

THE DEVELOPMENT OF PERSONAL LIBERTY 19

"I'm under British Law
Safe beside the lion's paw,
And he'll growl if you come near the shore."

There is too an old legal maxim which has generally, in the end at least, alike on British, Colonial and American soil, asserted itself in relation to the oppressed :

"Lex Angliæ est lex misericordiæ."

Behind all these movements affecting civil rights, there was the moral power. It arose, as we have seen, with the advancement of education, the translation of the Bible into the vulgar tongue and the opening of the eyes of the serfs, who at last discovered that their lords were of the same blood as themselves. When the followers of Wat. Tyler elected John Ball, Chaplain at Maidstone in 1381, he preached a sermon taking for text the old rhyme :

"When Adam delved and Eve span
Who was then the gentleman ?"

The spirit which animated them did not slumber. But for it, the serfs would have remained chattels appurtenant to the land they tilled and the mines they worked ; Bouceaux would not have found sympathisers or enlisted the advocacy of le Clerk at Rochelle ; Sommersett and Knight would have been relegated to slavery in the Antilles ; Moseley and Anderson would have been returned to Southern bondage. The conflict for liberty in France was fierce and bloody. In England, since the days of the Stewarts, it has been mainly parliamentary. Canada inherited the spirit from her motherlands, but had its uprising in 1837, followed by the Acts abolishing feudal tenure in Lower Canada and primogeniture in Upper Canada, and enactments extending the suffrage in both provinces.

In the United States the storm broke on the reefs of Southern interests and the inflexibility of the written constitution.

Happy is the land where the dread resort to civil strife is warded off by the wisdom of those who teach, including the clergy, the press, the legislature and the courts.

Toronto

J. CLELAND HAMILTON.