGAINST RICHARD CROMWELL

(Delivered in Parliament in 1659).

**A**MONG all the people of the universe, I know none who have shown so much zeal for the liberty of their country as the English at this time have done ;—they have, by the help of Divine Providence, overcome all obstacles, and have made themselves free. We have driven away the hereditary tyranny of the house of Stuart, at the expense of much blood and treasure, in hopes of enjoying hereditary liberty, after having

shaken off the yoke of kingship ; and there is not a man among us who could have imagined that any person would be so bold as to dare to attempt the ravishing from us that freedom which cost us so much blood and so much labour. But so it happens. I know not by what misfortune, we are fallen into the error of those who poisoned the Emperor Titus to make room for Domitian ; who made away Augustus that they might have Tiberius ; and changed Claudius for Nero. I am sensible these examples are foreign from my subject, since the Romans in those days were buried in lewdness and luxury, whereas the people of England are now renowned all over the world for their great virtue and discipline ; and yet,—suffer an idiot, without courage, without sense, nay, without ambition, to have dominion in a country of liberty ! One could bear a little with Oliver Cromwell, though, contrary to his oath of fidelity to the Parliament, contrary to his duty to the public, contrary to the respect he owed that venerable body from whom he received his authority, he usurped the Government. His merit was so extraordinary, that our judgments, our passions, might be blinded by it. He made his way to empire by the most illustrious actions ; he had under his command an army that had made him a conqueror, and a people that had made him their general. But, as for Richard Cromwell, his son, who is he ? What are his titles ? We have seen that he had a sword by his side ; but did he ever draw it ? And what is of more importance in this case, is he fit to get obedience from a mighty nation, who could never make a footman obey him ? Yet, we must recognize this man as our King, under the style of Protector ! —a man without birth, without courage, without conduct ! For my part, I declare, sir, it shall never be said that I made such a man my master !

### A SPEECH FOR DUTY IN CONTEMPT OF DEATH

(Address to the Court, asking an Arrest of Judgment at his Trial for High Treason, 1662).

**T**HE duty which we owe to God, the universal king, nature and Christianity do so clearly teach and assert, that it needs no more than to be named. For this subjection and allegiance to God, and his laws, by a right so indisputable, all are accountable before the judgment seat of Christ.

It is true, indeed, men may *de facto* become open rebels to God and to his laws, and prove such as forfeit his protection, and engage him to proceed against them as his professed enemies. But, with your lord-

ships' favour, give me leave to say that which you have made a rule for your proceedings in my case will indeed hold, and that very strongly, in this ; that is to say, in the sense wherein Christ the Son of God is king *de jure*, not only in general, over the whole world, but in particular, in relation to these three kingdoms. He ought not to be kept out of his throne, nor his visible government, that consists in the authority of his word and laws, suppressed and trampled under foot, under any pretence whatsoever.

And in asserting and adhering unto the right of this highest sovereign as stated in the covenant before mentioned, the lords and commons jointly, before the year 1648, and the commons alone afterwards, to the very times charged in the indictment, did manage the war and late differences within these kingdoms. And whatever defections did happen by apostates, hypocrites, and time-serving worldlings, there was a party amongst them that did continue firm, sincere, and chaste unto the last, and loved it better than their very lives ; of which number I am not ashamed to profess myself to be ; not so much admiring the form and words of the covenant, as the righteous and holy ends therein expressed, and the true sense and meaning thereof, which I have reason to know.

Nor will I deny but that, as to the manner of the prosecution of the covenant to other ends than itself warrants, and with a rigid oppressive spirit, to bring all dissenting minds and tender consciences under one uniformity of church discipline and government, it was utterly against my judgment. For I always esteemed it more agreeable to the word of God, that the ends and work declared in the covenant should be promoted in a spirit of love and forbearance to differing judgments and consciences, that thereby we might be approving ourselves " in doing that to others which we desire they would to us " ; and so, though upon different principles, be found joint and faithful advancers of the reformation contained in the covenant, both public and personal.

This happy union and conjunction of all interests in the respective duties of all relations, agreed and consented to by the common suffrage of the three nations, as well in their public parliamentary capacity, as private stations, appeared to me a rule and measure approved of, and commanded by Parliament, for my action and deportment, though it met with great opposition, in a tedious, sad, and long war ; and this under the name and pretext of royal authority. Yet, as this case appeared to me in my conscience, under all its circumstances of times, of persons, and of revolutions inevitably happening by the hand of God and the course of his wise providences, I held it safest and best to keep my station in Parliament to the last, under the guidance and protection of their

authority and in pursuance of the ends before declared in my just defence.

This general and public case of the kingdoms is so well known by the declarations and actions that have passed on both sides, that I need but name it ; since this matter was not done in a corner, but frequently contended for in the high places of the field, and written even with characters of blood. And out of the bowels of these public differences and disputes doth my particular case arise, for which I am called into question. But admitting it come to my lot to stand single, in the witness I am to give to this glorious cause, and to be left alone (as in a sort I am), yet being upheld with the authority before asserted, and keeping myself in union and conjunction therewith, I am not afraid to bear my witness to it in this great presence, nor to seal it with my blood, if called thereunto. And I am so far satisfied in my conscience and understanding that it neither is nor can be treason, either against the law of nature, or the law of the land, either *malum per se*, or *malum prohibitum* ; that on the contrary it is the duty I owed to God the universal king, and to his Majesty that now is, and to the Church and people of God in these nations, and to the innocent blood of all that have been slain in this quarrel. Nothing, it seems, will now serve, unless by the condemnation passed upon my person they be rendered to posterity murderers and rebels, and that upon record in a court of justice in Westminster Hall. And this would inevitably have followed if I had voluntarily given up this cause, without asserting their and my innocency ; by which I should have pulled that blood upon my own head, which now I am sure lies at the door of others, and in particular of those that knowingly and precipitately shall imbrue their hands in my innocent blood, under whatsoever form or pretext of justice.

My case is evidently new and unusual, that which never happened before ; wherein there is not only much of God and of his glory, but all that is dear and of true value to all the good people in these three nations. And, as I have said, it cannot be treason against the law of nature since the duties of the subjects in relation to their sovereigns and superiors, from the highest to the lowest, are owned and conscientiously practised and yielded by those that are the assertors of this cause.

Nor can it be treason within the statute of Edward III., since, besides, what hath been said of no king in possession, and of being under powers regnant, and kings *de facto*, as also of the fact in its own nature, and the evidence as to overt acts pretended, it is very plain it cannot possibly fall within the purview of that statute. For this case, thus circumstantiated, as before declared, is no act of any private person, of his own head, as that statute intends ; nor in relation to the king there

meant, that is presumed to be in the exercise of his royal authority, in conjunction with the law and the two houses of Parliament, if they be sitting, as the fundamental constitutions of the Government do require.

My lords, if I have been free and plain with you in this matter, I beg your pardon ; for it concerns me to be so, and something more than ordinarily urgent, where both my estate and life are in such eminent peril ; nay, more than my life, the concerns of thousands of lives are in it, not only of those that are in their graves already, but of all posterity in time to come. Had nothing been in it but the care to preserve my own life, I need not have stayed in England, but might have taken my opportunity to withdraw myself into foreign parts, to provide for my own safety. Nor needed I to have been put upon pleading, as now I am, for an arrest of judgment ; but might have watched upon advantages that were visible enough to me, in the managing of my trial, if I had consulted only the preservation of my life or estate.

No, my lords, I have otherwise learned Christ, than to fear them that can but kill the body, and have no more that they can do. I have also taken notice, in the little reading that I have had of history, how glorious the very heathen have rendered their names to posterity in the contempt they have shown of death,—when the laying down of their lives has appeared to be their duty,—from the love which they have owed to their country.

Two remarkable examples of this give me leave to mention to you upon this occasion. The one is of Socrates, the divine philosopher; who was brought into question before a judgment seat, as now I am, for maintaining that there was but one only true God, against the multiplicity of the superstitious heathen gods ; and he was so little in love with his own life upon this account, wherein he knew the right was on his side, that he could not be persuaded by his friends to make any defence, but would choose rather to put it upon the conscience and determination of his judges, to decide that wherein he knew not how to make any choice of his own as to what would be best for him, whether to live or to die ; he ingenuously professing that for aught he knew it might be much to his prejudice and loss to endeavour longer continuance in this bodily life.

The other example is that of a chief governor, Codrus, that, to my best remembrance, had the command of a city in Greece, which was besieged by a potent enemy, and brought into unimaginable straits. Hereupon the said governor made his address to the Oracle to know the event of that danger. The answer was : " That the city should be safely preserved if the chief governor were slain by the enemy." He understanding this, immediately disguised himself and went into



the enemy's camp, amongst whom he did so comport himself that they unwittingly put him to death ; by which means, immediately, safety and deliverance arose to the city as the Oracle had declared. So little was his life in esteem with him when the good and safety of his country required the laying down of it.

## PETER WENTWORTH

(1530-1596).

**P**ETER WENTWORTH succeeded to the manor of Lillingston-Darrell in Buckinghamshire. In 1571, he sat in Parliament as member for Barnstaple, and he continued a member of the House of Commons for 22 years, acting as a member in six different Parliaments.

He was Member for Northampton when, in 1586, he delivered certain "articles" containing questions relating to the liberties of the House and the Royal prerogative. This incurred the Queen's displeasure and Wentworth was sent to the Tower, where most authorities agree that he was confined until his death in 1596, but on this point much yet remains obscure.

### LIBERTIES OF PARLIAMENT

(Delivered in the House of Commons, February 8th, 1576).

[This speech is the first and most important sign of the growing power of Parliament under the Tudor sovereigns. Wentworth was a prominent Puritan member, very determined and courageous, and in this speech he boldly attacks the Crown for encroachments on the privileges of the House of Commons. The House itself was frightened at the tone of its member, and sequestered him, appointing a committee of the privy councillors of the House to examine him. Wentworth declined their authority till assured that they sat as members—not as councillors. After a long examination, in which he compelled them to admit the truth of all he had urged, they reported to the House, who committed Wentworth to the Tower. Here he was confined for a month, when the Queen remitted her displeasure, the House released him, and he acknowledged his fault on his knees before the Speaker. Wentworth is an interesting figure as the pioneer of Pym, Eliot, and Hampden.]

**F**IND in a little volume these words, in effect: "Sweet is the name of Liberty, but the thing itself a value beyond all inestimable treasure." So much the more it behoveth us lest we, contenting ourselves with the sweetness of the name, lose and forego the thing, being of the

greatest value that can come unto this noble realm. The inestimable treasure is the use of it in this House. And, therefore, I do think it needful to put you in remembrance that this honourable assembly are assembled and come together here in this place for three special causes of most weighty and great importance. The first and principal is to make and abrogate such laws as may be most for the preservation of our noble sovereign; the second . . . ; the third is to make or abrogate such laws as may be the chiefest surety, safe-keeping, and enrichment of this noble realm of England. So that I do think that the part of the faithful-hearted subject is to do his endeavour to remove all stumbling-blocks out of the way that may impair or in any manner of way hinder these good and godly causes of this our coming together. I was never of Parliament but the last, and the last session, at both of which times I saw the liberty of free speech, the which is the only salve to heal all the sores of this Commonwealth, so much and so many ways infringed, and so many abuses offered to this honourable council, as hath much grieved me, even of very conscience and love to my prince and State. Wherefore, to avoid the like, I do deem it expedient to open the commodities that grow to the prince and the whole State by free speech used in this place; at least, so much as my simple wit can gather it, the which is very little in respect of that that wise heads can say therein, and so it is of more force. First, all matters that concern God's honour, through free speech, shall be propagated here and set forward, and all things that do hinder it removed, repulsed, and taken away. Next, there is nothing commodious, profitable, or any way beneficial for the prince or State but faithful and loving subjects will offer it in this place. Thirdly, all things discommodious, perilous, or hurtful to the prince or State shall be prevented, even so much as seemeth good to our merciful God to put into our minds, the which no doubt shall be sufficient if we do earnestly call upon Him and fear Him (for Solomon saith, "The fear of God is the beginning of wisdom. Wisdom breatheth life into her children, receiveth them that seek her, and will go beside them in the way of righteousness,") so that our minds shall be directed to all good, needful, and necessary things, if we call upon God with faithful hearts. Fourthly, if the envious do offer anything hurtful or perilous, what inconvenience doth grow thereby? Verily, I think none; nay, will you have me to say my simple opinion thereof—much good cometh thereof. How, forsooth? Why, by the darkness of the night the brightness of the sun showeth more excellent and clear; and how can truth appear and conquer until falsehood and all subtleties that should shadow and darken it are found out? For it is offered in this place as a piece of fine needlework to them that are most skilful therein, for there cannot be a false stitch (God aiding us) but will be found out.

Fifthly, this good cometh thereof—a wicked purpose may the easier be prevented when it is known. Sixthly, an evil man can do the less harm when it is known. Seventhly, sometime it happeneth that a good man will in this place (for argument sake) prefer an evil cause both for that he would have a doubtful truth to be opened and manifested, and also the evil prevented. So that to this point I conclude, that in this House, which is termed a place of free speech, there is nothing so necessary for the preservation of the prince and State as free speech ; and without this it is a scorn and mockery to call it a Parliament House, for in truth it is none but a very school of flattery and dissimulation, and so a fit place to serve the devil and his angels in, and not to glorify God and benefit the Commonwealth.

Now to the impediments thereof, which, by God's grace and my little experience, I will utter plainly and faithfully. I will use the words of Elcha—"Behold, I am as the new wine which hath no vent, and bursteth the new vessels in sunder ; therefore, I will speak that I may have a vent. I will open my lips and make answer. I will regard no manner of person, no man will I spare ; for if I go about to please men, I know not how soon my Maker will take me away." My text is vehement, which, by God's sufferance, I mean to observe, hoping therewith to offend none ; for that of very justice none ought to be offended for seeking to do good and saying of the truth.

Amongst other, Mr. Speaker, two things do great hurt in this place, of which I do mean to speak. The one is a rumour which runneth about the House, and this it is—"Take heed what you do ; the Queen liketh not such matter ; whoever preferreth it, she will be offended with him." Or the contrary—"Her Majesty liketh of such matter ; whoever speaketh against it, she will be much offended with him." The other—sometimes a message is brought into the House, either of commanding or inhibiting, very injurious to the freedom of speech and consultation. I would to God, Mr. Speaker, that these two were burned in hell,—I mean rumours and messages, for wicked they undoubtedly are. The reason is, the devil was the first author of them, from whom proceedeth nothing but wickedness. Now I will set down reasons to prove them wicked. For if we be in hand with anything for the advancement of God's glory, were it not wicked to say the Queen liketh not of it, or commandeth that we shall not deal in it ? Greatly were these speeches to her Majesty's dishonour ; and a hard opinion were it, Mr. Speaker, that these things should enter into her Majesty's thoughts. Much more wicked were it that her Majesty should like or command anything against God, or hurtful to herself and the State. The Lord grant that this thing may be far from her Majesty's heart ! Here this may be objected—that,

if the Queen's Majesty have intelligence of anything perilous or beneficial to her Majesty's person or the State, would you not have her Majesty give knowledge thereof to the House, whereby her peril may be prevented and her benefit provided for? God forbid! Then were her Majesty in worse case than any of her subjects. And, in the beginning of our speech, I showed it to be a special cause of our assembling; but my intent is, that nothing should be done to God's dishonour, to her Majesty's peril, or the peril of the State. And, therefore, I will show the inconveniences that grow of these two. First, if we follow not the prince's mind, Solomon saith: "The king's displeasure is a messenger of death." This is a terrible thing to weak nature; for who is able to abide the fierce countenance of his prince? But if we will discharge our consciences, and be true to God and prince and State, we must have due consideration of the place and the occasion of our coming together, and especially have regard unto the matter wherein we both shall serve God and our prince and State faithfully, and not dissembling as eye-pleasers, and so justly avoid all displeasures both to God and our prince; for Solomon saith, "In the way of the righteous there is life." As for any other way, it is the path to death. So that, to avoid everlasting death and condemnation with the high and mighty God, we ought to proceed in every cause according to the matter, and not according to the prince's mind. And now I will show you a reason to prove it perilous always to follow the prince's mind. Many a time it falleth out that a prince may favour a cause perilous to himself and the whole State. What are we then if we follow the prince's mind? Are we not unfaithful unto God, our prince, and State? Yes, truly; we are chosen of the whole realm, of a special trust and confidence by them reposed in us, to foresee all such inconveniences. Then I will set down my opinion herein; that is to say, he that dissembleth to her Majesty's peril to be accounted as a hateful enemy, for that he giveth unto her Majesty a detestable Judas's kiss; and he that contrarieth her mind to her preservation, yea, though her Majesty would be much offended with him, is to be judged an approved lover. For "faithful are the wounds of a lover," saith Solomon; "but the kisses of an enemy are deceitful." "And 'tis better," said Antisthenes, "to fall amongst ravens than amongst flatterers; for ravens do but devour the dead corpse, and flatterers the living." And it is both traitorous and hellish, through flattery, to seek to devour our natural prince; and that do flatterers. Therefore, let them leave it with shame enough.

Now to another great matter that riseth of this grievous rumour. What is it, forsooth? Whatsoever thou art that pronounceth it, thou dost pronounce thy own discredit. Why so? For that thou

doth what lieth in thee to pronounce the prince to be perjured, the which we neither will nor may believe. For we ought not, without too manifest proof, to credit any dishonour to our anointed. No; we ought not without it to think any evil of her Majesty, but rather to hold him a liar, what credit soever he be of; for the Queen's Majesty is the head of the law, and must of necessity maintain the law, for by the law her Majesty is made justly our queen, and by it she is most chiefly maintained. Hereunto agreeth the most excellent words of Bracton (*De Legibus Angliæ*, lib. i. cap. 7), who saith, "The king hath no peer nor equal in his kingdom." He hath no equal, for otherwise he might lose his authority of commanding since that an equal hath no power of commandment over an equal. The king ought not to be under man, but under God, and under the law, because the law maketh him a king. Let the king, therefore, attribute that the law attributeth unto him, that is, dominion and power; for he is not a king in whom will, and not the law, doth rule; and therefore he ought to be under the law. I pray you mark the reason why my authority saith the king ought to be under the law; for, saith he, "He is God's viceregent upon earth;" that is, His lieutenant, to execute and do His will, the which is law or justice, and thereunto was her Majesty sworn at her coronation, as I have heard learned men in this place sundry times affirm. Unto which I doubt not her Majesty will, for her honour and conscience sake, have special regard; for free speech and conscience in this place are granted by a special law as that without the which the prince and State cannot be preserved or maintained. So that I would wish that every man that feareth God, regardeth the prince's honour, or esteemeth his own credit, to fear at all times hereafter to pronounce any such horrible speeches so much to the prince's dishonour, for in so doing he showeth himself an open enemy to her Majesty, and so worthy to be contemned of all faithful hearts. Yet there is another inconvenience that riseth of this wicked rumour. The utterers thereof seem to put into our heads that the Queen's Majesty both conceived an evil opinion, diffidence, and mistrust in us, her faithful and loving subjects; for, if she hath not, her Majesty would wish that all things dangerous to herself should be laid open before us, assuring herself that loving subjects as we are would, without schooling and direction, with careful mind to our powers, prevent and withstand all perils that might happen unto her Majesty. And this opinion I doubt not but her Majesty hath conceived of us; for undoubtedly there was never prince, surely there were never subjects who had more cause heartily to love, that had faithfuller hearts than her Majesty hath here, and their prince for her quiet government than we have. So that he that raiseth this rumour still increaseth but discredit in seeking to sow sedition as much as lieth in him

between our merciful Queen and us, her loving and faithful subjects, the which, by God's grace, shall never lie in his power; let him spit out all his venom, and therewithal show out his malicious heart. Yet I have collected sundry reasons to prove this a hateful and detestable rumour, and the utterer thereof to be a very Judas to our noble Queen. Therefore, let any hereafter take heed how he publish it, for as a very Judas unto her Majesty, and an enemy to the whole State, we ought to accept him.

Now, the other was a message, Mr. Speaker, brought the last session into the House that we should not deal in any matters of religion, but first to receive from the bishops. Surely this was a doleful message; for it was as much as to say, "Sirs, ye shall not deal in God's causes; no! ye shall no wise seek to advance His glory!" And, in recompense of your unkindness, God in His wrath will look upon your doings that the chief cause that ye were called together for, the which is the preservation of your prince, shall have no success. If some one of this House had presently made this interpretation of this said message, had he not seemed to have the spirit of prophecy? Yet, truly I assure you, Mr. Speaker, there were divers of this House that said with grievous hearts, immediately upon the message, that God of His justice could not prosper the session. And let it be holden for a principle, Mr. Speaker, that council that cometh not together in God's name cannot prosper. For God saith, "Where two or three are gathered together in my name, there am I in the midst amongst them." Well, God, even the great and mighty God, whose name is the Lord of Hosts, great in council and infinite in thought, and who is the only good Director of all hearts, was the last session shut out of doors! But what fell out of it, forsooth? His great indignation was therefore poured upon this House; for He did put into the Queen's Majesty's heart to refuse good and wholesome laws for her own preservation, the which caused many faithful hearts for grief to burst out with sorrowful tears, and moved all Papists, traitors to God and her Majesty, who envy good Christian government, in their sleeves to laugh all the whole Parliament House to scorn. And shall I pass over this weighty matter so lightly? Nay! I will discharge my conscience and duties to God, my prince, and country. So certain it is, Mr. Speaker, that none is without fault, no, not our noble Queen, sith then her Majesty hath committed great fault, yea, dangerous faults to herself.

Love, even perfect love, void of dissimulation, will not suffer me to hide them to her Majesty's peril, but to utter them to her Majesty's safety. And these they are: It is a dangerous thing in a prince unkindly to abuse his or her nobility and people; and it is a dangerous thing in a prince to oppose or bend herself against her nobility and people, yea,

against most loving and faithful nobility and people. And how could any prince more unkindly entreat, abuse, and oppose herself against her nobility and people than her Majesty did the last Parliament? Did she call of purpose to prevent traitorous perils to her person, and for no other cause? Did not her Majesty send unto us two bills, willing us to make choice of that we liked best for her safety, and thereof to make a law, promising her Majesty's assent thereunto? And did we not first choose the one, and her Majesty refused it, yielding no reason; nay, yielding great reasons why she ought to have yielded to it? Yet did we nevertheless receive the other, and, agreeing to make a law thereof, did not her Majesty in the end refuse all our travails? And did not we, her Majesty's faithful nobility and subjects, plainly and openly decipher ourselves unto her Majesty and our hateful enemies, and hath not her Majesty left us all open to their revenge? Is this a just recompense in our Christian Queen for our just dealings? The heathen do requite good for good; then how much more is it to be expected in a Christian prince? And will not this her Majesty's handling, think you, Mr. Speaker, make cold dealing in any of her Majesty's subjects toward her again? I fear it will. And hath it not caused many already, think you, Mr. Speaker, to seek a salve for the head that they have broken? I fear it hath; and many more will do the like, if it be not prevented in time. And hath it not marvellously rejoiced and encouraged the hollow hearts of her Majesty's hateful enemies and traitorous subjects? No doubt but it hath. And I beseech God that her Majesty may do all things that may grieve the hearts of her enemies, and may joy the hearts that unfeignedly love her Majesty; and I beseech the same God to endue her Majesty with His wisdom, whereby she may discern faithful advice from traitorous, sugared speeches, and to send her Majesty a melting, yielding heart unto sound counsel, that will may not stand for a reason; and then her Majesty will stand where her enemies have fallen; for no estate will stand where the prince will not be governed by advice. And I doubt not but that some of her Majesty's council have dealt plainly and faithfully with her Majesty herein. If any have, let it be a sure sign to her Majesty to know them for approved subjects; and whatsoever they be that did persuade her Majesty so unkindly to entreat, abuse, and to oppose herself against her nobility and people, or commend her Majesty for so doing, let it be a sure token to her Majesty to know them for sure traitors and underminers of her Majesty's life, and remove them out of her Majesty's presence and favour; for the more cunning they are the more dangerous are they unto her Majesty. But was this all? No; for God would not vouchsafe that His Holy Spirit should all that session descend upon our bishops; so that in that session nothing was done to the advancement



of His glory. I have heard of old Parliament men that the tarnishment of the Pope and Popery and the restoring of true religion had their beginning from this House, and not from the bishops ; and I have heard that few laws for religion had their foundation from them. And I do surely think—before God I speak it !—that the bishops were the cause of that doleful message. And I will show you what moveth me so to think. I was, amongst others, in the last Parliament, sent unto the Bishop of Canterbury for the Articles of Religion that then passed this House. He asked us why we did put out of the book the homilies, consecrating of bishops, and such like. “ Surely, sir,” said I, “ because we were so occupied with other things that we had no time to examine them how they agreed with the Word of God.” “ What ! ” said he, “ surely you mistook the matter ; you will refer yourself wholly to us therein ? ” “ No ! by the faith I bear to God,” said I, “ we will pass nothing until we understand what it is ; for that were but to make you popes. Make you popes who list,” said I, “ for we will make you none.” And sure, Mr. Speaker, the speech seemed to me a pope-like speech ; and I fear lest our bishops do attribute this of the Pope’s canons unto themselves, “ *papa non potest errare* ” ; for surely, if they did not, they would reform things amiss, and not to spurn against God’s people for writing therein as they do. But I can tell them news : they do but kick against the pricks ; for undoubtedly they both have and do err ; for God will reveal His truth maugre the hearts of them and all His enemies ; for great is the truth and it will prevail. And, to say the truth, it is an error to think that God’s Spirit is tied only in them ; for the Heavenly Spirit saith : “ First seek the kingdom of God and the righteousness thereof, and all these things (meaning temporal) shall be given you.” These words were not spoken to the bishops only, but to all ; and the writ, Mr. Speaker, that we are called up by, is chiefly to deal in God’s cause, so that our commission, both from God and our prince, is to deal in God’s causes. Therefore, the accepting of such messages, and taking them in good part, do highly offend God, and is the acceptation of the breach of the liberties of this honourable council. For is it not all one thing to say, sirs, “ you shall deal in such matters only,” as to say “ you shall not deal in such matters ? ” and is as good to have fools and flatterers in the House as men of wisdom, grave judgment, faithful hearts, and sincere consciences ; for they, being taught what they shall do, can give their consents as well as others. Well, “ he that hath an office,” saith Saint Paul, “ let him wait on his office,” or give diligent attendance on his office. It is a great and special part of our office, Mr. Speaker, to maintain the freedom and consultation of speech ; for by this good laws that do set forth God’s glory, and for the preservation of the

prince and State, are made. Saint Paul, in the same place, saith : "Hate that which is evil, cleave unto that which is good." Then with Saint Paul I do advise you all here present, yea, and heartily and earnestly desire you, from the bottom of your hearts, to hate all messengers, tale-carriers, or any other thing, whatsoever it be, that any way infringes the liberties of this honourable council ; yea, hate it or them as poisonous unto our Commonwealth, for they are venomous beasts that do use it. Therefore I say unto you again and again. "Hate that which is evil, and cling unto that which is good." And thus, being loving and faithful-hearted, I do wish to be conceived in fear of God and of love of our prince and State ; for we are incorporated into this place to serve God and all England, and not to be time-servers, as humour-feeders, as cancers that would pierce the bone, or as flatterers that would fain beguile all the world, and so worthy to be condemned both of God and man ; but let us show ourselves a people endued with faith, I mean a lively faith that bringeth forth good works, and not as dead. And these good works I wish to break forth in this sort, not only in hating the enemies before spoken against, but also in openly reprov- ing them as enemies to God, our prince, and State, that do use them, for they are so. Therefore, I would have none spared or forborne that shall from henceforth offend herein, of what calling soever he be ; for the higher place he hath the more harm he may do. Therefore, if he will not eschew offences, the higher I wish him hanged. I speak this in charity, Mr. Speaker ; for it is better that one should be hanged than that this noble State should be subverted. Well I pray God with all my heart to turn the hearts of all the enemies of our prince and State, and to forgive them that wherein they have offended ; yea, and to give them grace to offend therein no more. Even so, I do heartily beseech God to forgive us for holding our peace when we have heard any injury offered to this honourable council ; for surely it is no small offence, Mr. Speaker, for we offend therein against God, our prince and State, and abuse the confidence by them reposed in us. Wherefore God, for His great mercies' sake, grant that we may from henceforth show ourselves neither bastards nor dastards therein, but that as rightly-begotten children we may sharply and boldly reprove God's enemies, our prince's, and State's ; and so shall every one of us discharge our duties in this our high office, wherein He hath placed us, and show ourselves haters of evil and cleavers to that that is good to the setting forth of God's glory and honour, and to the preservation of our noble Queen and Commonwealth, for these are the marks that we ought only in this place to shoot at. I am thus earnest—I take God to witness, for conscience' sake—love unto my prince and Commonwealth, and for the advancement

of justice ; “ for justice,” saith an ancient father, “ is the prince of all virtues,” yea, the safe and faithful guard of man’s life, for by it empires, kingdoms, people, and cities, be governed, the which, if it be taken away, the society of man cannot long endure. And a king, saith Solomon, “ that sitteth in the throne of judgment, and looketh well about him, chaseth away all evil ; ” in the which State and throne, God, for His great mercies’ sake, grant that our noble Queen may be heartily vigilant and watchful ; for surely there was a great fault committed both in the last Parliament and since also that was, as faithful hearts as any were unto the prince and State received most displeasure, the which is but a hard point in policy to encourage the enemy, to discourage the faithful hearted, who of fervent love cannot dissemble, but follow the rule of Saint Paul, who saith, “ Let love be without dissimulation.”

## THOMAS WOODROW WILSON

(1856-1924).

**W**OODROW WILSON came of the tough Scottish-Irish stock which has contributed so many eminent men to America. After preliminary education at Davidson College and elsewhere, he matriculated at Princeton University in 1875. There he acquired that taste for unlimited reading which he always retained. While at Princeton he established a record for good, sound scholarship, but without brilliancy. It is interesting to note that ethics and political history were his strong subjects.

After taking his degree Wilson studied law, and in 1882 he went to Atlanta to begin practice. However, his studies of political jurisprudence led him to accept a fellowship in history at Johns Hopkins University, where the degree of Ph. D. was conferred upon him in 1886. He was now thirty years of age and recognised as an authority on education, and for the next twenty years he poured out a stream of lectures, addresses, books and essays on ethical and educational topics.

In September, 1910, Dr. Wilson was elected Governor of New Jersey, and he undertook to deal with three great questions, economy and organization in administration, the equalization of taxation, and control of "trusts." The post of Governor was merely a stepping stone to the highest honour of all, that of the Presidency of the U.S.A., and he duly became President in 1912 and was re-elected in 1916.

Dr. Wilson's high powers as an orator were the result not so much of natural gifts as of consistent and lifelong practice in public speaking, aided by a cultivated literary style, using one of the most extensive vocabularies ever employed by any speaker of the English tongue.

## THE PROGRAMME OF PEACE : THE FOURTEEN POINTS

(Address to Congress, January 8th, 1918).

ONCE more, as repeatedly before, the spokesmen of the Central Empires have indicated their desire to discuss the objects of the war and the possible basis of a general peace. Parleys have been in progress at Brest-Litovsk between Russian representatives and representatives of the Central Powers to which the attention of all the belligerents has been invited for the purpose of ascertaining whether it may be possible to extend these parleys into a general conference with regard to terms of peace and settlement. The Russian representatives presented not only a perfectly definite statement of the principles upon which they would be willing to conclude peace, but also an equally definite programme of the concrete application of those principles. The representatives of the Central Powers, on their part, presented an outline of settlement which, if much less definite, seemed susceptible of liberal interpretation until their specific programme of practical terms was added.

That programme proposed no concessions at all, either to the sovereignty of Russia, or to the preferences of the population with whose fortunes it dealt, but meant, in a word, that the Central Empires were to keep every foot of territory their armed forces had occupied—every province, every city, every point of vantage—as a permanent addition to their territories and their power. It is a reasonable conjecture that the general principles of settlement which they at first suggested originated with the more liberal statesmen of Germany and Austria, the men who had begun to feel the force of their own people's thought and purpose, while the concrete terms of actual settlement came from the military leaders, who have no thought but to keep what they have got. The negotiations have been broken off. The Russian representatives were sincere and in earnest. They cannot entertain such proposals of conquest and domination.

The whole incident is full of significance. It is also full of perplexity. With whom are the Russian representatives dealing? For whom are the representatives of the Central Empires speaking? Are they speaking for the majorities of their respective parliaments, or for the minority parties, that military and imperialistic minority which has so far dominated their whole policy and controlled the affairs of Turkey

and of the Balkan states, which have felt obliged to become their associates in this war? The Russian representatives have insisted, very justly, very wisely, and in the true spirit of modern democracy that the conferences they have been holding with the Teutonic and Turkish statesmen should be held within open, not closed, doors, and all the world has been audience, as was desired. To whom have we been listening, then? To those who speak the spirit and intention of the resolutions of the German Reichstag of the 19th of July last, the spirit and intention of the liberal leaders and parties of Germany, or to those who resist and defy that spirit and intention and insist upon conquest and subjugations? Or are we listening, in fact, to both, unreconciled and in open and hopeless contradiction? These are very serious and pregnant questions. Upon the answer to them depends the peace of the world.

But whatever the results of the parleys at Brest-Litovsk, whatever the confusions of counsel and of purpose in the utterances of the spokesmen of the Central Empires, they have again attempted to acquaint the world with their objects in the war and have again challenged their adversaries to say what their objects are and what sort of settlement they would deem just and satisfactory. There is no good reason why that challenge should not be responded to, and responded to with the utmost candour. We did not wait for it. Not once, but again and again we have laid our whole thought and purpose before the world, not in general terms only, but each time with sufficient definition to make it clear what sort of definite terms of settlement must necessarily spring out of them.

Within the last week, Mr. Lloyd George has spoken with admirable candour and in admirable spirit for the people and Government of Great Britain. There is no confusion of counsel among the adversaries of the Central Powers, no uncertainty of principle, no vagueness of detail. The only secrecy of counsel, the only lack of fearless frankness, the only failure to make definite statements of the objects of the war, lies with Germany and her allies. The issues of life and death hang upon these definitions. No statesman who has the least conception of his responsibility ought for a moment to permit himself to continue this tragical and appalling outpouring of blood and treasure, unless he is sure beyond a peradventure that the objects of the vital sacrifice are part and parcel of the very life of society, and that the people for whom he speaks think them right and imperative, as he does.

There is, moreover, a voice calling for these definitions of principle and of purpose which is, it seems to me, more thrilling and more compelling than any of the many moving voices with which the troubled

air of the world is filled. It is the voice of the Russian people. They are prostrate and all but helpless, it would seem, before the grim power of Germany, which has hitherto known no relenting and no pity. Their power, apparently, is shattered, and yet their soul is not subservient. They will not yield either in principle or in action. Their conviction of what is right, of what it is humane and honourable for them to accept, has been stated with a frankness, a largeness of view, a generosity of spirit, and a universal human sympathy which must challenge the admiration of every friend of mankind, and they have refused to compound their ideals or desert others that they themselves may be safe. They call to us to say what it is that we desire, in what, if in anything, our purpose and our spirit differ from theirs, and I believe that the people of the United States would wish me to respond with utter simplicity and frankness. Whether their present leaders believe it or not, it is our heartfelt desire and hope that some way may be opened whereby we may be privileged to assist the people of Russia to attain their utmost hope of liberty and ordered peace.

It will be our wish and purpose that the processes of peace, when they are begun, shall be absolutely open, and that they shall involve and permit henceforth no secret understandings of any kind. The day of conquest and aggrandizement is gone by ; so is also the day of secret covenants entered into in the interest of particular governments, and likely at some unlooked-for moment to upset the peace of the world. It is this happy fact, now clear to the view of every public man whose thoughts do not still linger in an age that is dead and gone, which makes it possible for every nation whose purposes are consistent with justice and the peace of the world to avow now or at any other time the objects it has in view. We entered this war because violations of right had occurred which touched us to the quick and made the life of our own people impossible unless they were corrected and the world secured once for all against their recurrence. What we demand in this war, therefore, is nothing peculiar to ourselves. It is that the world be made fit and safe to live in ; and particularly that it be made safe for every peace-loving nation, which, like our own, wishes to live its own life, determine its own institutions, and be assured of justice and fair dealing by the other peoples of the world as against force and selfish aggression. All the peoples of the world are in effect partners in this interest, and for our own part we see very clearly that unless justice be done to others it will not be done to us.

**The programme of the world's peace, therefore, is our programme, and that programme, the only possible programme, as we see it, is this :**

1. Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

2. Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

3. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

4. Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

5. A free open minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined.

6. The evacuation of all Russian territory and such a settlement of all questions affecting Russia, as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy, and assure her of a sincere welcome into the society of free nations under institutions of her own choosing ; and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

7. Belgium, the whole world will agree, must be evacuated and restored, without any attempt to limit the sovereignty which she enjoys in common with all other free nations. No other single act will serve as this will serve to restore confidence among the nations in the laws which they have themselves set and determined for the government of their relations with one another. Without this healing act the whole structure and validity of international law is forever impaired.

8. All French territory should be freed and the invaded portions restored, and the wrong done to France by Pussia in 1871 in the matter of Alsace-Lorraine, which has unsettled the peace of the world for nearly fifty years, should be righted, in order that peace may once more be made secure in the interests of all.



9. A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality.

10. The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.

11. Rumania, Serbia, and Montenegro should be evacuated, occupied territories restored, Serbia accorded free and secure access to the sea, and the relations of the several Balkan states to one another determined by friendly counsel along historically established lines of allegiance and nationality, and international guarantees of the political and economic independence and territorial integrity of the several Balkan states should be entered into.

12. The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development, and the Dardanelles should be permanently opened as a free passage to the ships and commerce of all nations under international guarantees.

13. An independent Polish state should be erected, which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.

14. A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike.

In regard to these essential rectifications of wrong and assertions of right, we feel ourselves to be intimate partners of all the Governments and peoples associated together against the imperialists. We cannot be separated in interest or divided in purpose. We stand together until the end.

## LIBERTY OF ALL PEOPLES

(Delivered at Washington, July 4th, 1918).

**I** AM happy to draw apart with you to this quiet place of old counsel in order to speak a little of the meaning of this day of our nation's independence. The place seems very still and remote. It is as serene and untouched by the hurry of the world as it was in those great days

long ago when General Washington was here and held leisurely conference with the men who were to be associated with him in the creation of a nation. From these gentle slopes they looked out upon the world and saw it whole, saw it with the light of the future upon it, saw it with modern eyes that turned away from a past which men of liberated spirits could no longer endure. It is for that reason that we cannot feel even here, in the immediate presence of this sacred tomb, that this is a place of death. It was a place of achievement. A great promise that was meant for all mankind was here given plan and reality. The associations by which we are here surrounded are the inspiring associations of that noble death which is only a glorious consummation.

From this green hillside we also ought to be able to see with comprehending eyes that world that lies about us, and should conceive anew the purposes that must set men free. It is significant of their own character and purpose and of the influences they were setting afoot—that Washington and his associates, like the Barons at Runnymede, spoke and acted not for a class, but a people. It has been left for us to see to it that it shall be understood that they spoke and acted not for a single people only but for all mankind. They were thinking not of themselves and of the material interests which centred in the little groups of landowners and merchants and men of affairs with whom they were accustomed to act in Virginia and the colonies to the north and south of her, but of a people which wished to be done with classes and special interests and the authority of men whom they had not themselves chosen to rule over them.

They entertained no private purpose, desired no peculiar privilege. They were consciously planning that men of every class should be free, and America a place to which men out of every nation might resort who wished to share with them the rights and privileges of free men.

And we take our cue from them, do we not? We intend what they intended. We here in America believe our participation in this present war to be only the fruitage of what they planted. Our case differs from theirs only in this, that it is our inestimable privilege to concert with men out of every nation what shall make not only the liberties of America secure, but the liberties of every other people as well. We are happy in the thought that we are permitted to do what they would have done had they been in our place. There must now be settled once for all what was settled for America in the great age, upon whose inspiration we draw to-day.

This is surely a fitting place from which calmly to look out upon our task that we may fortify our spirits for its accomplishment. And

this is the appropriate place from which to avow, alike to the friends who look on and to the friends with whom we have the happiness to be associated in action, the faith and purpose with which we act.

This, then, is our conception of the great struggle in which we are engaged. The plot is written plain upon every scene and every act of the supreme tragedy. On the one hand stand the peoples of the world—not only the peoples actually engaged but many others also who suffer under mastery but cannot act ; peoples of many races and in every part of the world—the people of stricken Russia still, among the rest, though they are for the moment unorganized and helpless.

Opposed to them, masters of many armies, stands an isolated, friendless group of Governments who speak no common purpose but only selfish ambitions of their own, by which none can profit but themselves and whose people are fuel in their hands ; Governments which fear their people and yet are for the time their sovereign lords, making every choice for them and disposing of their lives and fortunes as they will, as well as of the lives and fortunes of every people who fall under their power—Governments clothed with the strange trappings and the primitive authority of an age that is altogether alien and hostile to our own.

The past and the present are in deadly grapple, and the peoples of the world are being done to death between them. There can be but one issue. The settlement must be final. There can be no compromise. No half-way decision would be tolerable. No half-way decision is conceivable.

These are the ends for which the associated peoples of the world are fighting and which must be conceded them before there can be peace :

First, the destruction of every arbitrary power anywhere that can separately, secretly, and of its single choice disturb the peace of the world ; or, if it cannot be presently destroyed, at the least its reduction to virtual impotence.

Second, the settlement of every question, whether of territory or sovereignty, of economic arrangement or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.

Third, the consent of all nations to be governed in their conduct towards each other by the same principles of honour and of respect for the common law of civilized society that govern the individual citizens of all modern States, and in their relations with one another, to the end

that all promises and covenants may be sacredly observed, no private plots or conspiracies hatched, no selfish injuries wrought with impunity and a mutual trust established upon the handsome foundation of a mutual respect for right.

Fourth, the establishment of an organization of peace which shall make it certain that the combined power of free nations will check every invasion of right, and serve to make peace and justice the more secure by affording a definite tribunal of opinion to which all must submit, and by which every international readjustment that cannot be amicably agreed upon by the peoples directly concerned shall be sanctioned.

These great objects can be put into a single sentence. What we seek is the reign of law based upon the consent of the governed, and sustained by the organized opinion of mankind. These great ends cannot be achieved by debating and seeking to reconcile and accommodate what statesmen may wish, with their projects for balances of power and of national opportunity. They can be realized only by the determination of what the thinking peoples of the world desire, with their longing hope for justice and for social freedom and opportunity.

I can fancy that the air of this place carries the accents of such principles with a peculiar kindness. Here were started forces which the great nation against which they were primarily directed at first regarded as a revolt against its rightful authority, but which it has long since seen to have been a step in the liberation of its own people as well as of the people of the United States. And I stand here now to speak—speak proudly and with confident hope—of the spread of this revolt, this liberation, to the great stage of the world itself.

The blinded rulers of Prussia have aroused forces they knew little of, forces which, once roused, can never be crushed to earth again, for they have at their heart an inspiration and a purpose which are deathless, and of the very stuff of triumph.



